

T-11755

T-11755

Name STIFFLER LLC
40 CRAIG COLEMAN
 Address 33896 E. WALLS RD
HERMISTON OR 97038

DESCRIPTION OF WATER RIGHT(S)

Name of Stream WELL #2Trib. of COLUMBIANUse IRRCounty MORROW CO.

Quantity of water (CFS)

No. of Acres

Name of ditch

App # G 7257Per # G 6386Cert # 56159PR Date 2/12/1976App # G 7619Per # G 7065Cert # 56160PR Date 12/23/1976

App #

Per #

Cert #

PR Date

App #

Per #

Cert #

PR Date

App #

Per #

Cert #

PR Date

FEES PAID		
Date	Amount	Receipt #
03-10-14	1450.00	111338
07-26-2023	125.00	141257

Change in POU
 Date Filed MAR 10 2014
 Initial notice date
 DPD issued date
 PD issued date 2-19-15
 PD notice date 2-24-15
 Date of FO 3-30-15 Vol 95 Page 368-371

FEES REFUNDED		
Date	Amount	Receipt#

C-Date
 COBU due date
 COBU Received date
 Certificate issued

RECEIVED APR 21 2014 VS
 Assignments

Irrigation District

Agent BILL POPELLO

CWRE

CC's list

☐ - Oversized map - Location

CLAIM OF BENEFICIAL USE for Transfers Place of Use Only



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

A fee of \$230 must accompany this form for any transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 7" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change in place of use.

If additional changes were authorized, you will need to select a different form.

1. File Information

APPLICATION #

T-11755

YES

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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Stiffler LLC c/o Craig Coleman		PHONE NO. 541-314-8568	ADDITIONAL CONTACT NO.
ADDRESS 33896 East Walls Rd			
CITY Hermiston	STATE OR	ZIP 97838	E-MAIL craig@ordnancebrewing.com

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. **Each** transfer holder of record must sign this form.

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD Stiffler LLC c/o Craig Coleman		
ADDRESS 33896 East Walls Rd		
CITY Hermiston	STATE OR	ZIP 99838

4. Date of Site Inspection:

June 14, 2023

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Craig Coleman	6/14/23	Owner

6. County:

Morrow

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD Not Applicable		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

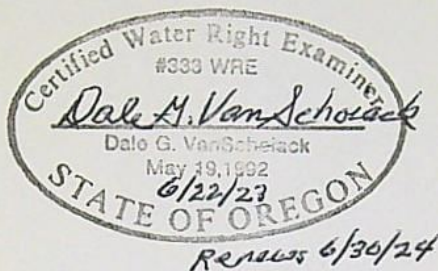
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SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.

Seal and Signature



CWRE NAME Dale Van Schoiack		PHONE NO. 509 627 8717	ADDITIONAL CONTACT NO.
ADDRESS 2141 S Lyle			
CITY Kennewick	STATE WA	ZIP 99337	E-MAIL dalevconsulting@gmail.com

Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Craig Coleman	Owner	7/19/23

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SECTION 3
EXTENT OF CHANGE COMPLETED

1. Claim Summary:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED		THE # OF ACRES DEVELOPED
Cert 56159	47.6 acres	47.6 acres
Cert 56160	22.6 acres	18.4 acres

If the use(s) was not irrigation or nursery:

WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER? (INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP)
NA

2. Variations:

Was the use developed differently from what was authorized by the transfer final order? **YES**

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

The transfer order authorized a change in the place of use of 22.6 acres under Certificate 56160. The water user only developed 18.6 acres of Certificate 56160 under the transfer.

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SECTION 4 CONDITIONS

All conditions contained in the transfer, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGE WAS COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	March 30, 2015	
COMPLETENESS DATE FROM ORDER (C)	October 1, 2018	September 30, 2018.

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)?

NO

If "NO", you may delete the following table.

If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
Not Applicable		

3. Measurement Conditions:

a. Does the transfer final order require the installation of a meter or approved measuring device?

YES

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion or appropriation.

b. Has a meter been installed?

YES

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Well	McCrometer	09 03003	Working	1088.26 x .001 ac ft	9/24/17

If a meter has been installed, items d through f relating to this section may be deleted.

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department?

NA

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE
Not Applicable		

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
Not Applicable		

4. Other conditions required by the transfer final order:

a. Other conditions?

NA

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

Not Applicable

SECTION 5

ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
COBU Map	COBU Map

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SECTION 6

CLAIM OF BENEFICIAL USE MAP

A Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on polyester film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

For the purpose of this Claim, the map must identify the developed new place of use. The existing point(s) of diversion or point(s) of appropriation are required to be included on the Claim map, based on the locations described in the transfer final order.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The transfer application map, a 2018 Google aerial image, the county Tax Lot map, and observations and measurements made during the site visit were used to prepare the Claim of Beneficial Use map.

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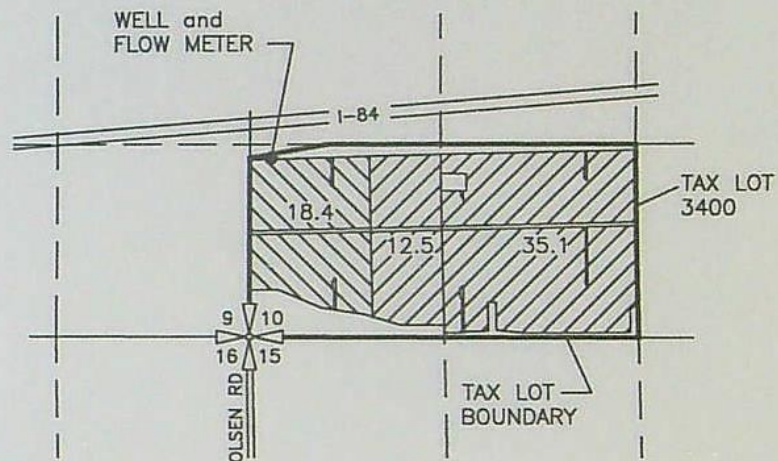
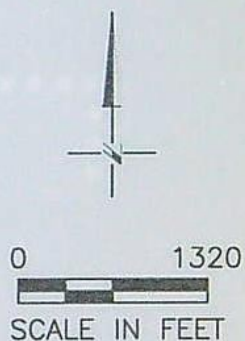
Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)


- ☒ Map on polyester film.
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- NA** Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion
- NA** Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.) ***Not required for this type of Claim of Beneficial Use**
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- NA** Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Transfer application number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

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CLAIM OF BENEFICIAL USE MAP
FOR TRANSFER T-11755
IN THE NAME OF STIFFLER LLC c/o CRAIG COLEMAN
T4N, R25E, W.M., MORROW COUNTY



LEGEND

 ORIGINATING
CERTIFICATE 56159

 ORIGINATING
CERTIFICATE 56160

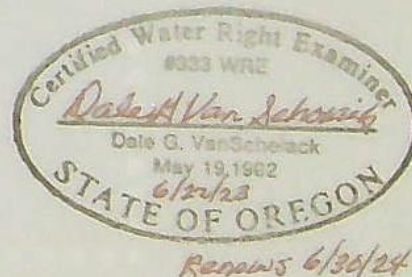
POINT OF APPROPRIATION

WELL
LOCATED 1310'N AND 140'E FROM
THE SW CORNER OF SEC 10

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NOTE:

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

DGV Consulting, PLLC
PHONE (509) 627-8717
dalevconsulting@gmail.com
Date: June 16, 2023

REIMBURSEMENT AUTHORITY TRANSFER

T-11755

CONTRACT NEVER EXECUTED.

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Wednesday, November 22, 2023 8:31 AM
To: craig@ordnancebrewing.com; wporfily@gmail.com
Cc: KAVANAGH Kerry L * WRD
Subject: FW: Certificate RA Estimate R12979-25 for Stiffler, LLC c/o Craig Coleman involving Application T-11755
Attachments: RA contract_T-11755.pdf; RA estimate request_T-11755.pdf; RA estimate receipt_T-11755.pdf

Hello,

I am wondering if you wish to pursue the expedited review of the claim of beneficial use.

Please advise.

Thank you,
Kerry

Kerry Kavanagh

Certificate Reimbursement Authority Program Coordinator
Certificate Section, Water Rights Services Division
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208
kerry.l.kavanagh@water.oregon.gov | <https://www.oregon.gov/OWRD>



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

From: KAVANAGH Kerry L * WRD <Kerry.L.KAVANAGH@water.oregon.gov>
Sent: Wednesday, August 16, 2023 8:15 AM
To: craig@ordnancebrewing.com; wporfily@gmail.com
Cc: KAVANAGH Kerry L * WRD <Kerry.L.KAVANAGH@water.oregon.gov>
Subject: Certificate RA Estimate R12979-25 for Stiffler, LLC c/o Craig Coleman involving Application T-11755

Hello,

Please find the attached estimate and agreement to review the claim of beneficial use (Claim). If the proposed agreement is acceptable to you, please return a signed copy to our office along with the payment of the estimated cost to review the claim of beneficial use.

If you have any questions, please send me an email at kerry.l.kavanagh@water.oregon.gov.

Thanks,
Kerry

Kerry Kavanagh

Certificate Reimbursement Authority Program Coordinator

Certificate Section, Water Rights Services Division
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208
kerry.l.kavanagh@water.oregon.gov | <https://www.oregon.gov/OWRD>



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WATER
RESOURCES
DEPARTMENT

Integrity | Service | Technical Excellence | Teamwork | Forward-Looking



OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT

Contract Number: R12979-25

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Stiffler, LLC, hereafter Applicant, hereafter known together as the parties.

OWRD Information

Project Contact: Kerry Kavanagh
Reimbursement Authority
Oregon Water Resources Department
725 Summer Street NE
Salem OR 97301-1271
Phone: 503-979-3208
Email: Kerry.L.Kavanagh@water.oregon.gov

Applicant's Information

Name: Craig Coleman
Company: Stiffler, LLC
Address: 33896 East Walls Rd
Hermiston OR 97838
Phone: 541-314-8568
Email*: craig@ordnancebrewing.com

Applicant's Representative

Name: William Porfily
Title: Representative
Address: PO Box 643
Stanfield OR 97875
Phone: 541-561-7259
Email*: wporfily@gmail.com

*By providing an Email address, consent is given to receive all correspondence electronically. (Paper copies of the certificate and final order documents will also be mailed.)

1. **Purpose.** The purpose of this Agreement is to expedite the processing of the Claim of Beneficial Use. (Transfer Application Number: T-11755)
2. **Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
3. **Restrictions.** Stiffler, LLC and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
4. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
5. **Consideration.** Stiffler, LLC shall pay OWRD in advance for actual costs incurred by OWRD. Stiffler, LLC agrees to pay the full amount of \$1752 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost. The costs stated in this Agreement do not include the statutory application processing and filing fees.
6. **Confidentiality.** Stiffler, LLC agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
7. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: _____
Name: Craig Coleman
Company: Stiffler LLC
Date: _____

For OWRD: _____
Name: Kerry Kavanagh
Water Right Services Division
Date: _____

Mail signed Agreement to:

Kerry Kavanagh
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

PCA 47126

RECEIVED FROM: Stiffler, LLC APPLICATION
BY: PERMIT
CASH: CHECK: # 7139 OTHER: (IDENTIFY) TRANSFER
TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT
0407 COPIES 47126 R12979-25 \$
0413 OTHER: (IDENTIFY) Cert. of Sale R.A. \$ 125.00
0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT
MISCELLANEOUS
0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$
WATER RIGHTS: EXAM FEE RECORD FEE
0201 SURFACE WATER \$ 0202 \$
0203 GROUND WATER \$ 0204 \$
0205 TRANSFER \$
WELL CONSTRUCTION EXAM FEE LICENSE FEE
0218 WELL DRILL CONSTRUCTOR \$ 0219 \$
LANDOWNER'S PERMIT 0220 \$
OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE
0211 WELL CONST START FEE \$ CARD#
0210 MONITORING WELLS \$ CARD#
OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER
0233 POWER LICENSE FEE (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX
FUND TITLE
OBJ. CODE VENDOR #
DESCRIPTION \$

RECEIPT: 141257 DATED: 7-26-23 BY: Leg. J. Davis
Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STIFFLER, LLC

Oregon Water Resources Department
750000 General and Admin Expns:7512

RECEIVED FROM: Stiffler, LLC APPLICATION
BY: PERMIT
CASH: CHECK: # 7139 OTHER: (IDENTIFY) TRANSFER
TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT
0407 COPIES 47126 R12979-25 \$
0413 OTHER: (IDENTIFY) Cert. of Sale R.A. \$ 125.00
0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT
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0240 EXTENSION OF TIME \$
WATER RIGHTS: EXAM FEE RECORD FEE
0201 SURFACE WATER \$ 0202 \$
0203 GROUND WATER \$ 0204 \$
0205 TRANSFER \$
WELL CONSTRUCTION EXAM FEE LICENSE FEE
0218 WELL DRILL CONSTRUCTOR \$ 0219 \$
LANDOWNER'S PERMIT 0220 \$
OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE
0211 WELL CONST START FEE \$ CARD#
0210 MONITORING WELLS \$ CARD#
OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER
0233 POWER LICENSE FEE (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX
FUND TITLE
OBJ. CODE VENDOR #
DESCRIPTION \$

RECEIPT: 141257 DATED: 7-26-23 BY: Leg. J. Davis
Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

7/19/2023

7139

125.00

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OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION

ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Certificate Request	Application Number _____ Permit Number _____ Transfer Number/Permit Amendment (if applicable) T-11755

	Applicant Information	Applicant's Representative/Contact
Name:	Stiffler, LLC c/o Craig Coleman	Bill Porfily
Address:	33896 East Walls Rd. Hermiston, OR 97838	P.O. Box 643 Standfield, OR 97875
Phone:	541 314 8568	541 561 7259
Fax:	_____	_____
E-Mail Address:	craig@ordnancebrewing.com	wporfily@gmail.com

I certify that I (check one):

- ☒ have previously filed a Claim of Beneficial Use
☐ am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimates of cost and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate Claim of Beneficial Use may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

Oregon Water Resources Department
Certificate Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271

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OWRD

I certify that I am the (check one):

- ☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Name: Craig Coleman

Signature: Craig Coleman

OWRD USE ONLY: Reimbursement Authority Number: R12979-25



Oregon

Kate Brown, Governor

Water Resources Department

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

March 31, 2015

STIFFLER LLC
c/o CRAIG COLEMAN
33896 E WALLS RD
HERMISTON, OR 97838

REFERENCE: Transfer Application T-11755

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

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

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

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

If you have any questions related to the approval of this transfer, you may contact your caseworker, Susan Douthit, by telephone at (503) 986-0858 or by e-mail at Susan.M.Douthit@wrds.state.or.us.

Sincerely,

Bethanie Williamson

for Codi Holmes
Water Right Services Support
Transfers and Conservation Section

cc: Tony G. Justus, Watermaster Dist. #5 (via email)
William I. Porfily, Agent

Enclosure



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

In the Matter of Transfer Application)	FINAL ORDER
T-11755, Morrow County)	APPROVING CHANGES IN PLACES
)	OF USE

Authority

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

Applicant

Stiffler, LLC
c/o Craig Coleman
33896 East Walls Rd.
Hermiston, OR 97838

Findings of Fact

1. On March 10, 2014, Stiffler, LLC, c/o Craig Coleman, filed an application to change the place of use under Certificates 56159 and 56160. The Department assigned the application number T-11755.
2. On February 3, 2015, Craig Coleman submitted a revised application and map to clarify the place of use of the "TO" lands.
3. Notice of the application for transfer was published on March 18, 2014, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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

4. The first right to be transferred is as follows:

Certificate: 56159 in the name of HOMER G. PRICHARD (perfected under Permit G-6386)
Use: IRRIGATION OF 47.6 ACRES
Priority Date: FEBRUARY 12, 1976
Rate: 0.60 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: WELL #2 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	10	SW SW	1310 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	10	SW SW	22.6
4 N	25 E	WM	10	SE SW	25.0
Total					47.6

5. Transfer Application T-11755 proposes to change the place of use to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	10	SW SW	12.0
4 N	25 E	WM	10	SE SW	35.6
Total					47.6

6. The second right to be transferred is as follows:

Certificate: 56160 in the name of HOMER G PRICHARD (perfected under Permit G-7065)
Use: IRRIGATION OF 22.6 ACRES
Priority Date: DECEMBER 23, 1976
Rate: 0.28 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: WELL #2 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	10	SW SW	1310 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	9	SE SE	22.6

7. Transfer Application T-11755 proposes to change the place of use of the above described right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	9	SE SE	17.6
4 N	25 E	WM	10	SW SW	5.0
Total					22.6

8. On January 28, 2015, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-11755 to the applicant. The cover letter for the draft Preliminary Determination set forth a deadline of February 29, 2014 for the applicant to respond. On February 12, 2015, the agent for the applicant requested that the Department extend the completion date for the transfer to October 1, 2018. Also on February 12, 2015, the agent for the applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
9. On February 19, 2015, the Department issued a Preliminary Determination proposing to approve Transfer Application T-11755 **Error! Reference source not found.** and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on February 24, 2015 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria (OAR 690-380-4010)

10. Water has been used within the last five years prior to the submittal of Transfer Application T-11755 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A well, pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-11755.
12. The proposed change would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.
14. All other application requirements are met.

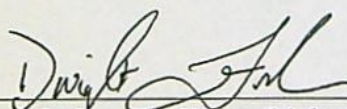
Conclusions of Law

The changes in places of use proposed in Transfer Application T-11755 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The changes in places of use proposed in Transfer Application T-11755 are 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 56159 and 56160 and any related decree.
3. Water Right Certificates 56159 and 56160 are cancelled.
4. The former places of use of the transferred rights shall no longer receive water under these rights.
5. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
7. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated at Salem, Oregon this 30 day of March, 2015.



Dwight French, Water Right Services Administrator, for
Tom Byler Director
Oregon Water Resources Department

Mailing date: APR 01 2015

Water Right Transfer Cover Sheet

Transfer T-11755

Transfer Specialist: 

Transfer Type: Regular

Applicant Name/Address: STIFFLER LLC 33896 E WALLS RD HERMISTON, OR 97838	Agent Name/Address: WILLIAM I. PORFELY PO BOX 643 STANFIELD, OR 97875	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: Morrow County Courthouse
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	<input type="checkbox"/>	G7257	G6386	56159	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>	G7619	G7065	56160	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: March 10, 2014	Proposed Action(s): place of use	
Fees Pd: 1450.00	WM District: 5	ODFW District:
Initial Notice: March 18, 2014	WM Review sent: 3/14/14	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>	GW Review sent:	

Processing Dates & Actions

Deficiency Contacts: by email

Newspaper quote requested: _____

☒ not required

DPD Mailed: 1/28/2015

Request for news \$ sent: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

News \$ received: _____

☐ WM measurement contact sheet sent, or ☐ N/A

PD Signed: 2/19/15

Request to publish sent to newspaper: _____

PD Weekly Notice: 2/24/15

Affidavit of publication received: _____

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: <u>PKS</u>	Reviewer: <u>PKS</u>
Date: _____	Date: <u>2-19-15</u>	Date: <u>3-26-15</u>
Coordinator: _____	Coordinator: <u>↓</u>	Coordinator: <u>↓</u>
Date: _____	Date: _____	Date: _____
Comments/Special Issues: <u>ΔPOO IS A SIMPLE LIFTING UP and PLACING IT BACK DOWN ON SAME LANDS IN A DIFFERENT FOOTPRINT</u>		

Special Order Volume: Vol 95 Pages 368-371 Final Order Signature Date: 3-30-15
 Notice of FO email'd to processors _____



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

February 20, 2015

VIA E-MAIL

STIFFLER, LLC
c/o CRAIG COLEMAN
33896 EAST WALLS ROAD
HERMISTON OR 97838

SUBJECT: Water Right Transfer Application T-11755

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-11755. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please do not hesitate to contact me at 503-986-0886 or Patrick.K.Starnes@wrdd.state.or.us if I may be of assistance.

Sincerely,

Kelly Starnes
Transfer Program Analyst
Transfer and Conservation Section

cc: Transfer application file T-11755
Greg Silbernagel, District 5 Watermaster (via e-mail)
Bill Porfily, Agent for the applicant (via e-mail)
Dale VanSchoiack, CWRE #333 (via e-mail)

encs

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-11755, Morrow County)	PROPOSING APPROVAL OF
)	CHANGES IN PLACES OF USE

Authority

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

Applicant

Stiffler, LLC
c/o Craig Coleman
33896 East Walls Rd.
Hermiston, OR 97838

Findings of Fact

1. On March 10, 2014, Stiffler, LLC, c/o Craig Coleman, filed an application to change the place of use under Certificates 56159 and 56160. The Department assigned the application number T-11755.
2. On February 3, 2015, Craig Coleman submitted a revised application and map to clarify the place of use of the "TO" lands.
3. Notice of the application for transfer was published on March 18, 2014, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

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

4. The first right to be transferred is as follows:

Certificate: 56159 in the name of HOMER G. PRICHARD (perfected under Permit G-6386)
Use: IRRIGATION OF 47.6 ACRES
Priority Date: FEBRUARY 12, 1976
Rate: 0.60 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: WELL #2 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	10	SW SW	22.6
4 N	25 E	WM	10	SE SW	25.0
Total					47.6

5. Transfer Application T-11755 proposes to change the place of use to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	10	SW SW	12.0
4 N	25 E	WM	10	SE SW	35.6
Total					47.6

6. The second right to be transferred is as follows:

Certificate: 56160 in the name of HOMER G PRICHARD (perfected under Permit G-7065)
Use: IRRIGATION OF 22.6 ACRES
Priority Date: DECEMBER 23, 1976
Rate: 0.28 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
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7. Transfer Application T-11755 proposes to change the place of use of the above described right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	9	SE SE	17.6
4 N	25 E	WM	10	SW SW	5.0
Total					22.6

8. On January 28, 2015, the Department mailed a copy of the Preliminary Determination proposing to approve Transfer Application T-11755 to the applicant. The Preliminary Determination set forth a deadline of February 29, 2014 for the applicant to respond. On February 12, 2015, the agent for the applicant requested that the Department extend the completion date for the transfer to October 1, 2018. Also on February 12, 2015, the agent for the applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years prior to the submittal of Transfer Application T-11755 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
10. A well, pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-11755.
11. The proposed change would not result in enlargement of the rights.
12. The proposed change would not result in injury to other water rights.
13. All other application requirements are met.

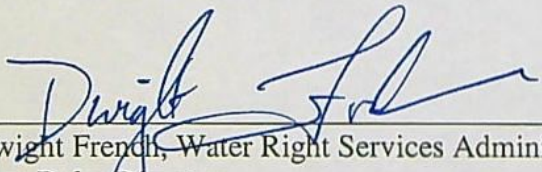
Determination and Proposed Action

The changes in places of use proposed in Transfer Application T-11755 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-11755 is approved, the final order will include the following:

1. *The changes in places of use proposed in Transfer Application T-11755 are 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 56159 and 56160 and any related decree.*
3. *Water Right Certificates 56159 and 56160 are cancelled.*
4. *The former places of use of the transferred rights shall no longer receive water under these rights.*
5. *The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.*
6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
7. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 19 day of February, 2015.


Dwight French, Water Right Services Administrator, for
Tom Byler/Director
Oregon Water Resources Department

This Preliminary Determination was prepared by Ken Dowden. If you have questions about the information in this document, you may reach me at 541-278-5456 or Ken.D.Dowden@wrdd.state.or.us

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

**Notice of Preliminary Determination for
Water Right Transfer T-11755**

T-11755 filed by Stiffler, LLC, c/o Craig Coleman, 33896 E. Walls Rd. Hermiston, OR, 97838, proposes a change in place of use under Certificates 56159 and 56160. Certificate 56159 allows the use of 0.6 cfs; Certificate 56160 allows the use of 0.28 cfs, both from Well #2 within Sec. 10, T4N, R25E, WM, for irrigation in Section 10. The applicant proposes to change the place of use to within Sects. 9 and 10. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540, OAR 690-380-2110 and 690-380-5000.

Any person may protest the preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-9000, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by a \$700 protest fee for non-applicant, or \$350 protest fee for applicant. A Water Right Transfer Protest Form is available at http://www.oregon.gov/OWRD/PUBS/docs/forms/TransferProtestForm09_09.pdf, or by calling 503-986-0807. Protests must be received by the Department on or before [30 days after WRD notice], or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.



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

Amended 01-19-2015

WORK
COPY

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

RECEIVED JAN 22 2011

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

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: Certificates 56159 & 56160**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ ☐ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) And also See Item 19 of Attached Lease and Option to Purchase Agreement.
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☐ ☒ N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

- | | |
|--|---|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete | |
| <input type="checkbox"/> Additional signature(s) required | <input type="checkbox"/> Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

Part 2 of 5 – Transfer Application Map Checklist

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

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

- ☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- ☐ ☒ N/A If more than three water rights are involved, separate maps are needed for each water right.
- ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ A north arrow, a legend, and scale.
- ☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- ☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- ☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- ☒ ☐ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. SEE LATEST (2nd REVISION 1/22/2015)
- ☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- ☐ ☒ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

FEE WORKSHEET for PERMANENT TRANSFER (

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER						Part 3 of 5 – Fee Worksheet	
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,000				
	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>One (2a)</u> Subtract 1 from the number in line 2a = <u>Zero (2b) If only one change, this will be 0</u>						
2	Multiply line 2b by \$800 and enter » » » » » » » » » » » » » » » »	2	0				
	Number of water rights included in transfer <u>Two (3a)</u> Subtract 1 from the number in 3a above: <u>One (3b) If only one water right this will be 0</u>						
3	Multiply line 3b by \$450 and enter » » » » » » » » » » » » » » » »	3	\$450				
	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$350 »						
4		4	0				
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): <u>.88 cfs (5a)</u> Subtract 1.0 from the number in 5a above: <u>-0.22 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$300, then enter on line 5 » » » » » » » » » »						
5		5	0				
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$1450				
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »						
7	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » » » » » »	7	0				
8	Subtract line 7 from line 6 » » » » » » » » » » » » Transfer Fee:	8	\$1450				

*Example for Line 5a 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. For irrigation calculate cfs for each water right involved as follows:
 - a. 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 ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - b. 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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
2. 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 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$725.00
	Number of wells included in substitution _____ (2a)		
	Subtract 1 from the number in 3a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$350 and enter » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Stiffler, LLC c/o Craig Coleman		PHONE NO. (541) 567-1605	ADDITIONAL CONTACT NO. (541) 314-8568
ADDRESS 33896 East Walls RD.		FAX NO.	
CITY Hermiston	STATE OR	ZIP 97838	E-MAIL jannamonkey@aol.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.			

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

AGENT/BUSINESS NAME William Porfily		PHONE NO. (541) 449-1327	ADDITIONAL CONTACT NO. (541) 561-7259
ADDRESS P.O. Box 643		FAX NO. (541) 449-1327	
CITY Stanfield	STATE OR	ZIP 97875	E-MAIL wporfily@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.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
I planted Blue Berries in the SW ¼ & SE ¼ of the SW ¼ of Section 10, T4N, R25E, WM and have irrigated them with a solid set irrigation system authorized under a 5 Year Temporary Transfer, T-10808. With this application I propose to continue irrigating Blue Berries with a solid set system and make the transfer permanent.

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

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

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: East Oregonian.

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

SEE ORIGINAL APPLICATION FOR SIGNATURE

Applicant signature

Craig Coleman an Owner
Print Name (and Title if applicable)

Date

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☐ Yes ☒ No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed*

Describe any special ownership circumstances here:

I have a Lease Option Agreement to purchase the land in Tax Lot 3400 and the water right in Tax Lot 411. This agreement is attached. I current am activating the Option to purchase TL 3400 and the Water Right described in Certificate 56160

Deeded Landowner Signatures other than the Applicant.

Landowner Information Tax Lot 411

APPLICANT/BUSINESS NAME Maughan et al LLC			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 22591 Road M Southwest			FAX NO.	
CITY Mattawa	STATE WA	ZIP 99341	E-MAIL	

Landowner

Authorized Representative for Maughan et al LLC

Print Name (and Title if applicable)

Date

Check the following boxes that apply:

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☒ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

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

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

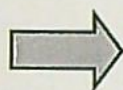
RECEIVED JAN 22 2015

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

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Morrow County	ADDRESS Courthouse, 100 S Court St.	
CITY Heppner	STATE OR	ZIP 97836

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

CERTIFICATE # 56159

Description of Water Delivery System

System capacity: 1.34 cubic feet per second (cfs) **OR**

601.4 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. Before the 5 Year Temporary Transfer T-10808, a 75hp turbine pump, pumped water to three small circles. During the 5 year temporary transfer the 75 hp pump delivered water for the growing of Blue Berries though a solid set system.

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 <input type="checkbox"/> Proposed	MORR 754 & 755	4 N	25 E	10	SW SW		1310 ft N & 140 ft East from the SW Corner Section 10 ✓
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- ✓ ☒ Place of Use (POU)

☐ Character of Use (USE)

☐ Point of Diversion (POD)

☐ Additional Point of Diversion (APOD)

☐ Surface Water POD to Ground Water POA (SW/GW)

☐ Supplemental Use to Primary Use (S to P)

☐ Point of Appropriation/Well (POA)

☐ Additional Point of Appropriation (APOA)

☐ Substitution (SUB)

☐ Government Action POD (GOV)

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

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

RECEIVED JAN 22 2015

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

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

Table 2. Description of Changes to Water Right Certificate # 56159

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
										POU	4	N	25	E	10	SW	SW	3400	12.0	N/A	Well	2-12-1976
										POU	4	N	25	E	10	SE	SW	3400	35.6	N/A	Well	2-12-1976
TOTAL ACRES: 47.6											TOTAL ACRES: 47.6											

Additional remarks: _____.

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use N/A

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

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 c water right
N/A										

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 56160

Description of Water Delivery System

System capacity: 1.34 cubic feet per second (cfs) OR
601.4 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. Before the 5 Year Temporary Transfer T-10808, a 75hp turbine pump, pumped water to three small circles. During the 5 year temporary transfer the 75 hp pump delivered water for the growing of Blue Berries though a solid set system.

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 <input type="checkbox"/> Proposed	MORR 754 & 755	4 N	25 E	10	SW SW		1310 ft N & 140 ft East from the SW Corner Section 10 ✓
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 56160

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
										POU	4	N	25	E	10	SW	SW	3400	✓	17.6	N/A	Well	12-23-1976
											4	N	25	E	9	SE	SE	411	✓	5.0	N/A	Well	12-23-1976
TOTAL ACRES:											TOTAL ACRES:						22.6	✓					

Additional remarks: _____.

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.

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

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

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

For a change from Supplemental Irrigation Use to Primary Irrigation Use N/A

Identify the primary certificate to be cancelled. Certificate # _____

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

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

Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

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
N/A										

STATE OF OREGON

COUNTY OF

MORROW

CERTIFICATE OF WATER RIGHT

This is to certify, That HOMER G. PRICHARD

of Route 1, Box 77, Boardman, State of OR 97818, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Well #2

a tributary of Columbia River Basin *ALL OUT DPOU* for the purpose of
irrigation of 22.6 acres

under Permit No. G-7065 and that said right to the use of said waters has been perfected in
accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from
December 23, 1976
that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is
limited to an amount actually beneficially used for said purposes, and shall not exceed
0.28 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is
located in the SW 1/4 SW 1/4, Section 10, T4N, R25E, WM;
1310 feet North and 140 feet East from SW corner Section 10.

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

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

A description of the place of use under the right hereby confirmed, and to which such right is
appurtenant, is as follows:

22.6 22.6 acres SE 1/4 SE 1/4
Section 9
Township 4 North, Range 25 East, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein
described.

WITNESS the signature of the Water Resources Director, affixed

this date. April 24, 1987

/s/ William H. Young
Water Resources Director

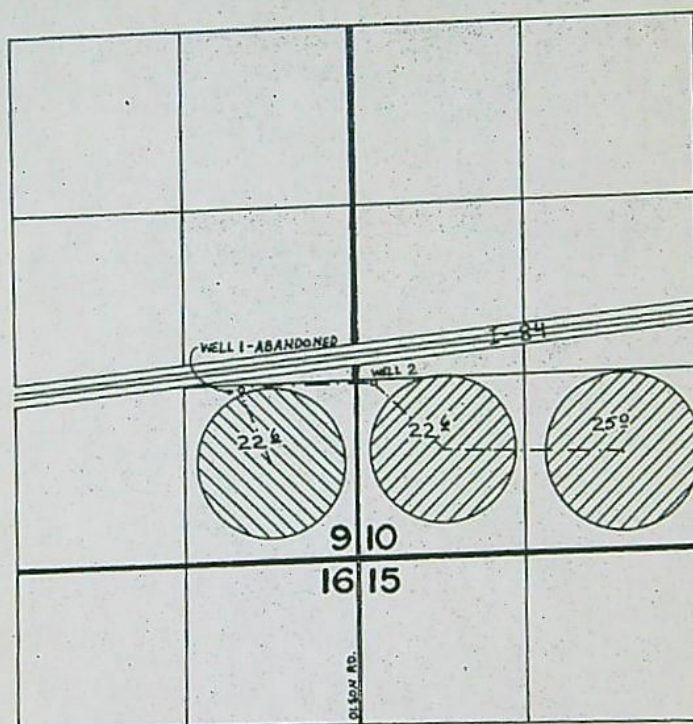
Recorded in State Record of Water Right Certificates, Volume 51, page 56160

9211D/SA
G-7619

56159

T. 4 N. R. 25 E. W.M.

N
Scale 1"=1320'



APP. G 7619
APP. G 7257

WELL 1 LOC. 1300' N. & 880' W. FROM S.E. COR. SEC. 9
WELL 2 LOC. 1310' N. & 140' E. FROM S.W. COR. SEC. 10

FINAL PROOF SURVEY UNDER

G 7619 G 7065
Application No. G.7257. Permit No. G.6386....
IN NAME OF

HOMER G. PRICHARD

Surveyed March 4, 1987., by V. Church.....

STATE OF OREGON

COUNTY OF

MORROW

CERTIFICATE OF WATER RIGHT

This is to certify, That HOMER G. PRICHARD

of Route 1, Box 77, Boardman, State of OR 97818, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
Well #2

a tributary of Columbia River Basin for the purpose of
irrigation of 47.6 acres *ALL Δ POO*

under Permit No. G-6386 and that said right to the use of said waters has been perfected in
accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from

February 12, 1976

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is
limited to an amount actually beneficially used for said purposes, and shall not exceed

0.60 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is
located in the SW 1/4 SW 1/4, Section 10, T4N, R25E, WM;
1310 feet North and 140 feet East from SW corner Section 10. *same well*

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

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

A description of the place of use under the right hereby confirmed, and to which such right is
appurtenant, is as follows:

-22.6 22.6 acres SW 1/4 SW 1/4
-25.0 25.0 acres SE 1/4 SW 1/4
Section 10
Township 4 North, Range 25 East, WM

The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein
described.

WITNESS the signature of the Water Resources Director, affixed

this date. April 24, 1987

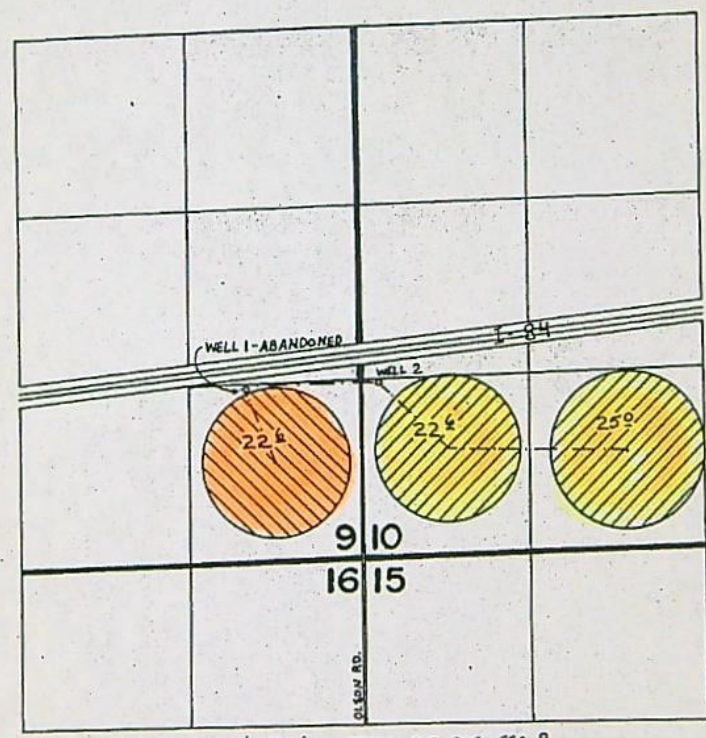
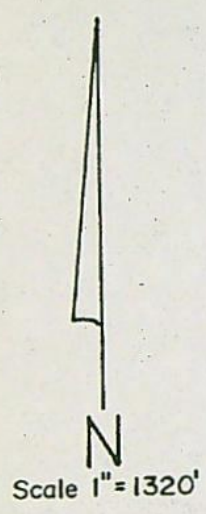
/s/ William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 51, page 56159

92100/SA
G-7257

T. 4 N. R. 25 E. W.M.



- APP G 7619
- APP. G 7257

WELL 1 LOC. 1300' N. & 880' W. FROM S.E. COR. SEC. 9
 WELL 2 LOC. 1310' N. & 140' E. FROM S.W. COR. SEC. 10

FINAL PROOF SURVEY UNDER

G 7619 G 7065
 Application No. G.7257. Permit No. G.6386....
 IN NAME OF



HOMER G. PRICHARD

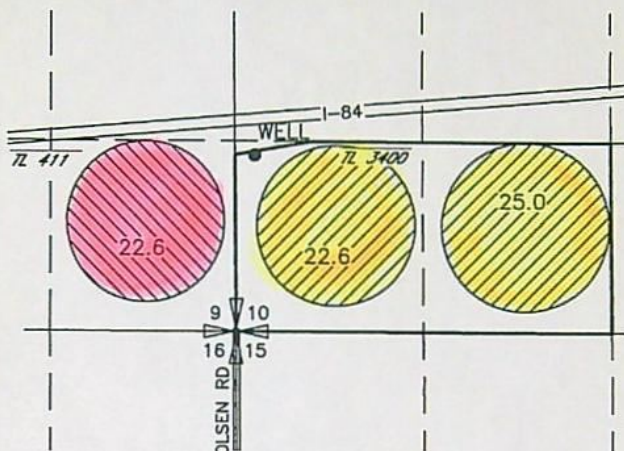
Surveyed March...4.. 1987.., by V.Church.....

AMENDED TRANSFER APPLICATION MAP (1/16/15)
FOR TRANSFER 11755 IN THE NAME OF
CRAIG COLEMAN
INVOLVING CERTIFICATES 56159 & 56160
T4N, R25E, WM
MORROW COUNTY

FROM

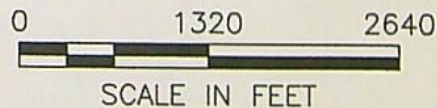
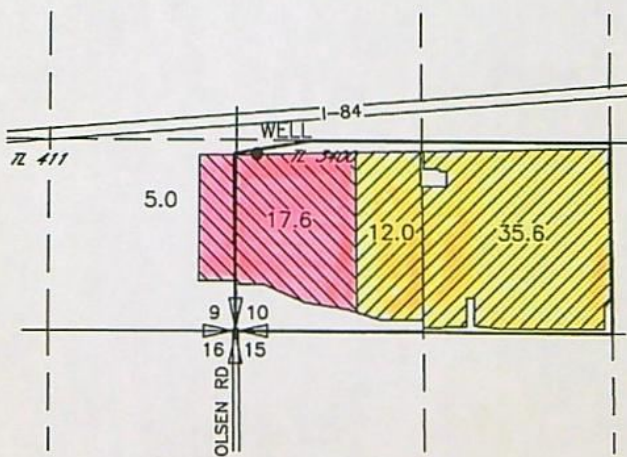
LEGEND

-  47.6 AC
CERTIFICATE 56159
-  22.6 AC
CERTIFICATE 56160



TO

Work
copy

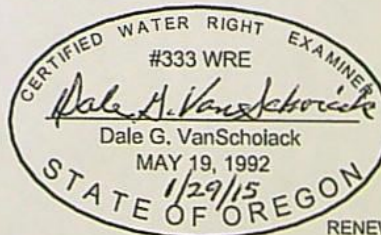


POINT OF APPROPRIATION

WELL

LOCATED 1310'N AND 140'E FROM THE SW CORNER
OF SEC 10

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.



RENEWALS: 6/30/16

Review Checklist

T- 11755Caseworker: AD

PR Initials _____

File Prep

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

APPLICATION/MAP REVIEW

PR	CW		PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appropriately signed	<input type="checkbox"/>	<input type="checkbox"/>	Ditch Company, Irr. Dist. and/or BOR sent copies <u>NA</u>
<input type="checkbox"/>	<input type="checkbox"/>	Checked WRIS contact address/e-mail for accuracy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appropriate Fees Paid <u>yes</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Revisit application checklist & Supporting Docs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Overpayment of Fees, Refund Request with FO <u>—</u>
<input type="checkbox"/>	<input type="checkbox"/>	Any deficiencies that need to be addressed? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Notes: <u>Ch pg 5 of 12?</u>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use Form matches Tax Lots, is signed by proper official and is APPROVED <u>OK</u>

DETERMINING THE "FROM" AND "TO" LANDS

PR	CW		PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Only the authorized POD's/POA's and POUs to be transferred are listed.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
<input type="checkbox"/>	<input type="checkbox"/>	Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4. <u>all -</u>	<input type="checkbox"/>	<input type="checkbox"/>	Marked on certificate the quantity of water being transferred, cancelled, and remaining <u>all -</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Compare Water Right map to App Map for Accuracy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Check and notate on Plat Card for Conflicts (To and From Lands) N/A if no change in POU or Use <u>no conflict</u>

INJURY REVIEWS/COMMENTS/CONDITIONS

PR	CW				
<input type="checkbox"/>	<input type="checkbox"/>	ODFW <u>W/A</u>	<input type="checkbox"/>	Fish Screens	<input type="checkbox"/>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ground water	<input type="checkbox"/>	Other:	
<input type="checkbox"/>	<input type="checkbox"/>	Watermaster	<input type="checkbox"/>	Headgate	<input checked="" type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	Prior to diverting	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>		<input checked="" type="checkbox"/>	Prior to diverting	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	Injury	<input type="checkbox"/>	Enlargement	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>		<input type="checkbox"/>	Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/>
<input type="checkbox"/>	<input type="checkbox"/>	Conditions to Avoid Enlargement/Injury	<input type="checkbox"/>	Yes <input type="checkbox"/> No	

DPD

PD

FO

COV

DPD/PD/ FINAL ORDER/COVER LETTER

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

PR	CW		PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	The deed/ROI matches the <u>"from"</u> lands. <i>leased -</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Notarized, signed statement of consent (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	All owners on the deed/ROI have signed the application. <i>when FO issued.</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Compare with current tax lot map.

PR	CW	PD PUBLIC NOTICE/NEWSPAPER NOTICE/COVER LETTER
<input type="checkbox"/>	<input type="checkbox"/>	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
<input type="checkbox"/>	<input type="checkbox"/>	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
<input type="checkbox"/>	<input type="checkbox"/>	Format matches current template
<input type="checkbox"/>	<input type="checkbox"/>	Content matches PD info?
<input type="checkbox"/>	<input type="checkbox"/>	Spell checked?
<input type="checkbox"/>	<input type="checkbox"/>	Correct address?
<input type="checkbox"/>	<input type="checkbox"/>	Cost Estimate for Newspaper if applicable send email to support staff <input type="checkbox"/> 2 weeks <input type="checkbox"/> three weeks
<input type="checkbox"/>	<input type="checkbox"/>	Send Letter to Applicant/Agent regarding newspaper notice cost
<input type="checkbox"/>	<input type="checkbox"/>	Have funds been received from Applicant/Agent for newspaper costs?

PR	CW	REMAINING RIGHT CERTIFICATE
<input type="checkbox"/>	<input type="checkbox"/>	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
<input type="checkbox"/>	<input type="checkbox"/>	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
<input type="checkbox"/>	<input type="checkbox"/>	Table Format matches current template
<input type="checkbox"/>	<input type="checkbox"/>	Content format matches original certificate
<input type="checkbox"/>	<input type="checkbox"/>	Spell checked?
<input type="checkbox"/>	<input type="checkbox"/>	Name and address matches originating certificate?

CW	CASEWORKER WRAP UP
<input type="checkbox"/>	Organize Working Docs For Peer Review (Remove Duplicates)
<input type="checkbox"/>	Update Computer entry (add postal confirmation receipt number and date file was mailed)
<input type="checkbox"/>	Put file contents on Salem Exchange Folder
<input type="checkbox"/>	Print e-mail and correspondence put it in order of the findings of PD (if applicable)
<input type="checkbox"/>	Has Affidavit of Publication been received? <input type="checkbox"/> N/A <input type="checkbox"/> Yes--Date for FO: _____ <input type="checkbox"/> No--have Codi call newspaper

COMMENTS:

This image shows a single sheet of white paper with horizontal blue or grey ruling lines. The lines are evenly spaced and run across the width of the page. There is no handwriting or other markings on the paper.



Oregon

John A. Kitzhaber, MD, Governor

file copy

Water Resources Department

North Central Region
116 SE Dorion Avenue
Pendleton, OR 97801
Phone (541) 278-5456
Fax (541) 278-0287

January 28, 2015

Applicant

STIFFLER, LLC
c/o CRAIG COLEMAN
33896 E. WALLS RD.
HERMISTON, OR 97838

SUBJECT: Water Right Transfer Application T-11755

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-11755. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. A report of landownership for the lands to which the water rights are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** (*Reports may be called by various names, such as a List Kit, List Pack, Property Analysis Report (PAR), Customer Service Report, Lot Book Report, etc.*)
 - a) The title company's report must either be:
 - i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
 - ii) prepared within 3 months of recording of a water right conveyance agreement, or
 - iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
 - b) The ownership report shall include:
 - i) Date reflected by the ownership information
 - ii) List of owners at that time
 - iii) Legal description of the property where the water right to be transferred is currently located.
 - c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.

Conditions to your water right...

The Watermaster has required the water user to maintain the existing water measurement device at the diversion point prior to diversion of water. Enclosed is a contact information

sheet to assist you in pursuing additional information or approval of the required (or alternate) devices.

Please note the proposed date by which all conditions must be met: October 1, 2016. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

Once the preliminary determination is issued a publication period is required. The Department will publish a notice in their weekly publication, which opens a 30-day period in which the transfer can be protested.

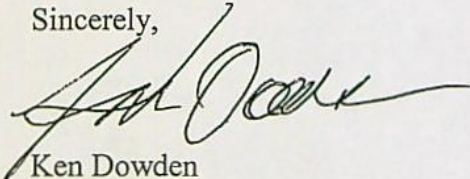
Issuance of the Preliminary Determination will occur shortly after we receive:

1. your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
2. report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application.

If we do not receive the items listed above by February 27, 2015, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 541-278-5456 or Ken.D.Dowden@wrđ.state.or.us if I may be of further assistance.

Sincerely,



Ken Dowden
Transfer Specialist
N.C. REGION

cc: Transfer Application file T-11755
Greg M. Silbernagel, District 5 Watermaster (via e-mail)
William I. Porfily, Agent for the applicant (via e-mail)
Dale van Schoiack, CWRE #333 (via e-mail)

encs Watermaster contact sheet

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

In the Matter of Transfer Application
T-11755, Morrow County

)
) **D R A F T**
) PRELIMINARY DETERMINATION
) PROPOSING APPROVAL OF
) CHANGES IN PLACE OF USE

Authority

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

Applicant

Stiffler, LLC
c/o Craig Coleman
33896 East Walls Rd.
Hermiston, OR 97838

Findings of Fact

1. On March 10, 2014, Craig Coleman filed an application to change the place of use under Certificates 56159 and 56160. The Department assigned the application number T-11755.
2. On January 22, 2015, Craig Coleman submitted a revised application and map to clarify the place of use of the "TO" lands.
3. Notice of the application for transfer was published on March 18, 2014, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

4. The first right to be transferred is as follows:

Certificate: 56159 in the name of HOMER G. PRICHARD (perfected under Permit G-6386)

Use: IRRIGATION of 47.6 ACRES

Priority Date: FEBRUARY 12, 1976

Rate: 0.60 CUBIC FOOT PER SECOND

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

acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #2 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	10	SW SW	1310 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	10	SW SW	22.6
4 N	25 E	WM	10	SE SW	25.0
TOTAL:					47.6

5. Transfer Application T-11755 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	10	SW SW	12.0
4 N	25 E	WM	10	SE SW	35.6
TOTAL:					47.6

6. The second right to be transferred is as follows:

Certificate: 56160 in the name of HOMER G PRICHARD (perfected under Permit G-7065)

Use: IRRIGATION of 22.6 ACRES

Priority Date: DECEMBER 23, 1976

Rate: 0.28 CUBIC FOOT PER SECOND

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

Source: WELL #2 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	10	SW SW	1310 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	9	SE SE	22.6
TOTAL:					22.6

7. Transfer Application T-11755 proposes to change the place of use of the above described right to:

Proposed Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	9	SE SE	17.6
4 N	25 E	WM	10	SW SW	5.0
TOTAL:					22.6

Transfer Review Criteria (OAR 690-380-4010)

8. Water has been used within the last five years prior to the submittal of Transfer Application T-11755 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A well, pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-11755.
10. The proposed change would not result in enlargement of the rights.
11. The proposed change would not result in injury to other water rights.
12. All other application requirements are met.

Determination and Proposed Action

The change in change in place of use proposed in Transfer Application T-11755 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-11755 is approved, the final order will include the following:

1. *The changes in place of use proposed in Transfer Application T-11755 are 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 56159 and 56160 and any related decree.*
3. *Water right Certificates 56159 and 56160 are cancelled.*
4. *The former place of use of the transferred right shall no longer receive water under the right.*
5. *The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.*
6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2016. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

7. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2015.

D R A F T

Dwight French, Water Right Services Administrator, for
THOMAS M. BYLER, DIRECTOR

This draft Preliminary Determination was prepared by Ken Dowden. If you have questions about the information in this document, you may reach me at 541-278-5456 or Ken.D.Dowden@wrds.state.or.us.

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T-11755

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

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

☐ at each new point of diversion/appropriation.

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

Watermaster name: Tony JustusDistrict: 5Address: 116 SE Dorian Ave.City/State/Zip: Pendleton, OR. 97801Phone: 541-278-5456Email: Tony.G.JUSTUS@wrdd.state.or.us

*SHALL MAINTAIN
EXISTING MEASURING
DEVICE
JG 1/28/2015*

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

Approval of an Alternate Measurement Device

T-_____

(to be filled out after consultation with the applicant, or after a site visit)

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

Watermaster signature_____
District_____
Date

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

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



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Central Region
116 SE Dorion Avenue
Pendleton, OR 97801
Phone (541) 278-5456
Fax (541) 278-0287

January 28, 2015

Applicant

STIFFLER, LLC
c/o CRAIG COLEMAN
33896 E. WALLS RD.
HERMISTON, OR 97838

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Items needed before the next phase of processing...

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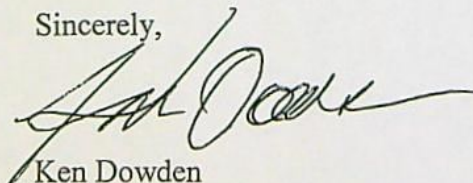
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Ken Dowden
Transfer Specialist
N.C. REGION

cc: Transfer Application file T-11755
Greg M. Silbernagel, District 5 Watermaster (via e-mail)
William I. Porfily, Agent for the applicant (via e-mail)
Dale van Schoiack, CWRE #333 (via e-mail)

encs Watermaster contact sheet

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

In the Matter of Transfer Application
T-11755, Morrow County

) **D R A F T**
)
) PRELIMINARY DETERMINATION
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Applicant

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c/o Craig Coleman
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 - Use:** IRRIGATION of 47.6 ACRES
 - Priority Date:** FEBRUARY 12, 1976
 - Rate:** 0.60 CUBIC FOOT PER SECOND
 - Limit/Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0

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

In the Matter of Transfer Application
T-11755, Morrow County

) **D R A F T**
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acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #2 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	10	SW SW	1310 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	10	SW SW	22.6
4 N	25 E	WM	10	SE SW	25.0
TOTAL:					47.6

5. Transfer Application T-11755 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	10	SW SW	12.0
4 N	25 E	WM	10	SE SW	35.6
TOTAL:					47.6

6. The second right to be transferred is as follows:

Certificate: 56160 in the name of HOMER G PRICHARD (perfected under Permit G-7065)

Use: IRRIGATION of 22.6 ACRES

Priority Date: DECEMBER 23, 1976

Rate: 0.28 CUBIC FOOT PER SECOND

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

Source: WELL #2 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	10	SW SW	1310 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	9	SE SE	22.6
TOTAL:					22.6

7. Transfer Application T-11755 proposes to change the place of use of the above described right to:

Proposed Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	9	SE SE	17.6
4 N	25 E	WM	10	SW SW	5.0
TOTAL:					22.6

Transfer Review Criteria (OAR 690-380-4010)

8. Water has been used within the last five years prior to the submittal of Transfer Application T-11755 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A well, pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-11755.
10. The proposed change would not result in enlargement of the rights.
11. The proposed change would not result in injury to other water rights.
12. All other application requirements are met.

Determination and Proposed Action

The change in change in place of use proposed in Transfer Application T-11755 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-11755 is approved, the final order will include the following:

1. *The changes in place of use proposed in Transfer Application T-11755 are 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 56159 and 56160 and any related decree.*
3. *Water right Certificates 56159 and 56160 are cancelled.*
4. *The former place of use of the transferred right shall no longer receive water under the right.*
5. *The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.*
6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2016. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

7. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2015.

D R A F T

Dwight French, Water Right Services Administrator, for
THOMAS M. BYLER, DIRECTOR

This draft Preliminary Determination was prepared by Ken Dowden. If you have questions about the information in this document, you may reach me at 541-278-5456 or Ken.D.Dowden@wrds.state.or.us .

Oregon Water Resources Department

Measurement Condition Information for the Applicant
(to be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-11755

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

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

☐ at each new point of diversion/appropriation.

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

Watermaster name: Tony JustusDistrict: 5Address: 116 SE Dorian Ave.City/State/Zip: Pendleton, OR. 97801Phone: 541-278-5456Email: Tony.G.JUSTUS@wr.d.state.or.us

*SHALL MAINTAIN
EXISTING MEASURING
DEVICE
JG 1/28/2016*

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

Approval of an Alternate Measurement Device

T-_____

(to be filled out after consultation with the applicant, or after a site visit)

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

Watermaster signature_____
District_____
Date

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

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



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-11755

Review Due Date: _____

Applicant Name: Stiffler, LLC, Craig Coleman

Proposed Changes: ☒ POU ☒ POD ☐ POA ☐ USE ☐ OTHER

Reviewer(s): Tony Justus

Date of Review: Mar. 14, 2014

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

PER G-6386 PERMIT CONDITION

and shall be subject to such reasonable rotation system as may be ordered by the proper state officer.

The well shall be cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The priority date of this permit is February 12, 1976

Actual construction work shall begin on or before March 15, 1977 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1977

Complete application of the water to the proposed use shall be made on or before October 1, 1978

WITNESS my hand this 15 day of March, 1976


WATER RESOURCES DIRECTOR

No. G-7257

G 6386

PERMIT

STATE OF THE GROUND
OF THE STATE
OREGON

It was first received in the
Engineer at Salem, Oregon,
of February
o'clock A. M.

ant:

It No. of
mits on page G 6386

STATE ENGINEER

No. 7 page 78

10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____

11. Are there other issues not identified through the above that should be considered in determining whether the change "can be made without injury to other rights"? ☐ Yes ☒ No If "Yes", explain: _____

12. What alternatives may be available for acquisition of the right above: _____

13. Do conditions need to be included in the transfer of the right or injury to other rights? ☒ No ☐ Yes, as follows: _____

☐ A Headgate should be required prior to transfer.

☒ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of page 3)

a. Before water use may begin under this order, the water user shall install a totalizing flow meter*, or, with prior approval of the Director, another suitable measuring device, ☒ at each point of diversion/appropriation (new and existing) or ☐ at each new point of diversion/appropriation.

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of page 3)

a. Before water use may begin under this order, the water user shall install staff gages*, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

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

☐ Weir

☐ Submerged Orifice

☐ Parshall Flume

☐ Flow Restrictor

☐ Other: _____

NOT A
POA TRANSFER
SHOULD ONLY
MAINTAIN DEVICE

CONVERTED
w/ GREG SRODME

SHALL MAINTAIN
EXISTING
FLOW METER
1/15/2015

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T-11755

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

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

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

Watermaster name: Tony JustusDistrict: 5Address: 116 SE Dorian Ave.City/State/Zip: Pendleton, OR. 97801Phone: 541-278-5456Email: Tony.G.JUSTUS@wrdd.state.or.us

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

Approval of an Alternate Measurement Device

T-_____

(to be filled out after consultation with the applicant, or after a site visit)

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

Watermaster signature_____
District_____
Date

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

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

*SHALL MAINTAIN
 EXISTING MEASURING
 DEVICE
 1/28/2015*

DOWDEN Ken D

From: Willaim Porfily <bporfily@my180.net>
Sent: Wednesday, February 11, 2015 5:09 PM
To: 'DOWDEN Ken D'
Cc: jannamonkey@aol.com
Subject: RE: PAR Report for Transfer T-11755

Evening Ken

I have reviewed the proposed Order for the above mentioned transfer. I have discussed it with Craig Coleman and we would like to have the time to complete the transfer extended to Oct. 1st 2018. Other than that it looks ok.

William Porfily
P.O. Box 643
Stanfeild, OR 97875
Cel: (541)561-7259
Off-Home (541)449-1327
E-mail: wporfily@gmail.com

From: DOWDEN Ken D [<mailto:ken.d.dowden@state.or.us>]
Sent: Wednesday, February 11, 2015 3:55 PM
To: Willaim Porfily
Subject: RE: PAR Report for Transfer T-11755

Bill, this checks out.

Please respond in writing as to whether you and your client have read the draft PD sent out January 28, 2015 is acceptable.

Thanks,

Ken

From: Willaim Porfily [<mailto:bporfily@my180.net>]
Sent: Tuesday, February 03, 2015 9:18 AM
To: ken.d.dowden@state.or.us
Cc: jannamonkey@aol.com
Subject: PAR Report for Transfer T-11755

Ken, attached are the PAR reports for Coleman's Transfer t-117558

William Porfily
P.O. Box 643
Stanfeild, OR 97875
Cel: (541)561-7259



Bill Porfily – wporfily@gmail.com

Date: January 30, 2015 .

Order No. 9257

WE HAVE SEARCHED OUR TRACT INDICES ON THE FOLLOWING DESCRIBED PROPERTY:

Parcel 2 of PARTITION PLAT 2013-1, in the County of Morrow and State of Oregon---

AND AS OF January 16, 2015, AT 8:00 A.M.

THE LAST DEED OF RECORD RUNS TO:

STIFFLER, LLC, an Oregon limited liability company---

WE FIND THE FOLLOWING APPARENT ENCUMBRANCES WITHIN 10 YEARS PRIOR TO THE EFFECTIVE DATE HEREIN:

1. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.

NOTE: Any map or sketch enclosed or attached hereto is furnished for information purposes only to assist in property location. No representation is made as to accuracy of the map and Mid-Columbia Title Company assumes no liability for any loss occurring by reason of reliance thereon.

NOTE: Taxes for 2014-15 \$1,100.26 Paid in Full
(Account No. 4N 25 10, 3400)
(Reference No. 4346)

THIS IS NOT A COMMITMENT TO ISSUE TITLE INSURANCE, OR A PRELIMINARY TITLE REPORT, and no Examination has been made of the Title to the above described property. The search of our tract indices was limited to apparent monetary encumbrances, and therefore above listings do not include additional matters which may have been disclosed by an examination of the record title. The Liability in connection with this Property Analysis Report Service is expressly limited to the sum paid therefore, and the issuing company will not otherwise be responsible for errors and omissions therein. The charge for this service will not include supplemental reports.

MID-COLUMBIA TITLE COMPANY

RENEE J. GRACE; TITLE OFFICER

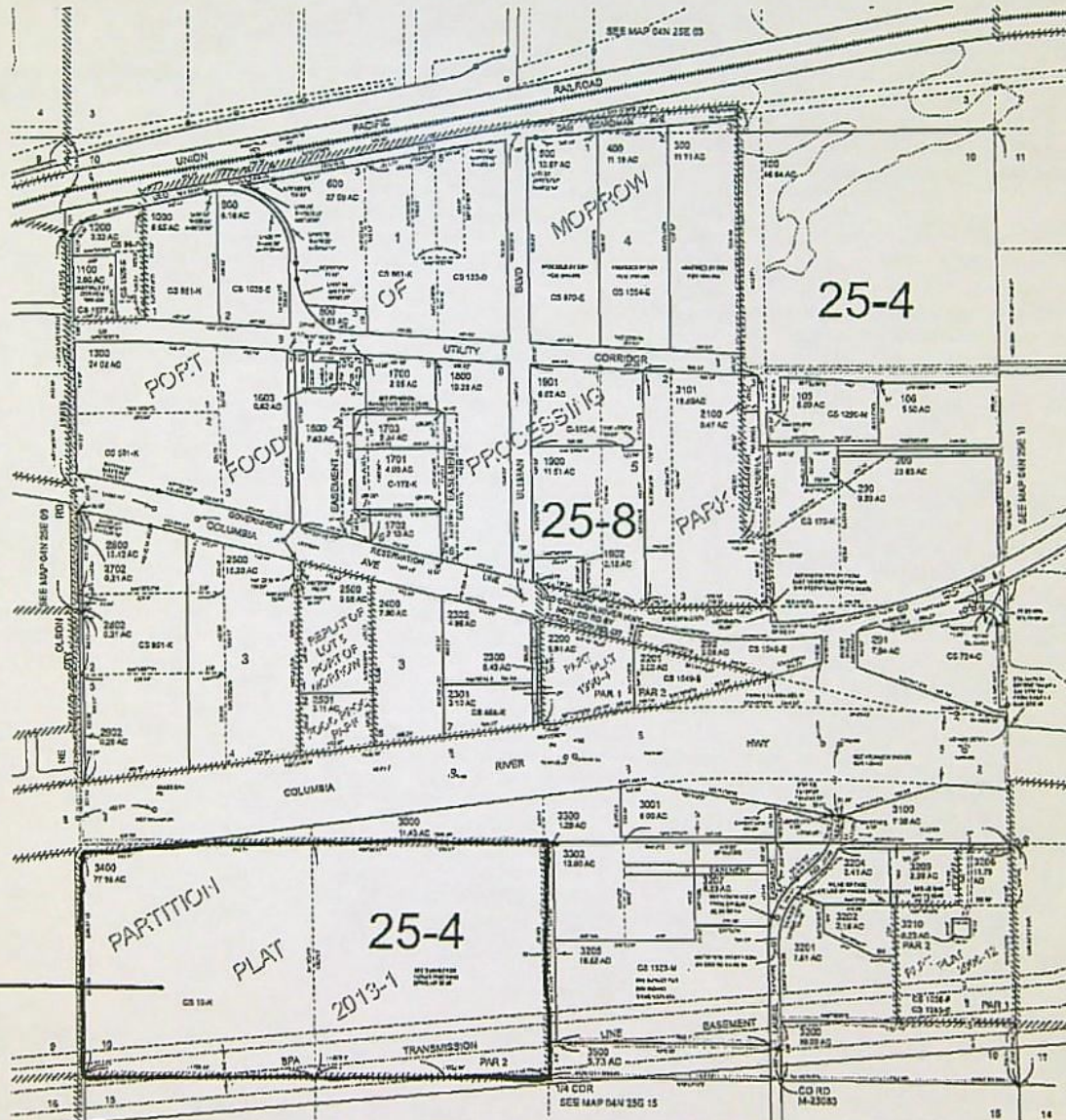
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

0 200 400 600 800 Feet

SECTION 10 T.4N. R.25E. W.M.
MORROW COUNTY
1" = 400'

04N25E10

Cancelled
801
700
701
801
1400
1500
1601
1602
1604
1605
1606
2000
2700
2701
2801
2900
2901
3200
3301
3501



Revised: RAA
06/05/2013

04N25E10



Mid-Columbia Title Company

205 E. BOARDMAN AVE. / P.O. BOX 290 • BOARDMAN, OR 97818
(541) 481-2280 • FAX (541) 481-3280

PROPERTY ANALYSIS REPORT

Date: January 30, 2015

Order No. 9258

WE HAVE SEARCHED OUR TRACT INDICES ON THE FOLLOWING DESCRIBED PROPERTY:

Parcel 1 of PARTITION PLAT 2013-6, in the City of Boardman, County of Morrow and State of Oregon---

AND AS OF JANUARY 16, 2015, AT 8:00 A.M.

THE LAST DEED OF RECORD RUNS TO:

MAUGHAN ET. AL. L.L.C. a Washington Limited Liability Company---

WE FIND THE
EFFECTIVE DATE

ENCUMBRANCES WITHIN 10 YEARS PRIOR TO THE

- SEE CONSENT / SIGN OFF FROM MR. MAUGHAN
1. The assessment that the within described premises were specially assessed as I become disqualified for the special assessment under the sta and penalties thereon may be levied for the years in which the la d use assessment.
 2. The premises e West Extension Irrigation District, and are subject to the assessments and easements thereof, if any.
 3. City liens, for the City of Boardman, if any.
 4. Line of Credit Deed of Trust, including the terms and provisions thereof, Executed by Maughan ET. AL. L.L.C., as grantor(s), to Mid-Columbia Title Company as trustee for Bank of Eastern Oregon, Beneficiary, dated February 11, 2013, Recorded February 12, 2013, as Microfilm No. M-2013-31618, Morrow County Microfilm Records, given to secure the payment of \$100,000.00.

NOTE: Any map or sketch enclosed or attached hereto is furnished for information purposes only to assist in property location. No representation is made as to accuracy of the map and Mid-Columbia Title Company assumes no liability for any loss occurring by reason of reliance thereon.

NOTE: Taxes for 2014-15

\$250.28 Paid in Full

(Account No. 4N 25 09, 411)

(Reference No. 3571)

NOTE: Taxes for 2014-15

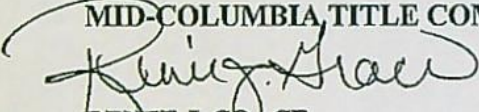
\$256.93 Paid in Full

(Account No. 4N 25 09, 411)

(Reference No. 11703)

THIS IS NOT A COMMITMENT TO ISSUE TITLE INSURANCE, OR A PRELIMINARY TITLE REPORT, and no Examination has been made of the Title to the above described property. The search of our tract indices was limited to apparent monetary encumbrances, and therefore above listings do not include additional matters which may have been disclosed by an examination of the record title. The Liability in connection with this Property Analysis Report Service is expressly limited to the sum paid therefore, and the issuing company will not otherwise be responsible for errors and omissions therein. The charge for this service will not include supplemental reports.

MID-COLUMBIA TITLE COMPANY



RENEE J. GRACE
TITLE OFFICER

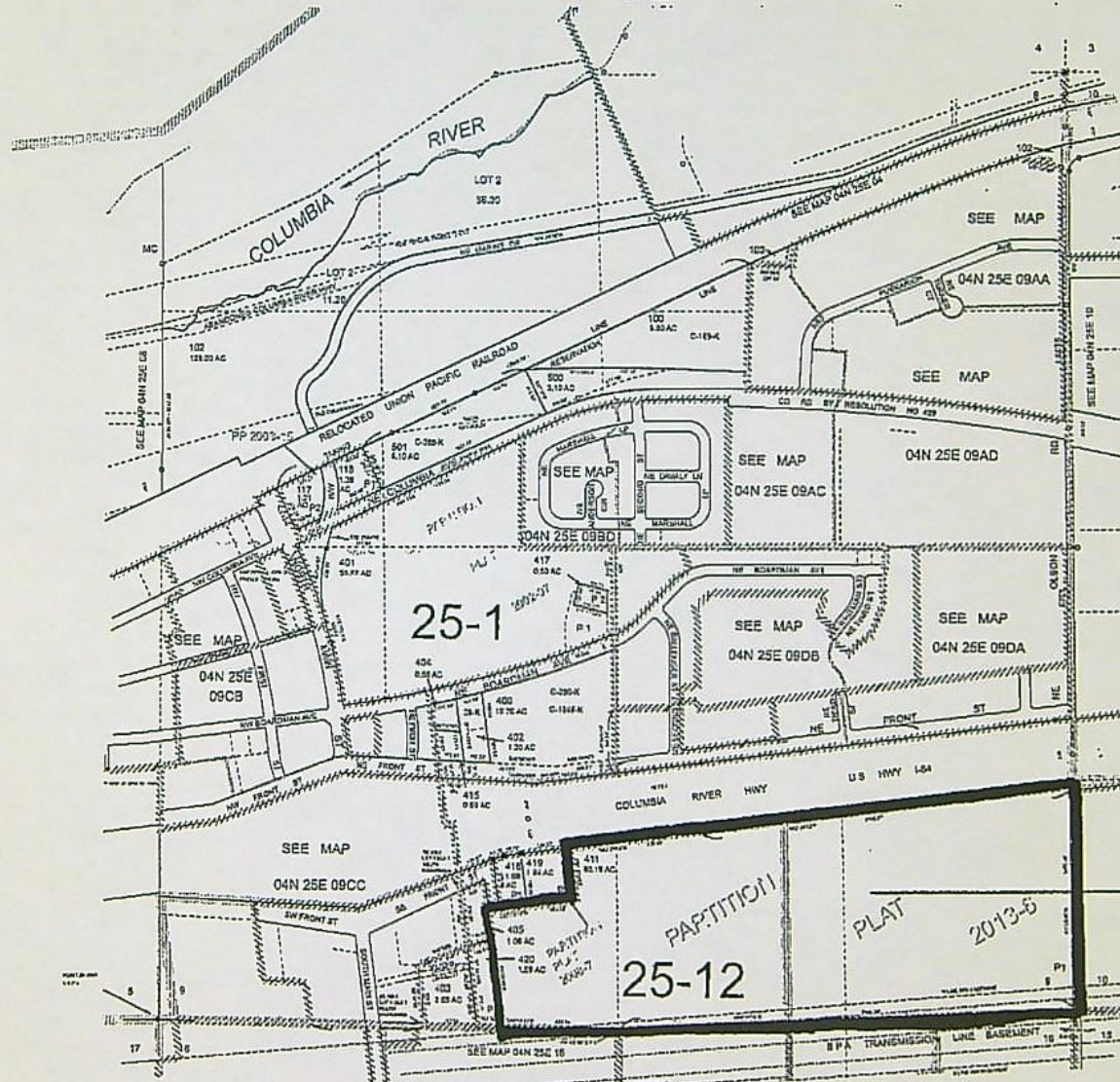
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

0 200 400 600 Feet
1" = 400'

SECTION 9 T.4N. R.25E. W.M.
MORROW COUNTY
1" = 400'

04N25E09
BOARDMAN
& INDEX

Cancelled
101
103 THRU 110
111
112 THRU 116
200
201
300
400
407
408
410
412
413
414
416
600



Subject
Property

Revised: BC
5/15/2014

& INDEX
BOARDMAN
04N25E09

Remit Payment To:

MID-COLUMBIA TITLE COMPANY
P.O. BOX 290 / 205 E. BOARDMAN AVENUE
BOARDMAN, OR 97818

INVOICE

Billed To:
Bill Porfily - wporfily@gmail.com

Invoice Date: February 2, 2015
Please Pay Before: February 7, 2015
Our File Number: 9258
Your Reference Number: STIFFLER (MAUGHAN)

Property:

Boardman, OR 97818
Morrow County

Brief Legal: P1 PP 2013-6

DESCRIPTION	AMOUNT
Property Analysis Report	100.00
<hr/>	
Invoice Total Amount Due	\$ 100.00

Thank you for the continued business! Please refer to file no 9258 with remittance.

WORK COPY

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Stiffler, LLC c/o Craig Coleman		PHONE NO. (541) 567-1605	ADDITIONAL CONTACT NO. (541) 314-8568
ADDRESS 33896 East Walls RD.		FAX NO.	
CITY Hermiston	STATE OR	ZIP 97838	E-MAIL jannamonkey@aol.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.			

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

AGENT/BUSINESS NAME William Porfily		PHONE NO. (541) 449-1327	ADDITIONAL CONTACT NO. (541) 561-7259
ADDRESS P.O. Box 643		FAX NO. (541) 449-1327	
CITY Stanfield	STATE OR	ZIP 97875	E-MAIL wporfily@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.			

Explain in your own words what you propose to accomplish with this transfer application, and why: I planted Blue Berries in the SW 1/4 & SE 1/4 of the SW 1/4 of Section 10, T4N, R25E, WM and have irrigated them with a solid set irrigation system authorized under a 5 Year Temporary Transfer T-10808. With this application I propose to continue irrigating Blue Berries with a solid set system and make the transfer permanent.

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

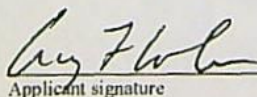
☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation

I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: East Oregonian.

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


Applicant signature

Craig Coleman an Owner
Print Name (and Title if applicable)

3-4-14
Date

RECEIVED BY OWRD

MAR 10 2014

SALEM, OR

Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☐ Yes ☒ No If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

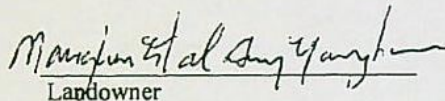
Describe any special ownership circumstances here:

I have a Lease Option Agreement to purchase the land in Tax Lot 3400 and the water right in Tax Lot 411. This agreement is attached. I current am activating the Option to purchase TL 3400 and the Water Right described in Certificate 56160

Deeded Landowner Signatures other than the Applicant.

Landowner Information Tax Lot 411

APPLICANT/BUSINESS NAME Maughan et al LLC		PHONE NO. 503-840-7299	ADDITIONAL CONTACT NO.
ADDRESS 22591 Road M Southwest		FAX NO.	
CITY Mattawa	STATE WA	ZIP 99341	E-MAIL


Landowner

Authorized Representative for Maughan et al LLC
Print Name (and Title if applicable)

3/5/2014
Date

Check the following boxes that apply:

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☒ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:
<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

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

RECEIVED BY OWRD

MAR 10 2014

SALEM, OR


Describe any special ownership circumstances here: N/A

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

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Morrow County	ADDRESS Courthouse, 100 S Court St.	
CITY Heppner	STATE OR	ZIP 97836

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED BY OWRD

MAR 10 2014

SALEM, OR

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 56159

Description of Water Delivery System

System capacity: 1.34 cubic feet per second (cfs) OR
601.4 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. Before the 5 Year Temporary Transfer T-10808, a 75hp turbine pump, pumped water to three small circles. During the 5 year temporary transfer the 75 hp pump delivered water for the growing of Blue Berries though a solid set system.

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 <input type="checkbox"/> Proposed	MORR 754 & 755 <i>(overlapping)</i>	4 N	25 E	10	SW SW		1310 ft N & 140 ft East from the SW Corner Section 10
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 56159

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
										POU	4	N	25	E	10	SW	SW	3400	9.8 11.8	N/A	Well	2-12-1976
										POU	4	N	25	E	10	SE	SW	3400	37.8 35.8	N/A	Well	2-12-1976
TOTAL ACRES:						47.6					TOTAL ACRES:						47.6					

Additional remarks: _____.

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SALEM, OR

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.

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

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

Ground water supplemental Permit or Certificate # _____

Surface water primary Certificate # _____

For a change from Supplemental Irrigation Use to Primary Irrigation Use N/A

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

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
N/A										

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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 additional rows to tables within the form.

CERTIFICATE # 56160

Description of Water Delivery System

System capacity: 1.34 cubic feet per second (cfs) **OR**

601.4 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. Before the 5 Year Temporary Transfer T-10808, a 75hp turbine pump, pumped water to three small circles. During the 5 year temporary transfer the 75 hp pump delivered water for the growing of Blue Berries though a solid set system.

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 <input type="checkbox"/> Proposed	MORR 754 & 755	4 N	25 E	10	SW SW		1310 ft N & 140 ft East from the SW Corner Section 10
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 56160

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
										POU	4	N	25	E	10	SW	SW	3400	21.6 22.6	N/A	Well	12-23- 1976
											4		25		9	SE	SE	411		1.0		
TOTAL ACRES:						22.6					TOTAL ACRES:						22.6					

Additional remarks: 22.6 on TL 411

*BEING CONVEYED OFF
(SEE WRITTEN)
AUTHO*

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MAR 10 2014

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.



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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use N/A

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

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
N/A										

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MAR 10 2014

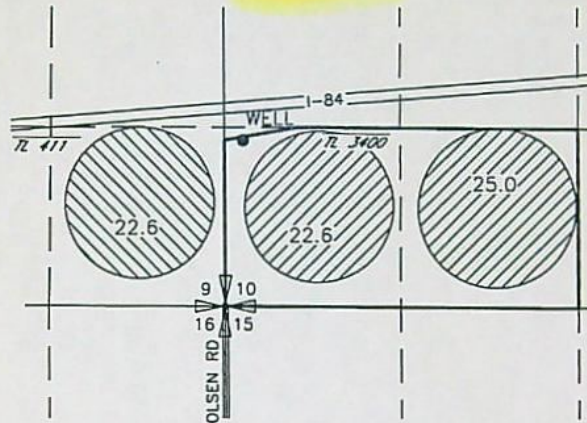
RECEIVED JAN 22 2015

AMENDED TRANSFER APPLICATION MAP (1/16/15)
FOR TRANSFER 11755 IN THE NAME OF
CRAIG COLEMAN
INVOLVING CERTIFICATES 56159 & 56160
T4N, R25E, WM
MORROW COUNTY

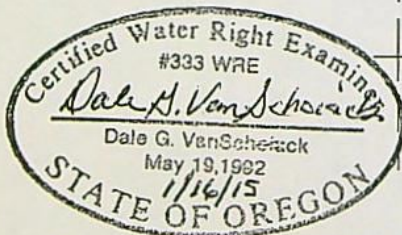
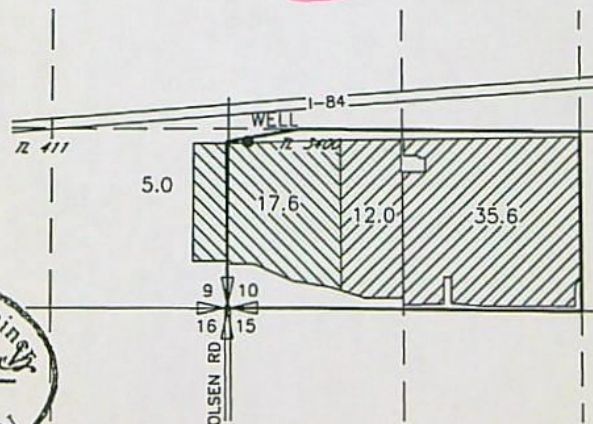
FROM

LEGEND

-  47.6 AC
CERTIFICATE 56159
-  22.6 AC
CERTIFICATE 56160



TO



Renews 6/30/16

POINT OF APPROPRIATION

WELL
LOCATED 1310'N AND 140'E FROM THE SW CORNER
OF SEC 10



0 1320 2640
SCALE IN FEET

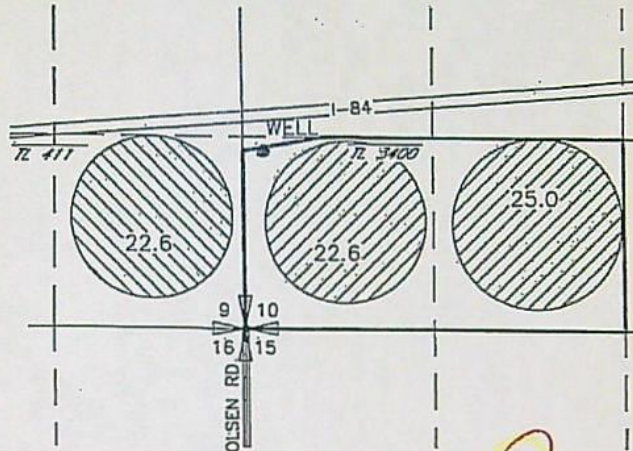
NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

AMENDED TRANSFER APPLICATION MAP (1/16/15)
 FOR TRANSFER 11755 IN THE NAME OF
 CRAIG COLEMAN
 INVOLVING CERTIFICATES 56159 & 56160
 T4N, R25E, WM
 MORROW COUNTY

FROM

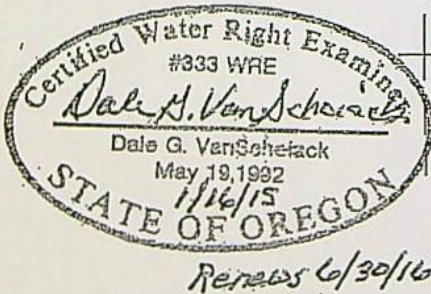
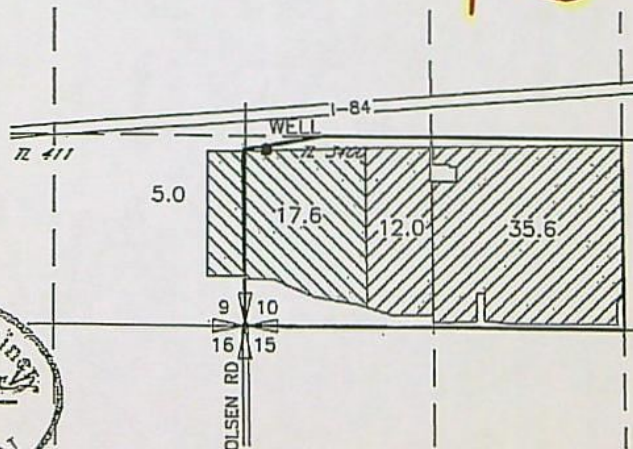
LEGEND

-  47.6 AC
CERTIFICATE 56159
-  22.6 AC
CERTIFICATE 56160



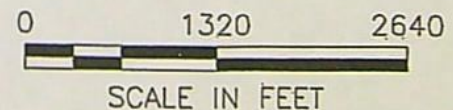
TO

REVISED



POINT OF APPROPRIATION

WELL
 LOCATED 1310'N AND 140'E FROM THE SW CORNER
 OF SEC 10,





NOTE:
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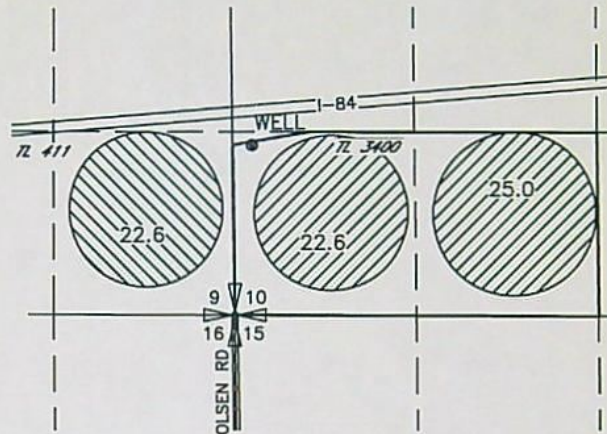
RECEIVED JAN 22 2015

TRANSFER APPLICATION
MAP FOR
CRAIG COLEMAN
INVOLVING CERTIFICATES 56159 & 56160
T4N, R25E, WM
MORROW COUNTY

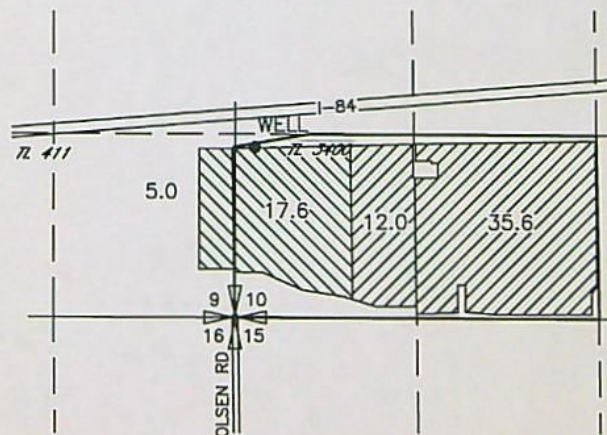
FROM

LEGEND

-  47.6 AC
CERTIFICATE 56159
-  22.6 AC
CERTIFICATE 56160



TO



POINT OF APPROPRIATION

WELL
LOCATED 1310'N AND 140'E FROM THE SW CORNER
OF SEC 10

0 1320 2640
SCALE IN FEET

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
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RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

**WORK
COPY**

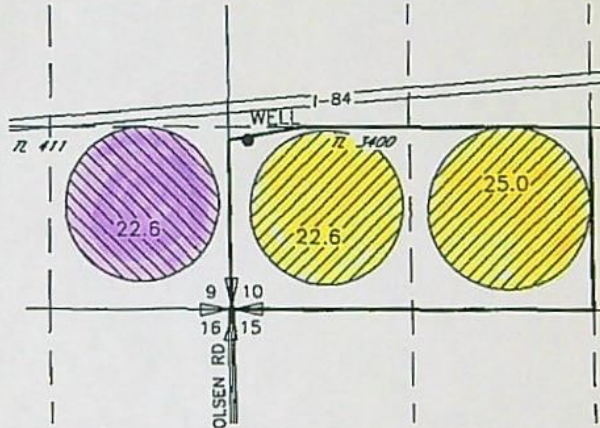
(NEWEST 11/26/2014)

TRANSFER APPLICATION
MAP FOR
CRAIG COLEMAN
INVOLVING CERTIFICATES 56159 & 56160
T4N, R25E, WM
MORROW COUNTY

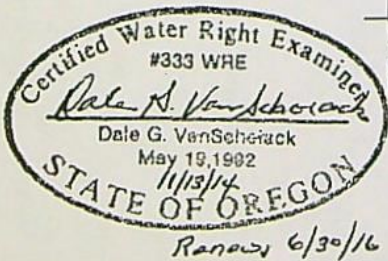
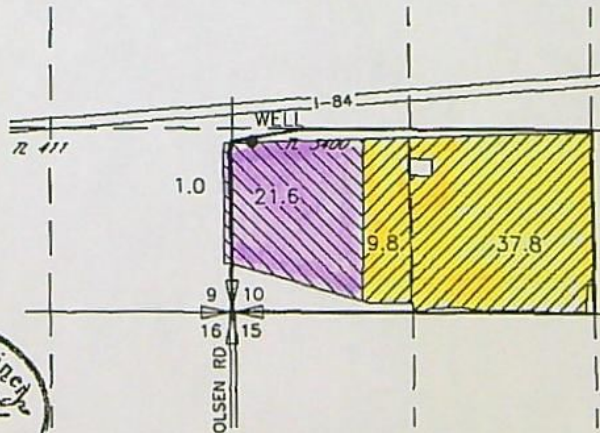
FROM

LEGEND

- 47.6 AC
CERTIFICATE 56159
- 22.6 AC
CERTIFICATE 56160



TO



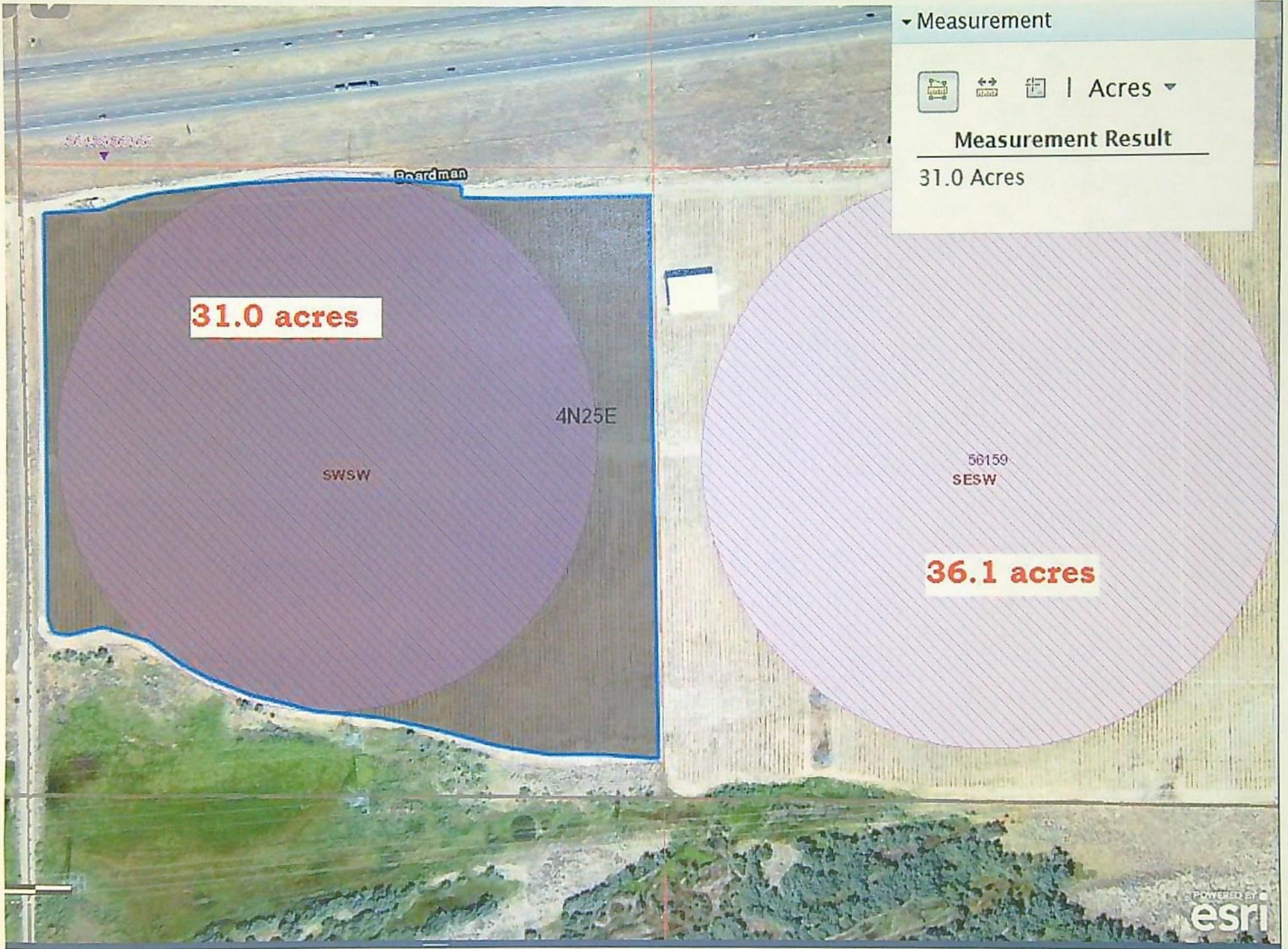
POINT OF APPROPRIATION

WELL
LOCATED 1310'N AND 140'E FROM THE SW CORNER
OF SEC 10



0 1320 2640
SCALE IN FEET



NOTE:
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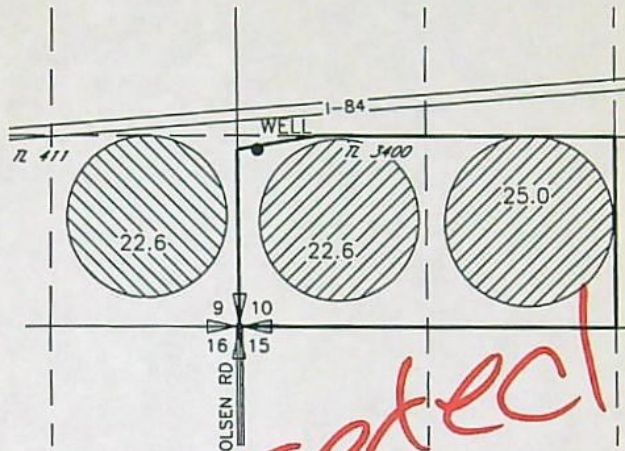


TRANSFER APPLICATION
MAP FOR
CRAIG COLEMAN
INVOLVING CERTIFICATES 56159 & 56160
T4N, R25E, WM
MORROW COUNTY

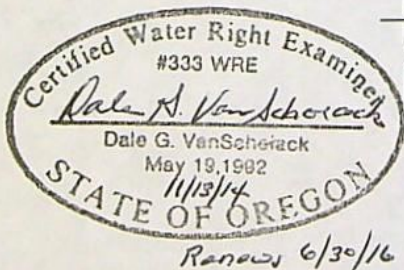
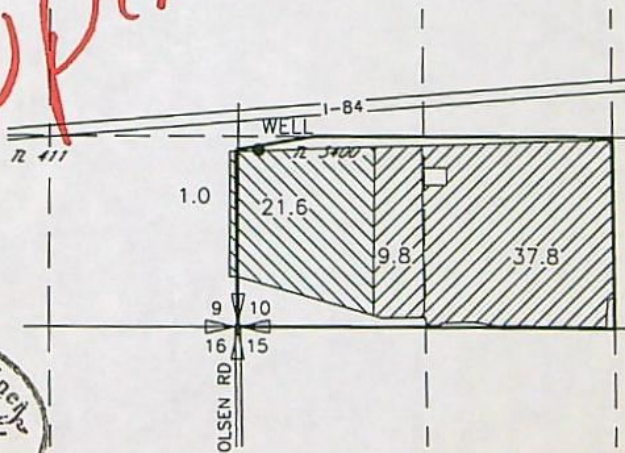
FROM

LEGEND

-  47.6 AC
CERTIFICATE 56159
-  22.6 AC
CERTIFICATE 56160

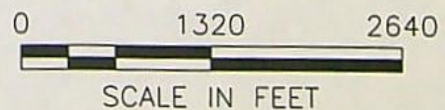


TO



POINT OF APPROPRIATION

WELL
LOCATED 1310'N AND 140'E FROM THE SW CORNER
OF SEC 10

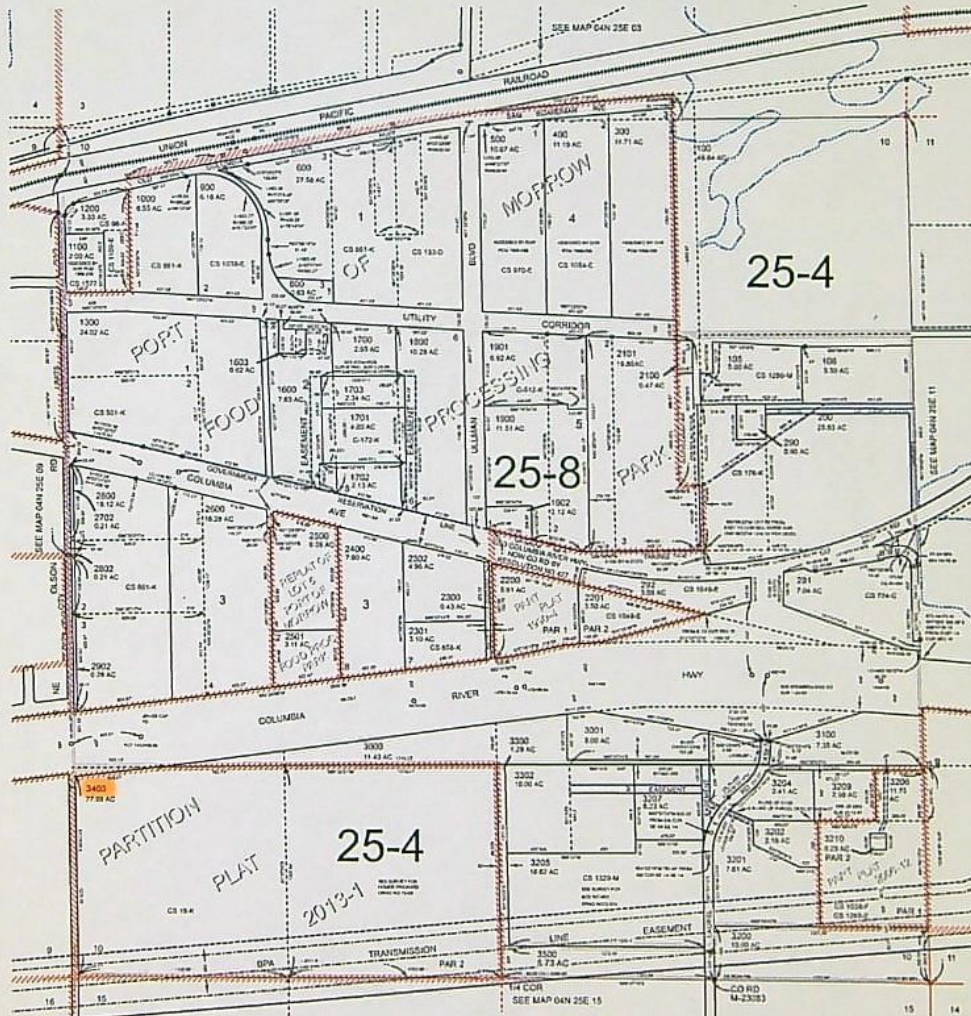


NOTE:
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OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

RECEIVED NOV 28 2014

04N25E10

Cancelled
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Revised: RAA
05/05/2013

04N25E10

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

0 200 400 600 Feet

SECTION 9 T.4N. R.25E. W.M.
MORROW COUNTY
1" = 400'

04N25E09
BOARDMAN
& INDEX



Cancelled
101
102 THRU 110
111
112 THRU 118
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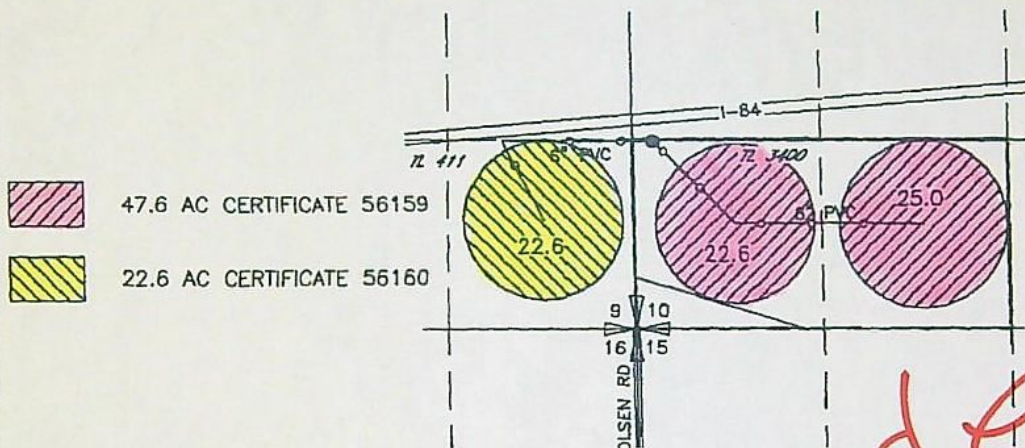
Revised: BC
5/15/2014

& INDEX
BOARDMAN
04N25E09

WORK
MAP

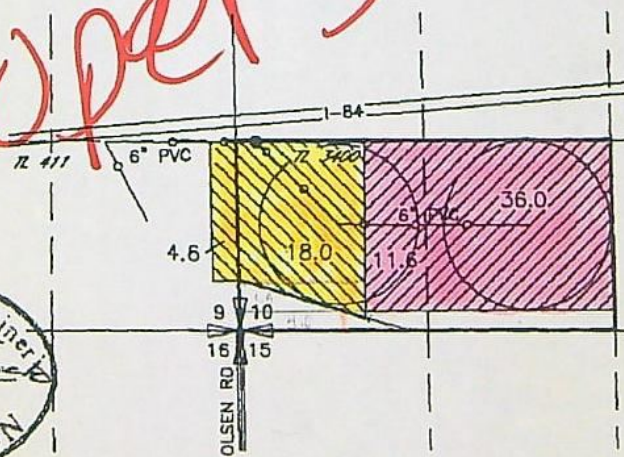
TRANSFER APPLICATION
MAP FOR
CRAIG COLEMAN
INVOLVING CERTIFICATES 56159 & 56160
T4N, R25E WM
MORROW CO

FROM



Superseded

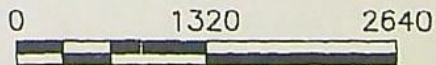
TO



Renewed 6/30/14

POINT OF APPROPRIATION

WELL
LOCATED 1310'N AND 140'E FROM THE SW CORNER
OF SEC 10



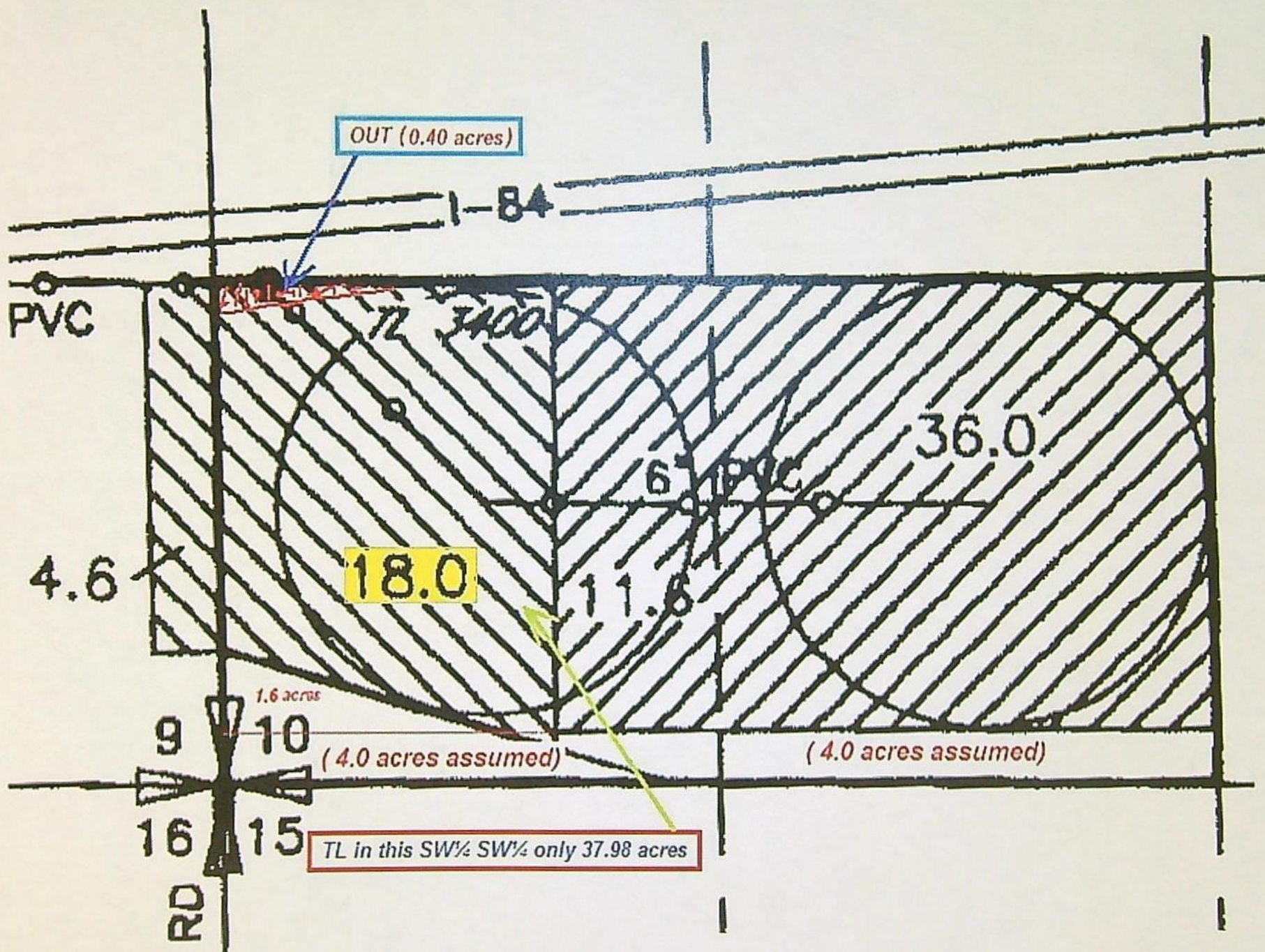
SCALE IN FEET

RECEIVED BY OWRD

NOTE:
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MAR 10 2014

SALEM, OR



COLUMBIA

RIVER

PARTITION
PLAT

25-4

CS 19-K

2013-1

SEE SURVEY FOR
HOMER PRICHARD
DRWG NO 75-6B

BPA

TRANSMISSION

PAR 2

1/4 COR

3400
77.98 AC

3000
11.43 AC

3300
1.29 AC

3302
10.00 AC

824.87'

S82°26'00"W

BRASS CAP
FD

6B-23-7

1470+00

1476+36.64

POT 1453+08.88

553.13'

659.91'

782.74'

S89°30'51"W

1319.35'

1319.41'

258.00'

S1°29'00"E

1225.55'

S1°37'03"E

1302.54'

658.26'

1311.30'

400' M/L

9

10

16

15

1322.88'

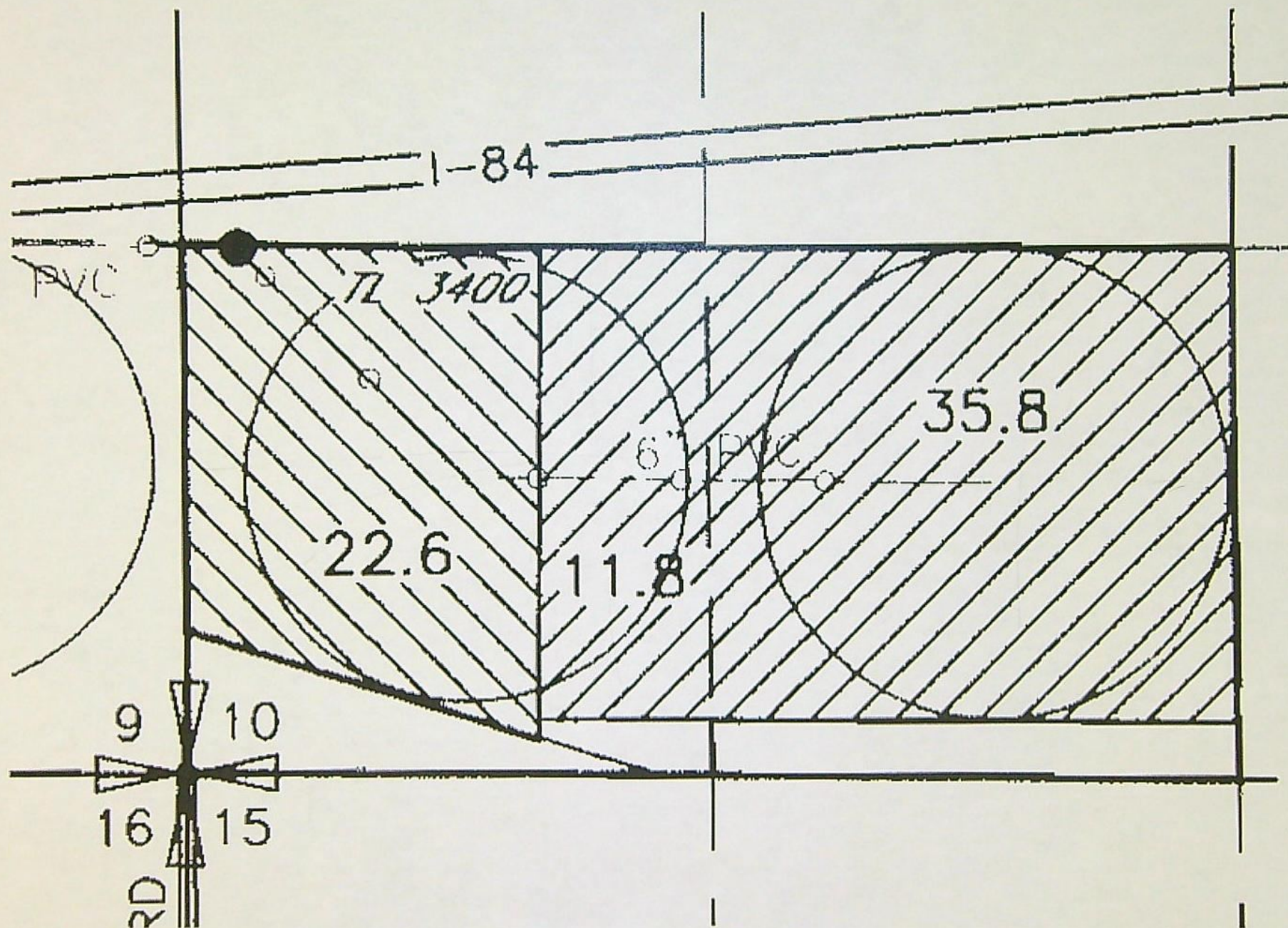
566'

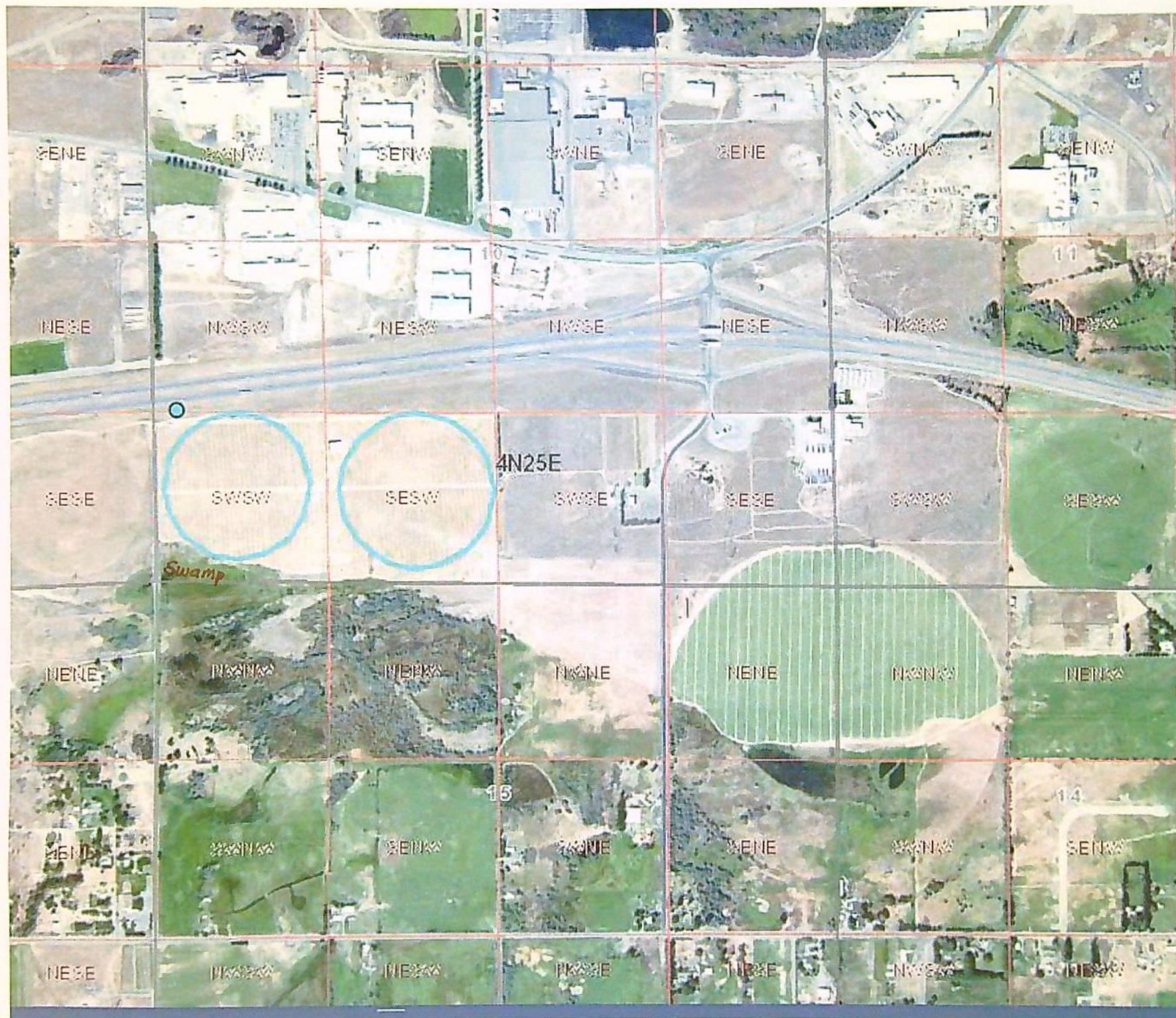
2011.9'

1322.08'

80.00 CH =

Temporary T-10808 (2009)





Switch Basemap

Measurement



| Acres

Measurement Result

32.0 Acres

(entire irrigated area w/in SW¹/₄ SW¹/₄)

being irrigated clear down to Section line

other ownership

SWSW

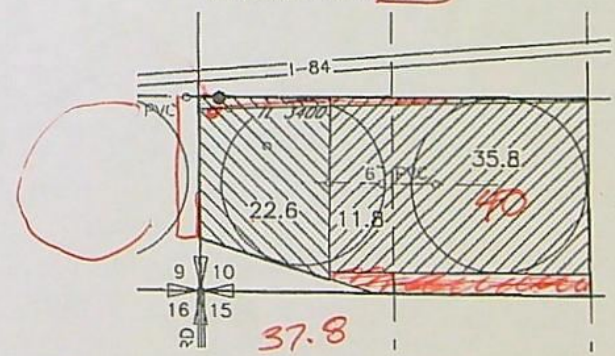
56159
SESW

15

esri

Temporary T-10808 (2009)

545



August 27, 2013

VIA E-MAIL

Applicant
Stiffler, LLC
c/o Craig Coleman
33896 East Walls Rd.
Hermiston, OR 97838

SUBJECT: Water Right Transfer Application T-11755

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-11755. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please do not hesitate to contact me at 541-278-5456 or Ken.D.Dowden@ wrd.state.or.us if I may be of assistance.

Sincerely,

Ken Dowden
Transfer Specialist
NC REGION

cc: T-11755
Greg M. Silbernagel, District 5 Watermaster (via e-mail)
William I. Porfily, Agent for the applicant (via e-mail)
Dale van Schoiack, CWRE #333 (via e-mail)

encs

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-11755, Morrow County)	PROPOSING APPROVAL OF
)	CHANGES IN PLACE OF USE

Authority

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

Applicant

Stiffler, LLC
c/o Craig Coleman
33896 East Walls Rd.
Hermiston, OR 97838

Findings of Fact

1. On March 10, 2014, Craig Coleman filed an application to change the place of use under Certificates 56159 and 56160. The Department assigned the application number T-11755.
2. On February 3, 2015, Craig Coleman submitted a revised application and map to clarify the place of use of the "TO" lands.
3. Notice of the application for transfer was published on March 18, 2014, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
4. The first right to be transferred is as follows:
Certificate: 56159 in the name of HOMER G. PRICHARD (perfected under Permit G-6386)
Use: IRRIGATION of 47.6 ACRES
Priority Date: FEBRUARY 12, 1976
Rate: 0.60 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0

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

acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #2 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	10	SW SW	1310 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	10	SW SW	22.6
4 N	25 E	WM	10	SE SW	25.0
TOTAL:					47.6

5. Transfer Application T-11755 proposes to change the place of use to:

Proposed Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	10	SW SW	12.0
4 N	25 E	WM	10	SE SW	35.6
TOTAL:					47.6

6. The second right to be transferred is as follows:

Certificate: 56160 in the name of HOMER G PRICHARD (perfected under Permit G-7065)

Use: IRRIGATION of 22.6 ACRES

Priority Date: DECEMBER 23, 1976

Rate: 0.28 CUBIC FOOT PER SECOND

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

Source: WELL #2 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q - Q	Measured Distances
4 N	25 E	WM	10	SW SW	1310 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	9	SE SE	22.6
TOTAL:					22.6

7. Transfer Application T-11755 proposes to change the place of use of the above described right to:

Proposed Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q - Q	Acres
4 N	25 E	WM	9	SE SE	17.6
4 N	25 E	WM	10	SW SW	5.0
TOTAL:					22.6

8. On January 28, 2015, the Department mailed a copy of the Preliminary Determination proposing to approve Transfer Application T-11755 to the applicant. The Preliminary Determination set forth a deadline of February 29, 2014 for the applicant to respond. On February 12, 2015, the agent for the applicant requested that the Department extend the completion date for the transfer to October 1, 2018. Also on February 12, 2015, the agent for the applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Transfer Review Criteria (OAR 690-380-4010)

9. Water has been used within the last five years prior to the submittal of Transfer Application T-11755 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
10. A well, pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-11755.
11. The proposed change would not result in enlargement of the rights.
12. The proposed change would not result in injury to other water rights.
13. All other application requirements are met.

Determination and Proposed Action

The change in change in place of use proposed in Transfer Application T-11755 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-11755 is approved, the final order will include the following:

- 1. The changes in place of use proposed in Transfer Application T-11755 are 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 56159 and 56160 and any related decree.*
- 3. Water right Certificates 56159 and 56160 are cancelled.*

4. *The former place of use of the transferred right shall no longer receive water under these rights.*
5. *The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.*
6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2018**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*
7. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2015.

Dwight French, Water Right Services Administrator, for
THOMAS M. BYLER, DIRECTOR

<p>This Preliminary Determination was prepared by Ken Dowden. If you have questions about the information in this document, you may reach me at 541-278-5456 or Ken.D.Dowden@wrdd.state.or.us.</p>

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

**Notice of Preliminary Determination for
Water Right Transfer T-11755**

T-11755 filed by Stiffler, LLC, 33896 E. Walls Rd. Hermiston, OR, 97838, proposes a change in place of use under Certificates 56159 and 56160. Certificate 56159 allows the use of 0.6 cfs; Certificate 56160 allows the use of 0.28 cfs, both from Well#2 within Sec. 10, T4N, R25E, W.M., for irrigation in Section 10. The applicant proposes to change the place of use to within Sec. 9 and Sec. 10. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540, OAR 690-380-2110 and 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, [DATE OF LAST PUBLICATION]. Call (503) 986-0807 to obtain additional information or a protest form. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

THIS APPLICATION CONTAINS NO
LAND USE FORM BECAUSE MEETS ALL
CRITERIA BELOW.

Transfer Applications

690-380-3000

Application for Transfer

Each transfer application shall be prepared in ink or typewritten on forms provided by the Department. Applications shall contain the following information concerning the primary water right and any appurtenant supplemental water right or permit, if applicable:

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

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

Meridian: Township: North Range: East Section: Records per Page:

Platcards Maps!
[Learn about](#) * [View Map](#)

NO conflict
on other page
either

No CONFLICTS

Platcards Maps!
Learn about * [View Map](#)

IRRIGATION	no conflicting rights	
IRRIGATION	water	pollution

App: S61029 Permit: S46207 Cert: 79937																			
Select	App: G 17569 *	7/16/2012	IRRIGATION							3.8	3.4	11.7	9.8						
Additional Info: STIFFLER LLC App: G17569																			
Select	Inchoate: T 9601 CF (REG) *	11/5/1971	MUNICIPAL USES	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
Additional Info: PORT OF MORROW App: S48821 Permit: S35694																			
Select	Inchoate: T 10269 CF (REG) *	12/1/1971	MUNICIPAL USES	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)	(*)
Additional Info: RONALD MCKINNIS App: G5680 Permit: G4942																			
Select	App: G 17678 *	5/28/2013	MUNICIPAL USES	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*	*
Additional Info: RON MCKINNIS App: G17678																			
1 2 3																			

Acreage Legend: 12.25 Regular acreage ~~12.25~~ Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified

5 YEAR TEMPORARY

PREVIOUSLY FILED ON WR

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)
T-10808, Morrow County)
FINAL ORDER APPROVING A
TEMPORARY CHANGE IN PLACE OF
USE

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of appropriation authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

CRAIG COLEMAN
33896 E WALLS RD.
HERMISTON, OR 97838

WILLIAM I. PORFILY
PO BOX 643
STANFIELD, OR 97875

Findings of Fact

Background

- On March 9, 2009, CRAIG COLEMAN filed an application to temporarily change the place of use under CertificateS 56159 and 56160 for a period of five (5) years. The Department assigned the application number T-10808.
- The portion of the first right to be transferred is as follows:
Certificate: 56159 in the name of HOMER G, PRICHARD (perfected under Permit G-6386)
Use: IRRIGATION of 47.6 ACRES
Priority Date: FEBRUARY 12, 1976
Rate: 0.6 CUBIC FOOT PER SECOND (cfs)
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3

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.

acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #2 within the COLUMBIA RIVER BASIN

Authorized Point(s) of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	10	SW SW	1310 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	10	SW SW	22.6
4 N	25 E	WM	10	SE SW	25.0

3. Temporary Transfer Application T-10808 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	10	SW SW	11.8
4 N	25 E	WM	10	SE SW	35.8

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

Certificate: 56160 in the name of HOMER G PRICHARD (perfected under Permit G-7065)

Use: IRRIGATION of 22.6 ACRES

Priority Date: DECEMBER 23, 1976

Rate: 0.28 CUBIC FOOT PER SECOND (cfs)

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #2 within the COLUMBIA RIVER BASIN

Authorized Point(s) of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	25 E	WM	10	SW SW	1310 FEET NORTH AND 140 FEET EAST FROM THE SW CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	9	SE SE	22.6

5. Temporary Transfer Application T-10808 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	25 E	WM	10	SW SW	22.6

6. Notice of the application for temporary transfer was published on March 17, 2009, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.

Temporary Transfer Review Criteria

7. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
9. The proposed changes would not result in enlargement of the rights.
10. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

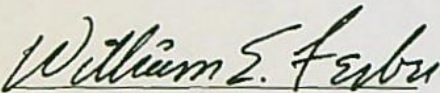
The temporary changes in place of use proposed in Transfer Application T-10808 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary changes in place of use proposed in Temporary Transfer Application T-10808 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2009, 2010, 2011, 2012 and 2013 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2013 irrigation season.

4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 56159 and 56160 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate(s) 56159 and 56160.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
9. The use of the remaining water rights described by Certificates 56159 and 56160 shall continue to be in accordance with the terms and conditions of Certificates 56159 and 56160.

Dated at Salem, Oregon this 17th day of April, 2009.

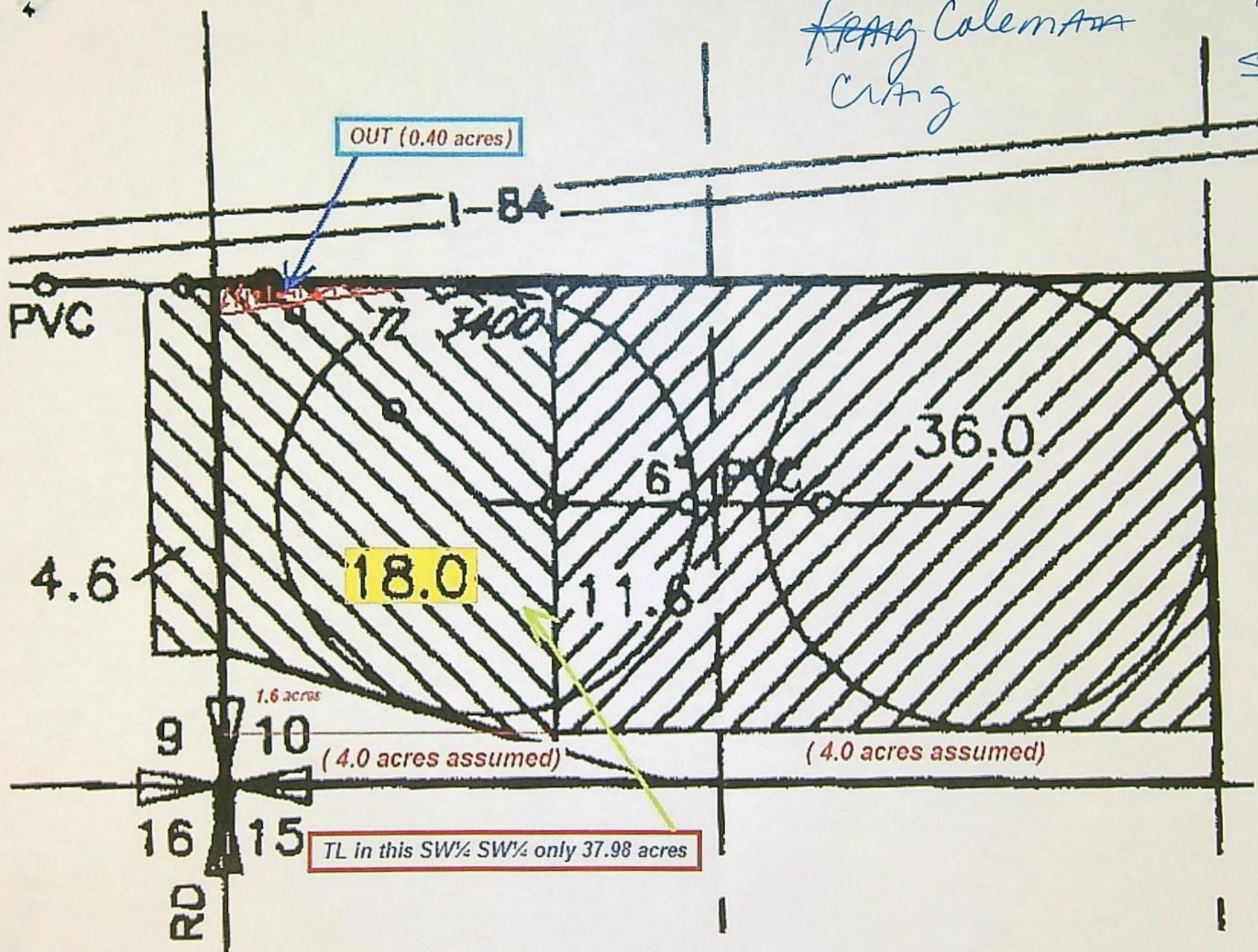

for Phillip C. Ward, Director

Mailing Date: APR 21 2009

4/25/10

~~Krang~~ Coleman
Crng

SWSW
SESW





Switch Basemap

Measurement



| Acres

Measurement Result

32.0 Acres

(entire irrigated area w/in SW¹/₄ SW¹/₄)



PIECE

other ownership

Stonewall's
1000's Acres of land for sale

PIECE

SWSW

56159

SESW

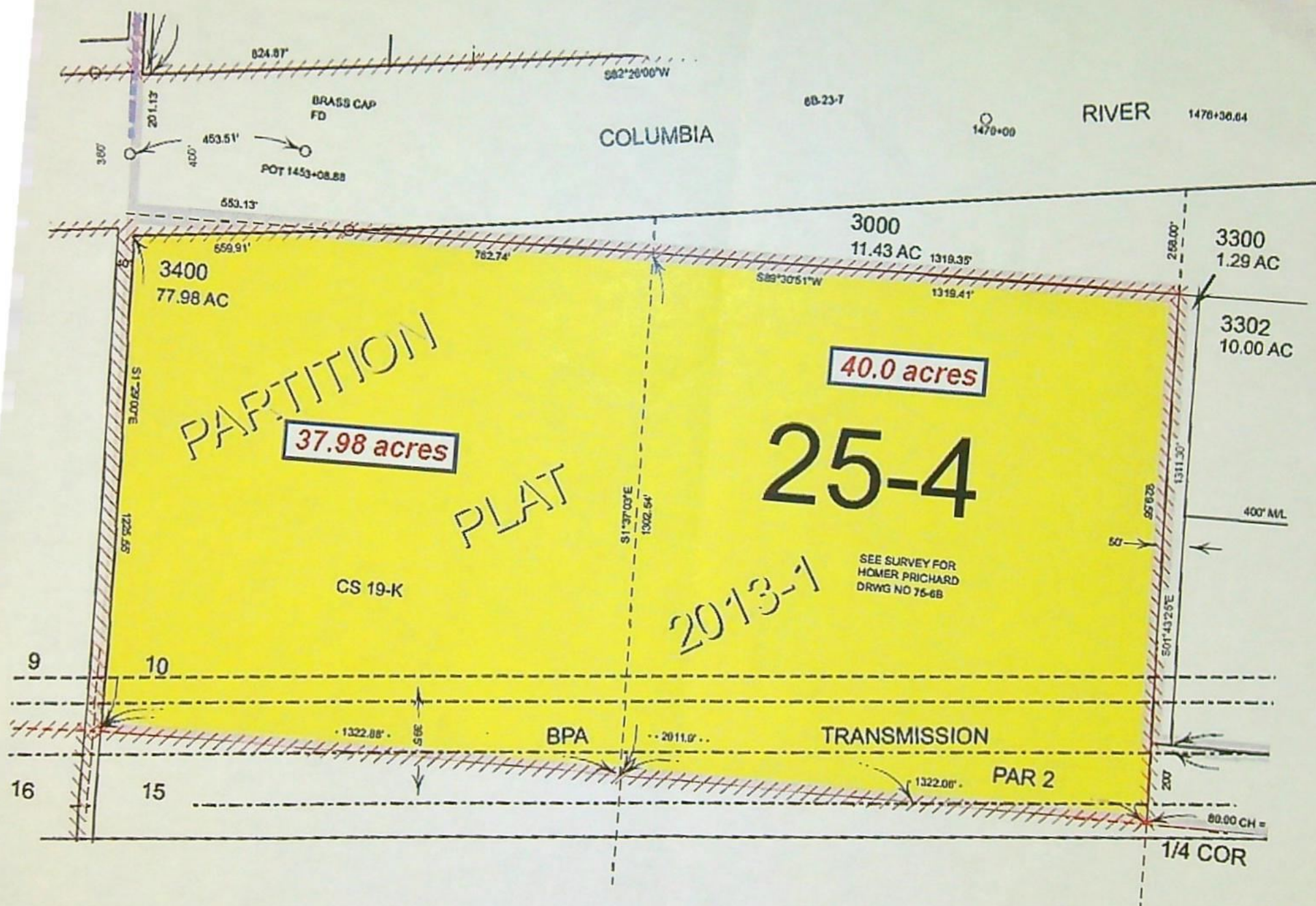
being irrigated clear down to Section line

PIECE

15

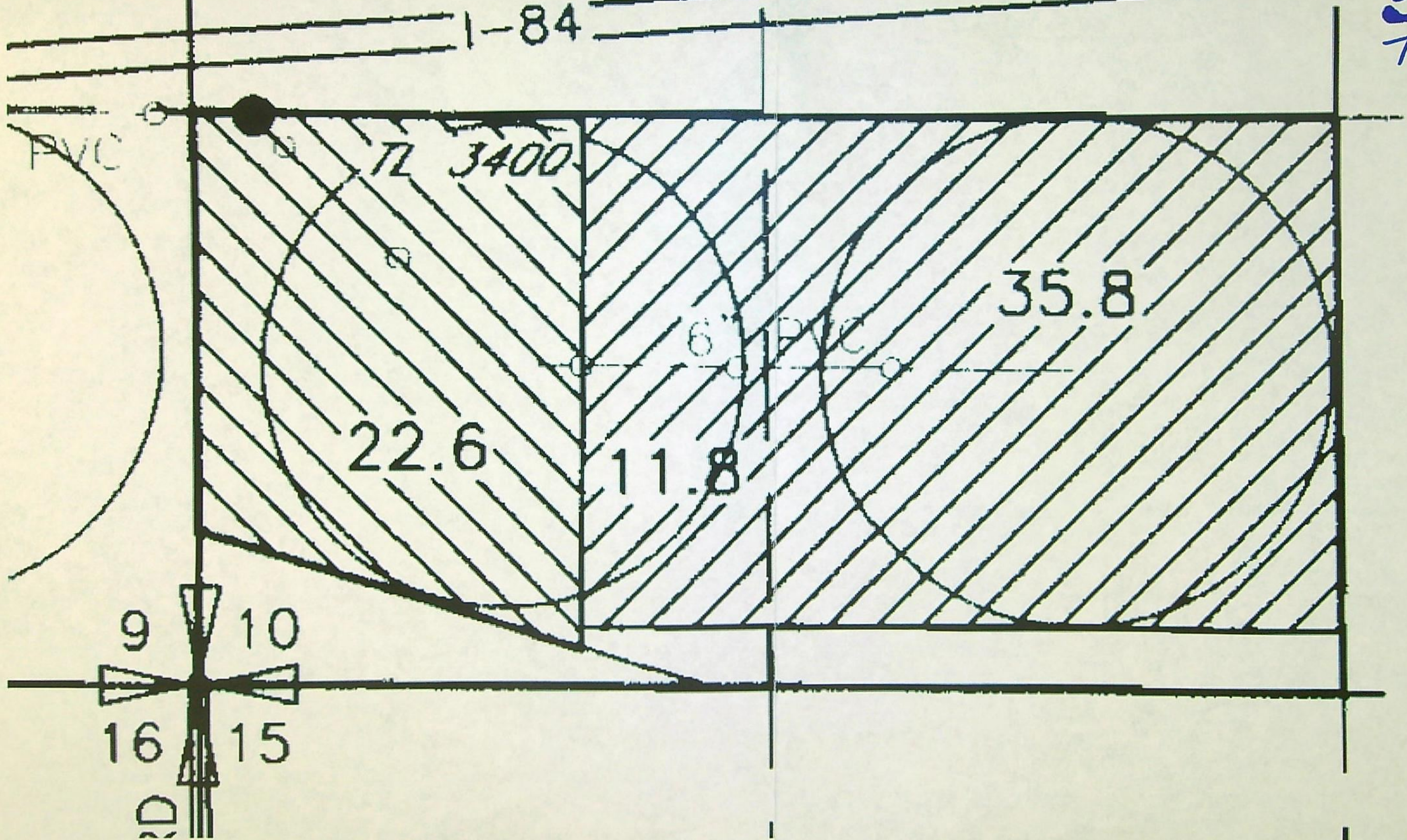
NESE

NESE



TEMP. TRANSFER T-10808 (4/2009)

5 YEAR
TEMPORARY



Transfer[#] T-11755

ORIGINALS

Transfer Application

Transfer Map

Evidence of Use Affidavit

Land Use Information Form

Notarized Consent Affidavit

Amendments/Revision to Appl. & Map

Deed (*temporary transfers only*)

Other Supporting Documentation

Acknowledgment letter sent out to applicant

cc: ODFW, GW section

Receipt

AFFIDAVIT OF CONSENT OF WATER RIGHT TRANSFER

State of Oregon)
County of MORROW) SS

I, Gary maughan, 22591 Road M - SW
Name (print) Address
Mattawa, WA 99341

being first duly sworn, dispose and say:

I am the owner of tax lot 411, in the SE ¼ SE ¼, Section 9, Township 4 North, Range 25 East, W.M., and the appurtenant water rights describing Irrigation Use in Water Right Certificate 56160 and

I accept Item 19, Water Rights and Irrigation Charges, in the attached Lease and Option To Purchase Agreement between Girth Dog, LLC c/o Craig Coleman and previous owners and

I consent to the attached water right transfer application under the name of Stiffler, LLC c/o Craig Coleman, changing the Place of Use for the above-mentioned water right.

[Signature] 3/5/2014
Signature Date

State of Oregon
County of MORROW

Subscribed and Sworn to Before Me this 5th day of March, 2014 by
Gary maughan as member of maughan Et. AL, LLC, a Washington
Limited Liability Company.



Krista A Price
Notary Public - State of Oregon 2014
My commission expires June 7, 2016

RECEIVED BY OWRD

MAR 10 2014



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

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: Certificates 56159 & 56160**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ ☐ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) **And also See Item 19 of Attached Lease and Option to Purchase Agreement.**
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☐ ☒ N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

RECEIVED BY OWRD

MAR 10 2014

SALEM, OR

(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: _____ 503-986-0 _____

Date: ____/____/____

Part 2 of 5 – Transfer Application Map Checklist

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

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

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

Part 3 of 5 – Fee Worksheet

RECEIVED BY OWRD	
MAR 10 2014	
SALEM, OR	

1. For irrigation calculate cfs for each water right involved as follows:

- | FEE WORKSHEET for SUBSTITUTION | | | |
|--------------------------------|--|---|----------|
| 1 | Base Fee (includes change to one well) | 1 | \$725.00 |
| | Number of wells included in substitution _____ (2a)
Subtract 1 from the number in 3a above: _____ (2b) <i>If only one well this will be 0</i> | | |
| 2 | Multiply line 2b by \$350 and enter » » » » » » » » » » » » » » » | 2 | |
| 3 | Add entries on lines 1 through 2 above » » » » » » Fee for Substitution: | 3 | |

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Stiffler, LLC c/o Craig Coleman			PHONE NO. (541) 567-1605	ADDITIONAL CONTACT NO. (541) 314-8568
ADDRESS 33896 East Walls RD.				FAX NO.
CITY Hermiston	STATE OR	ZIP 97838	E-MAIL jannamonkey@aol.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.				

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

AGENT/BUSINESS NAME William Porfily			PHONE NO. (541) 449-1327	ADDITIONAL CONTACT NO. (541) 561-7259
ADDRESS P.O. Box 643				FAX NO. (541) 449-1327
CITY Stanfield	STATE OR	ZIP 97875	E-MAIL wporfily@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.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
I planted Blue Berries in the SW ¼ & SE ¼ of the SW ¼ of Section 10, T4N, R25E, WM and have irrigated them with a solid set irrigation system authorized under a 5 Year Temporary Transfer, T-10808. With this application I propose to continue irrigating Blue Berries with a solid set system and make the transfer permanent.

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

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

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: **East Oregonian**.

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



Craig Coleman
Applicant signature

Craig Coleman an Owner
Print Name (and Title if applicable)

3-4-14
Date

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Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☐ Yes ☒ No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

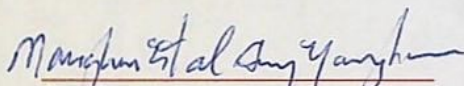
Describe any special ownership circumstances here:

I have a Lease Option Agreement to purchase the land in Tax Lot 3400 and the water right in Tax Lot 411. This agreement is attached. I current am activating the Option to purchase TL 3400 and the Water Right described in Certificate 56160

Deeded Landowner Signatures other than the Applicant.

Landowner Information Tax Lot 411

APPLICANT/BUSINESS NAME Maughan et al LLC		PHONE NO. 503-840-7299	ADDITIONAL CONTACT NO.
ADDRESS 22591 Road M Southwest		FAX NO.	
CITY Mattawa	STATE WA	ZIP 99341	E-MAIL


Landowner

Authorized Representative for Maughan et al LLC
Print Name (and Title if applicable)

3/5/2014
Date

Check the following boxes that apply:

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☒ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

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

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

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Describe any special ownership circumstances here: N/A

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

IRRIGATION DISTRICT NAME <u>N/A</u>	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 <u>N/A</u>	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME <u>Morrow County</u>	ADDRESS <u>Courthouse, 100 S Court St.</u>	
CITY <u>Heppner</u>	STATE <u>OR</u>	ZIP <u>97836</u>

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 additional rows to tables within the form.

CERTIFICATE # 56159

Description of Water Delivery System

System capacity: 1.34 cubic feet per second (cfs) **OR**

601.4 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. Before the 5 Year Temporary Transfer T-10808, a 75hp turbine pump, pumped water to three small circles. During the 5 year temporary transfer the 75 hp pump delivered water for the growing of Blue Berries though a solid set system.

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 <input type="checkbox"/> Proposed	MORR 754 & 755	4 N	25 E	10	SW	SW		1310 ft N & 140 ft East from the SW Corner Section 10
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 56159

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
										POU	4	N	25	E	10	SW	SW	3400		11.8	N/A	Well	2-12-1976
										POU	4	N	25	E	10	SE	SW	3400		35.8	N/A	Well	2-12-1976
TOTAL ACRES:											TOTAL ACRES:						47.6						

Additional remarks: _____.

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use N/A

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

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
<u>N/A</u>										

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

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

Table 2. Description of Changes to Water Right Certificate # 56160

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
										POU	4	N	25	E	10	SW	SW	3400		22.6	N/A	Well	12-23-1976
TOTAL ACRES:											TOTAL ACRES:						22.6						

Additional remarks: _____.

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use N/A

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

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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.

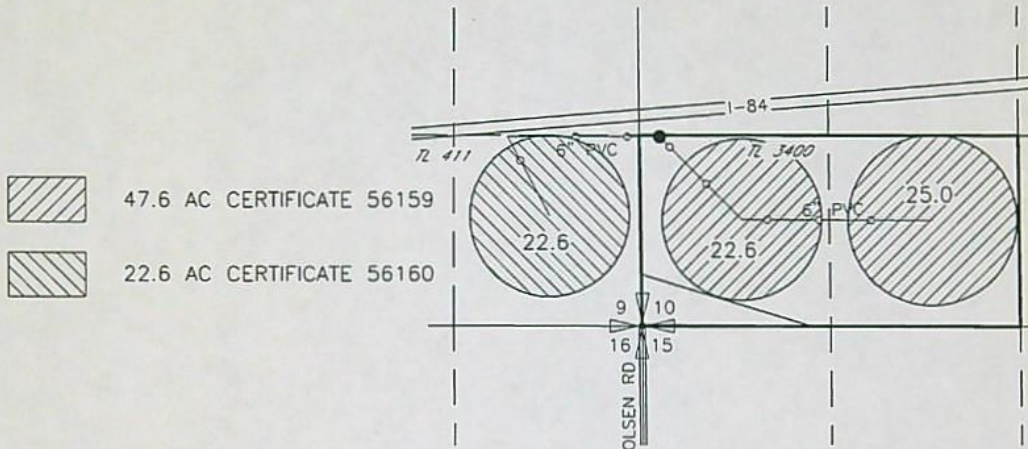
Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source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

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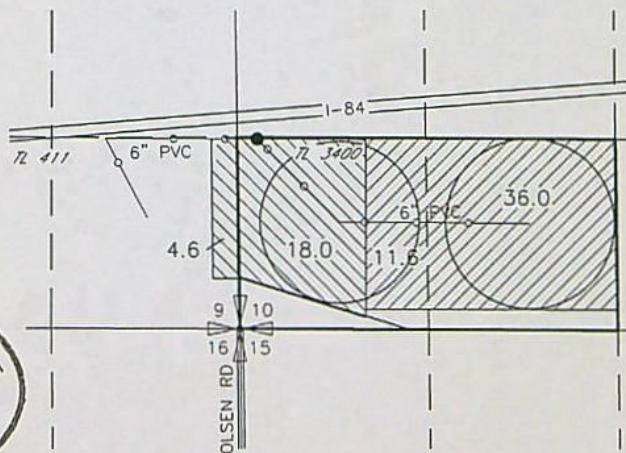
MAR 10 2014

TRANSFER APPLICATION
MAP FOR
CRAIG COLEMAN
INVOLVING CERTIFICATES 56159 & 56160
T4N, R25E WM
MORROW CO

FROM



TO



Renews 6/30/14

POINT OF APPROPRIATION

WELL
LOCATED 1310'N AND 140'E FROM THE SW CORNER
OF SEC 10

0 1320 2640

SCALE IN FEET
RECEIVED BY OWRD

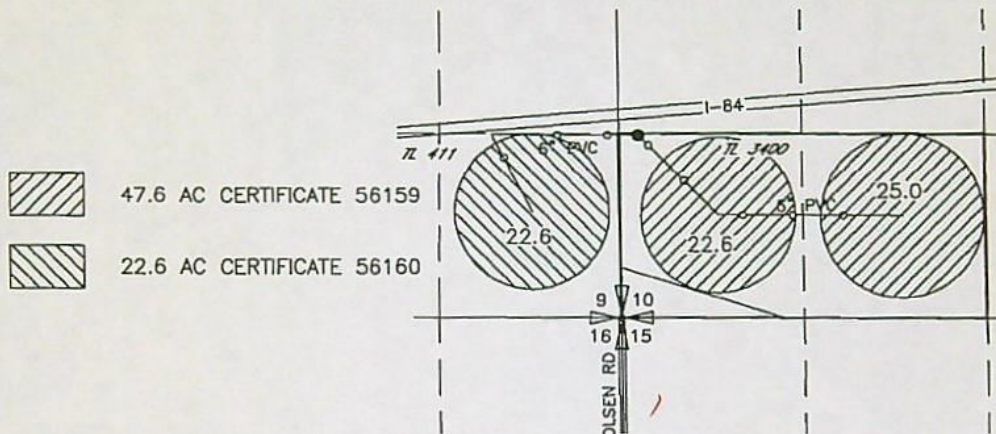
NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

MAR 10 2014

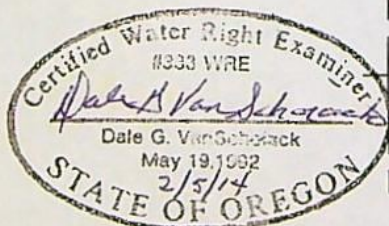
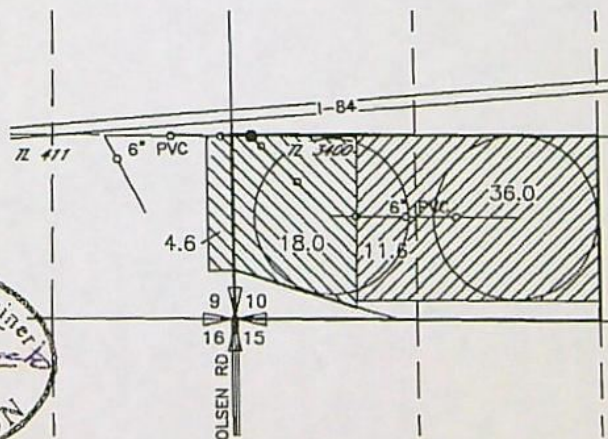
SALEM, OR

TRANSFER APPLICATION MAP FOR CRAIG COLEMAN INVOLVING CERTIFICATES 56159 & 56160 T4N, R25E WM MORROW CO

FROM



TO



Renews 6/30/14

POINT OF APPROPRIATION

WELL

LOCATED 1310'N AND 140'E FROM THE SW CORNER
OF SEC 10

NOTE:

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

0 1320 2640
SCALE IN FEET

RECEIVED BY OWRD



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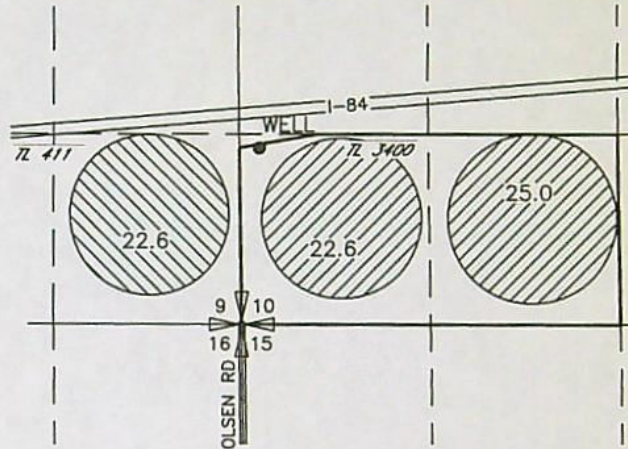
SALEM, OR

AMENDED TRANSFER APPLICATION MAP (1/16/15)
 FOR TRANSFER 11755 IN THE NAME OF
 CRAIG COLEMAN
 INVOLVING CERTIFICATES 56159 & 56160
 T4N, R25E, WM
 MORROW COUNTY

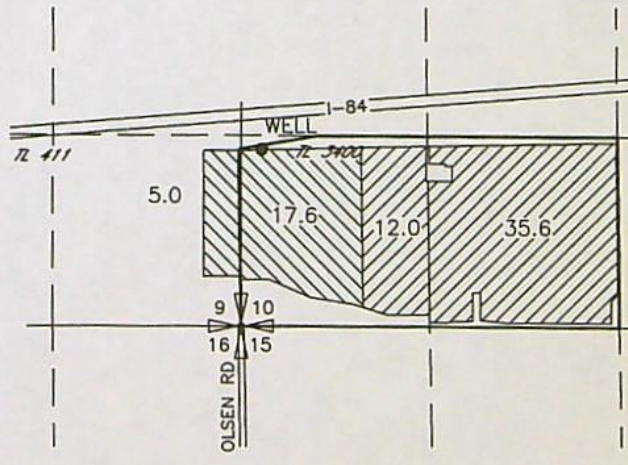
FROM

LEGEND

-  47.6 AC
 CERTIFICATE 56159
-  22.6 AC
 CERTIFICATE 56160



TO



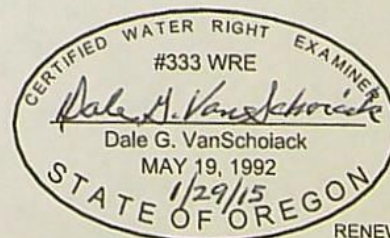
0 1320 2640

SCALE IN FEET

POINT OF APPROPRIATION

WELL
 LOCATED 1310'N AND 140'E FROM THE SW CORNER
 OF SEC 10

NOTE:
 THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
 OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
 RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.



LEASE AND OPTION TO PURCHASE

THIS LEASE AND OPTION TO PURCHASE (the "**Lease**"), is made and entered into on June 20, 2008, by and between Krupa Laxmi, Inc., an Oregon Corporation, herein referred to as "**Landlord**," and Girth Dog, LLC, an Oregon Limited Liability Company, herein referred to as "**Tenant**."

RECITALS:

- A. Landlord is the contract buyer to the real property, under that certain land sale contract (the "**Contract**") dated October 18, 2006, between Jeanette Prichard as Seller, and Landlord as Buyer, which property is situated in Morrow County, Oregon, the legal description of which is attached hereto as **Exhibit "A,"** and by this reference made a part hereof (the "**Property**"); and
- B. Subject to the seller's consent required under the Contract, Landlord has the right and authority to grant the right to lease a portion of the Property described on Exhibit "B" and by this reference made a part hereof (the "**Premises**") and the right and authority to sell the Premises in accordance with the Contract; and
- C. Landlord desires to grant to Tenant the right to lease the Premises, with the exclusive option to purchase the Premises, on the terms and conditions set forth in this document.

AGREEMENT:

In consideration of the consideration and rent hereinafter specified and the covenants, terms, and conditions hereinafter contained, the parties agree as follows:

1. Grant of Lease and Exclusive Option

Landlord grants to Tenant the exclusive:

1.1 Right to Lease

Right to lease the Premises, and Personal Property (including but not limited to, irrigation pumping station with pumps, pivots, electrical panels, power lines, underground irrigation pipeline).

1.2 Option to Purchase

Option (the "**Option**") to purchase the Premises and Personal Property on the terms and conditions set forth in this Lease.

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8. Tenant's Entry on the Property

During the term of the Lease, Tenant shall, at Tenant's sole cost and expense, have the right to enter the Premises for the purpose of making or conducting any inspection, investigation, test or survey necessary to Tenant's decision to exercise the Option or to Tenant's prospective use thereof, provided that all such activities shall be conducted in a good and workmanlike manner, free of liens and free from any loss, liability or damage to persons or property arising out of or related to Tenant's activities on the Premises. If Tenant fails to exercise the Option, Tenant shall hand over the Premises in good working condition, and if Tenant fails to do so, notwithstanding the provisions below, Tenant shall be liable to Landlord for any damages incurred by Tenant. In the event Tenant fails to exercise the Option, Tenant shall deliver to Landlord a legible copy of any reports, studies or drawings owned by Tenant that relate to the Premises.

9. Title Insurance

Within twenty (20) working days of the receipt of Tenant's notice of exercise of the Option, Landlord, at Landlord's sole cost and expense, shall deliver to Tenant a current preliminary title report (the "**Title Report**"), from Mid Columbia Title Company (the "**Title Company**") with copies of all exceptions or conditions referred to therein. The Title Report shall set forth the state of title to the Premises, with all exceptions or conditions to title including, without limitation, all easements, restrictions, rights-of-way, covenants, reservations, consents and other encumbrances affecting the Premises which would appear in the standard owner's title insurance policy to be issued at Closing.

10. Purchase Price and Payment

The purchase price of the Premises, which is the true and actual consideration therefore, and which Tenant agrees to pay, is ~~_____~~ which Tenant agrees to pay at Closing.

11. Prorates

The real property taxes for the current tax year and all other usual items shall be prorated as of the date of Closing. After the Effective Date, Tenant shall be responsible for any deferred real property taxes which become due and payable as of the date of Closing if the Premises is disqualified from deferred tax status as of the date of Closing due to any action or inaction of the Tenant.

12. Deed, Title Insurance

Upon Closing, Jeanette Prichard shall convey the Premises to Tenant by special warranty deed, free and clear of financial encumbrances, and any other encumbrance not accepted by Tenant. Tenant shall be entitled to exclusive possession on the Closing date. Within fifteen (15) days of Closing, Landlord shall furnish, at Landlord's expense, a standard title insurance policy in the amount of the Purchase Price insuring title to be vested in Tenant free of financial encumbrances, subject to the standard printed exceptions, and encumbrances of record accepted by Tenant.

2. Rent

Tenant agrees to pay to Landlord as rent, the non-refundable sum \$ [REDACTED] and [REDACTED] for the remaining years, (the "Rent"). Rent shall be payable on the 1st day of April each year in advance at the address of Landlord indicated below or at such other place as may be designated by Landlord by written notice to Tenant. Rent is paid when it is received in hand by Landlord.

3. Term of Option and Lease

The term of the Option and the term of the Lease shall commence, and Tenant shall be entitled to possession, on April 1, 2008 (the "Effective Date"), and such term shall extend for a maximum period of five (5) years and nine (9) months from the Effective Date, which is December 31, 2013 (the "Expiration Date"). If the Option is not timely exercised on or before the Expiration Date, the Option and the Lease shall automatically terminate without any notice to Tenant, or any other person, and all rights of Tenant arising out of this Lease shall immediately cease.

4. Consideration

Tenant agrees to pay to Landlord as consideration for the exclusive option to purchase the Premises, the non-refundable sum of Ten Thousand Dollars (\$10,000) (the "Consideration.") The Consideration shall be applied to the purchase price in the event Tenant exercises its right to purchase the Property.

5. Manner of Exercise

The Option shall be exercised, if at all, by Tenant delivering written notice to Landlord pursuant to Section 15, below, during the term hereof in the manner described below. Said written notice of exercise shall designate a date (the "date of closing" or "closing") not more than ninety (90) days, nor less than thirty (30) days after the date the written notice of exercise is delivered to Landlord. This Option may be exercised only with respect to the entirety of the Premises, and nothing contained herein shall be construed as permitting Tenant to purchase less than all of the Premises pursuant to this Option. Upon exercise of this Option, Tenant shall be obligated to purchase the Premises from Landlord, and Landlord shall be obligated to sell the Premises to Tenant, for the price and in the manner herein set forth.

6. Use of the Property

Tenant shall use the Premises for agricultural and related purposes and shall at all times conduct its activities in an orderly and decent manner and will not commit or permit to be committed any acts violative of the ordinances of the County of Morrow, statutes of the State of Oregon, or any other applicable law of any public authority affecting the Premises. The Tenant shall not commit or suffer to be committed any waste upon the Premises.

7. Taxes

Landlord, during the lease terms, shall pay all real and personal property taxes levied against the Premises, personal property, and improvements located on the Premises.

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13. Closing in Escrow

The sale shall be closed in escrow with the Title Company. The costs of escrow shall be borne equally by Landlord and Tenant.

14. Quitclaim

If Tenant does not exercise the Option, then upon request by Landlord, Tenant shall execute and deliver to Landlord a quitclaim deed, conveying any interest of Tenant in the Premises.

15. Notices

All notices given in connection with this Lease shall be in writing and shall be effective when personally delivered or, if mailed, when deposited as certified mail or commercial overnight delivery service, postage prepaid, addressed as follows:

Landlord: Krupa Laxmi, Inc.
12010 NE Airport Way
Portland, Or 97220

Tenant: Girth Dog, LLC
c/o Craig F. Coleman
33896 East Walls Road
Hermiston, OR 97838

or at such other addresses as may be specified from time to time by either of the parties in the manner above provided for the giving of notice.

16. Recordation

Landlord and Tenant agree to record this agreement, or a memorandum of this agreement, at Tenant's expense.

17. Required Notice

The following is the notice as required by Oregon law: BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

18. Maintenance and Repair

Tenant shall at its own cost and expense during the term of this Lease keep and maintain the Premises and personal property in a good condition and state of repair, at least comparable to that which existed immediately prior to the commencement of the Lease, except for ordinary wear and tear, and for replacement. Landlord shall have no obligation to do any repairs or maintenance on the Premises, or personal property.

19. Water Rights and Irrigation Charges

The Premises subject to this lease is covered in all or part by a Certificate of Water Right (the "Water Right"). Tenant shall comply with the Water Right and will not act or fail to act in any manner that forfeits, limits, or jeopardizes the Water Right. Tenant shall pay as due all charges, fees, costs, levies, and assessments, if any, for water/irrigation service upon the Premises subject to this lease. Landlord and Jeanette Prichard agree to temporarily transfer over to the Premises, twenty-two (22) acres of water rights on an adjoining parcel to the Premises for the Tenant's benefit. In the event Tenant exercises its right to purchase the Premises as called for in this agreement, Jeanette Prichard/Landlord agrees to permanently transfer the twenty-two (22) acres of water rights and other water rights on the Premises to Tenant at Closing for the additional sum of Three Thousand Dollars (\$3,000), which sum shall be paid to Landlord at Closing.

20. Irrigation Equipment

Tenant shall maintain and repair at Tenant's expense all irrigation equipment and other equipment as a part of this lease. However, Tenant shall be replacing the existing irrigation pivots on the Premises with a drip irrigation system at its sole expense. Tenant shall turn the same (drip irrigation system) over to Landlord at the expiration of this lease or any extension of this lease in as good condition as at the commencement hereof, ordinary wear and tear excepted. All items shall be in good operating condition when returned. Tenant shall also pay for all electricity on the irrigation pumps and drip system.

21. Liability Insurance

Tenant agrees at Tenant's own expense to maintain during the term of this Lease public liability insurance in a company authorized to do business in Oregon satisfactory to Landlord with limits of not less than One Million Dollars (\$1,000,000) for injury or death to one person, the sum of One Million Dollars (\$1,000,000) for injury or death in one accident, and One Million Dollars (\$1,000,000) for property damage, and that Landlord will be one of the parties insured thereunder.

22. Waiver of Subrogation

The liability insurance policies to be obtained as provided in this Lease shall provide that the insurer waives all right of recovery by way of subrogation against Landlord and/or Tenant in connection with any damage covered by such policies.

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23. Liens

Tenant shall keep the Premises free from any liens, and Tenant shall indemnify and hold Landlord harmless from all claims, demands, liabilities and expenses, including attorney's fees relating to such liens. If any lien shall be filed against the Premises, Tenant shall have the right to contest such lien.

24. Alterations or Improvements to the Property

Subject to the seller's consent required under the Contract and subject to the Landlord's reasonable consent, Tenant may make any alterations, replacements, additions or improvements in or to the Premises, and the Personal Property, during the term of this Lease which it believes are necessary for the operation of its farm activities.

25. Remedies

25.1 Tenant

In the event Landlord breaches any term or provision of this Lease, Tenant, may tender performance of the obligations of Landlord and specifically enforce all obligations of Landlord. Tenant may also pursue any remedy in law or equity against Landlord, including any action for damages, or specific performance, in the event of a default by Landlord.

25.2 Landlord

In the event Tenant breaches any term or provision of this Lease, Landlord, may tender performance of the obligations of Tenant and specifically enforce all obligations of Tenant. Landlord may also pursue any remedy in law or equity against Tenant, including any action for damages, or specific performance, in the event of a default by Tenant.

The foregoing remedies shall be in addition to and shall not preclude any other remedy available to Landlord under applicable law.

26. Surrender of Property

Upon the expiration or termination of this Lease for any reason whatsoever, Tenant shall promptly vacate the Premises and deliver the same to Landlord in as good order and repair as said Premises were at the commencement of this Lease, ordinary wear and tear, replacement, and loss or damage by fire excepted.

27. Removal of Property

If Tenant shall fail to remove any of Tenant's property of any nature whatsoever from the Premises at the expiration or termination of this Lease, or when Landlord has the right of reentry, Landlord may, at Landlord's option, remove and store said property without liability for the loss thereof or damage thereto, such storage to be for the account and at the expense of Tenant.

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28. Assignment and Subletting

Subject to the seller's consent required under the Contract and subject to the Landlord's consent, Tenant may assign, all or part of the Option or this Lease, sublet, and permit the Premises, or any part thereof, to be used by others.

29. Access by Landlord

Tenant will permit Landlord and Landlord's agents to enter into and upon the Premises at all reasonable times for the purpose of inspecting the same, for altering or improving the Premises.

30. Nonwaiver

Waiver by Landlord of any breach of any term herein contained shall not be deemed to be a waiver of such term in the future.

31. Indemnification

Tenant shall defend and indemnify Landlord and the Contract seller and save Landlord and Contract seller harmless from and against any and all claims, demands, liabilities, damages, costs, or expenses, including attorneys' fees, arising from any act, omission, or negligence of Tenant, or the officers, contractors, licensees, agents, servants, employees, guests, invitees, or visitors of Tenant in or about the Premises, or arising from any accident, injury, or damage, howsoever and by whomsoever caused, to any person or property, occurring in or about the Premises.

32. Default

The following shall be events of default:

32.1 Default in Payment

Failure of Tenant to pay the Purchase Price or other related charges upon Closing.

32.2 Default in Rent

32.3 Failure of Tenant to pay Rent in full when due.

Failure of Tenant to comply with any term or condition or fulfill any obligation of the Lease within Thirty (30) days after written notice by Landlord specifying the nature of the default with reasonable particularity.

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32.4 Insolvency

Insolvency of Tenant; an assignment by Tenant for the benefit of creditors; the filing by Tenant of a voluntary petition in bankruptcy; an adjudication that Tenant is bankrupt or the appointment of a receiver of the properties of Tenant; the filing of any involuntary petition of bankruptcy and failure of Tenant to secure a dismissal of the petition within thirty (30) days after filing; attachment of or the levying of execution on the leasehold interest and failure of Tenant to secure discharge of the attachment or release of the levy of execution within ten (10) days.

33. Default Remedies

In the event of a default, Landlord shall have all remedies available at law in equity. Additionally, Landlord may, in its sole discretion, terminate tenant's option to purchase on written notice to Tenant, and Tenant shall execute a quitclaim deed or other reasonably acceptable document in recordable form acknowledging termination of Tenant's option to purchase.

34. Successors and Assigns

The covenants and conditions herein contained shall, subject to the provisions as to assignment, apply to and bind the heirs, successors, personal representatives, and permitted assigns of all the parties hereto; and all of the parties hereto shall be jointly and severally liable hereunder.

35. Attorneys' Fees

In case any proceeding is instituted, including any bankruptcy or arbitration proceeding, arising out of this Lease, the losing party shall pay to the prevailing party its reasonable attorneys' fees, together with all expenses.

36. Covenant of Quiet Enjoyment

If the Tenant performs all of the terms, of this Lease, Landlord covenants that Tenant should have quiet and peaceable possession, of the Premises during the term of this Lease.

37. Miscellaneous

37.1 Acceptance of Property "As Is"

Tenant accepts the Premises, all personal property located on the Premises, and the Water Right in their present condition, "AS IS". No representations, nor warranties as to the condition of the Premises all personal property located on the Premises, and the Water Right have been made by Landlord, unless herein stated.

37.2 Integration and Modification

This Lease contains the entire agreement between the parties. This Lease cannot be changed orally.

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37.3 Estoppel Letter

Each party agrees to execute, acknowledge and deliver to the other party a statement in writing, certifying that this Lease is unmodified and in full force and effect the dates to which the rent, taxes and assessments, if any, have been paid, the amount of any additional rent held by Landlord, and whether the Lease is then in default.

37.4 Time of Essence

Time is of the essence of the payment and performance of each of the obligations under this Lease.

37.5 Interpretation

This Lease was negotiated between the parties and any rule of construction interpreting this instrument against its drafter shall be inapplicable.

37.6 Governing Law and Venue

The parties hereby submit to jurisdiction in Morrow County, Oregon and agree that any and all disputes arising out of or related to this Lease shall be litigated exclusively in the Circuit Court for Morrow County, Oregon and in no federal court or court of another county or state. Each party to this Lease further agrees that pursuant to such litigation, the party and the party's officers, employees, and other agents shall appear, at that party's expense, for deposition in Morrow County, Oregon.

37.7 Survival

The provisions of this Lease shall survive Closing.

37.8 Additional Documents

Landlord shall, at or after Closing, and without further consideration, execute, acknowledge and deliver to Tenant such other documents and instruments, and take such other actions, as Tenant shall reasonably request or as may be necessary and, more effectively, to transfer to Tenant the Premises in accordance with this Lease.

37.9 Parties to the Lease

In construing this Lease, it is understood that Landlord or Tenant may be more than one person; that, if the context so requires, the singular pronoun shall be taken to mean and include the plural, the masculine, the feminine, and the neuter; and that generally all grammatical changes shall be made, assumed and implied to make the provisions hereof apply equally to one or more individuals and/or corporations and partnerships. All captions and section headings used herein are intended solely for the convenience of reference and shall in no way limit any of the provisions of this Lease.

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37.10 Employment of Attorneys

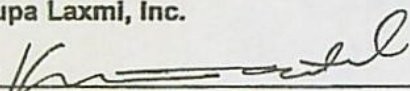
The law firm of Saalfeld Griggs PC of Salem, Oregon has been employed by the Tenant to prepare the documents in conjunction with this Lease, and such attorneys represent only the Tenant in this matter.

37.11 Authority

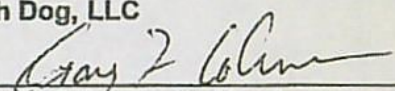
The Parties warrant and represent that all necessary action has been taken to authorize the execution, delivery and performance of this Agreement; that the executing parties are duly authorized to execute this Agreement; and that this Agreement is valid, binding, and enforceable against the Parties.

IN WITNESS WHEREOF, the parties have executed this Lease the day and year first above written.

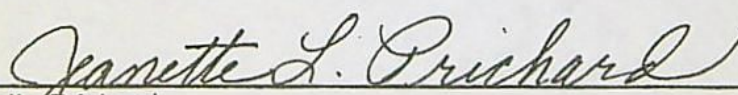
LANDLORD:
Krupa Laxmi, Inc.

By: 
Karshan Patel Its President

TENANT:
Girth Dog, LLC

By: 
Craig F. Coleman, Its Member

Having reviewed the foregoing agreement with counsel and understanding its terms, conditions, and legal effect, the undersigned acknowledges, consents, and agrees to this Agreement.


Jeanette Prichard

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EXHIBIT "A"

The Property

PARCEL I:

A parcel of land located in Section 9, Township 4 North, Range 25, East of the Willamette Meridian, in the City of Boardman, Count of Morrow and State of Oregon, described as follows:

That part of the Southeast Quarter of the Southwest Quarter and the South Half of the Southeast Quarter lying South and East of the Columbia River Highway, U.S. Highway I-84 Right of Way and East of the following described line:

Beginning at the Southeast Corner of Lot 6, Block 1, SOUTH BOARDMAN, in the City of Boardman, County of Morrow and State of Oregon; Thence South $89^{\circ}17'30''$ East a distance of 297.04 feet, more or less, to a point on the South line of said Section 9; Thence North $07^{\circ}35'00''$ West a distance of 447.89, more or less, to a point, said point being the Southeast Corner of Lot 1, Block 1, of said Subdivision; Thence North $69^{\circ}49'25''$ East a distance of 148.48 feet; Thence Northerly parallel to the East line of said Lot 1, Block 1 a distance of 326.72 feet; Thence South along the line that is an extension of the North line of said Lot 1 Block 1 a distance of 150.00 feet to the Northeast Corner of said Lot 1 Block 1; Thence Northerly along the East line of said Lot 1, Block 1; extended to its intersection with the South Right-of-Way line of said Columbia River Highway, U.S. Highway I-84 and terminus of said line.

PARCEL II:

The Southwest Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of Section 10, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon,

EXCEPTING THEREFROM, all roads and road rights-of-way.

PARCEL III:

The Northeast Quarter of the Northeast Quarter and the East Half of the East Half of the Northwest Quarter of the Northeast Quarter of Section 16, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon,

EXCEPTING THEREFROM that portion conveyed in deed from Homer Prichard and Patricia Prichard to T.R. Hohl and Muriel L. Hohl, recorded June 23, 1987 as Microfilm No. M-29184, Morrow County Microfilm Records.

ALSO EXCEPTING THEREFROM that portion conveyed in deed from Jeanette Prichard to T.R. Hohl and Muriel L. Hohl, recorded November 3, 2005 as Microfilm No. 05015230, Morrow County Microfilm records.

TOGETHER WITH AN EASEMENT appurtenant to the above described property, or a portion thereof, created or granted by that certain document recorded June 23, 1987 as Microfilm No. M-29184 and November 3, 2005, as Microfilm No. 05015230, Morrow County Microfilm Records, Morrow County, Oregon.

EXHIBIT "B"

The Premises

The Southwest Quarter of the Southwest Quarter and the Southeast Quarter of the Southwest Quarter of Section 10, Township 4 North, Range 25, East of the Willamette Meridian, in the County of Morrow and State of Oregon

Excepting Therefrom, all roads and road rights of way.

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SALEM, OR

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
County of UMATILLA) ss

I, CRAIG COLEMAN, in my capacity as OWNER,

mailing address 33896 EAST WALLS ROAD, HERMISTON, OR 97838

telephone number (541)567-1605, 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
Certificates # 56159 & 56160; **OR**

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

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

and

☒ Confirming Certificates # 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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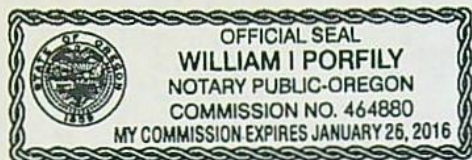
MAR 10 2014

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

Jim Floh
Signature of Affiant

2-25-14
Date

Signed and sworn to (or affirmed) before me this 25 day of February, 2014.



William I. Porfily
Notary Public for Oregon

My Commission Expires: Jan 26, 2014

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph: I irrigated the areas shown on the attached 2013 Google Earth Aerial Photo under Temporary Transfer T-10808 the last Five Years	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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MAR 10 2014

SALEM, OR

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Google

1995

Imagery Date: 7/4/2013 45°50'14.09" N 119°40'47.58" W elev 341

Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of UMATILLA)

I, CRAIG COLEMAN, in my capacity as OWNER,

mailing address 33896 EAST WALLS ROAD, HERMISTON, OR 97838

telephone number (541)567-1605, 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
Certificates # 56159 & 56160; **OR**

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

Certificate #	Township	Range	Mer	Sec	1/4 1/4	Gov't Lot or DLC	Acre (if applicable)

and

- ☒ Confirming Certificates # 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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MAR 10 2014

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

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

Signature of Affiant

Date

Signed and sworn to (or affirmed) before me this _____ day of _____, 20____.

Notary Public for Oregon

My Commission Expires: _____

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none">• Power usage records for pumps associated with irrigation use• Fertilizer or seed bills related to irrigated crops• Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none">• District assessment records for water delivered• Crop reports submitted under a federal loan agreement• Beneficial use reports from district• IRS Farm Usage Deduction Report• Agricultural Stabilization Plan• CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph: I irrigated the areas shown on the attached 2013 Google Earth Aerial Photo under Temporary Transfer T-10808 the last Five Years	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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MAR 10 2014

SALEM, OR

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MAR 10 2014

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© 2013 Google

Google

1996

Imagery Date: 7/4/2013 45°50'14.09" N 119°40'47.58" W elev 341



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

Amended 01-19-2015

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist. FEB 23 2015
- ☒ Part 2 – Completed Transfer Application Map Checklist. SALEM, OR
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: Certificates 56159 & 56160**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ ☐ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) **And also See Item 19 of Attached Lease and Option to Purchase Agreement.**
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☐ ☒ N/A Land Use Information Form with approval and signature (or signed land use form receipt stub). Not required if water is to be diverted, conveyed, and/or used only on federal lands or if **all** of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

- ☐ 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: _____ 503-986-0 _____

Date: ____/____/____

Part 2 of 5 – Transfer Application Map Checklist

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

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

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

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FEE WORKSHEET for PERMANENT TRANSFER (Part 3 of 5 – Fee Worksheet)

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,000
2	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>One (2a)</u> Subtract 1 from the number in line 2a = <u>Zero (2b)</u> <i>If only one change, this will be 0</i> Multiply line 2b by \$800 and enter » » » » » » » » » » » » » » » »	2	0
3	Number of water rights included in transfer <u>Two (3a)</u> Subtract 1 from the number in 3a above: <u>One (3b)</u> <i>If only one water right this will be 0</i> Multiply line 3b by \$450 and enter » » » » » » » » » » » » » » » »	3	\$450
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$350 »	4	0
5	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): <u>.88 cfs (5a)</u> Subtract 1.0 from the number in 5a above: <u>-0.22 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$300, then enter on line 5 » » » » » » » » » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$1450
7	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:	8	\$1450

*Example for Line 5a 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. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (*for C12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be transferred to get the transfer cfs (*x 45 ac = 0.56 cfs*).
 - b. 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 ac x 0.0125 cfs/ac = 0.56 cfs*)
2. 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 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0*).

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$725.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$350 and enter » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Stiffler, LLC c/o Craig Coleman		PHONE NO. (541) 567-1605	ADDITIONAL CONTACT NO. (541) 314-8568
ADDRESS 33896 East Walls RD.		FAX NO.	
CITY Hermiston	STATE OR	ZIP 97838	E-MAIL jannamonkey@aol.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.			

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

AGENT/BUSINESS NAME William Porfily		PHONE NO. (541) 449-1327	ADDITIONAL CONTACT NO. (541) 561-7259
ADDRESS P.O. Box 643		FAX NO. (541) 449-1327	
CITY Stanfield	STATE OR	ZIP 97875	E-MAIL wporfily@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.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
I planted Blue Berries in the SW ¼ & SE ¼ of the SW ¼ of Section 10, T4N, R25E, WM and have irrigated them with a solid set irrigation system authorized under a 5 Year Temporary Transfer, T-10808. With this application I propose to continue irrigating Blue Berries with a solid set system and make the transfer permanent.

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

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

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

I understand that prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: East Oregonian.

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

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Applicant signature

Craig Coleman an Owner
 Print Name (and Title if applicable)

Date

Applicant signature

 Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☐ Yes ☒ No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed*

Describe any special ownership circumstances here:

I have a Lease Option Agreement to purchase the land in Tax Lot 3400 and the water right in Tax Lot 411. This agreement is attached. I current am activating the Option to purchase TL 3400 and the Water Right described in Certificate 56160

Deeded Landowner Signatures other than the Applicant.

Landowner Information Tax Lot 411

APPLICANT/BUSINESS NAME Maughan et al LLC		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 22591 Road M Southwest			FAX NO.
CITY Mattawa	STATE WA	ZIP 99341	E-MAIL

Landowner

Authorized Representative for Maughan et al LLC
Print Name (and Title if applicable)

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Check the following boxes that apply:

- ☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
- ☐ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☒ No

If YES, and you know who the new landowner will be, please complete the receiving landowner information table below. If you do not know who the new landowner will be, then a request for assignment will have to be filed for at a later date.

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

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

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

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

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Morrow County	ADDRESS Courthouse, 100 S Court St.	
CITY Heppner	STATE OR	ZIP 97836

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

CERTIFICATE # 56159

Description of Water Delivery System

System capacity: 1.34 cubic feet per second (cfs) OR

601.4 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. Before the 5 Year Temporary Transfer T-10808, a 75hp turbine pump, pumped water to three small circles. During the 5 year temporary transfer the 75 hp pump delivered water for the growing of Blue Berries though a solid set system.

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 <input type="checkbox"/> Proposed	MORR 754 & 755	4 N	25 E	10	SW	SW		1310 ft N & 140 ft East from the SW Corner Section 10
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 56159

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
										POU	4	N	25	E	10	SW	SW	3400		12.0	N/A	Well	2-12-1976
										POU	4	N	25	E	10	SE	SW	3400		35.6	N/A	Well	2-12-1976
TOTAL ACRES:											TOTAL ACRES:						47.6						

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Additional remarks: _____.

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Certificate # 56159**For Place of Use or Character of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use N/A

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

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
<u>N/A</u>										

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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 additional rows to tables within the form.

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CERTIFICATE # 56160

Description of Water Delivery System

FEB 23 2015

System capacity: 1.34 cubic feet per second (cfs) OR

SALEM, OR

601.4 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. Before the 5 Year Temporary Transfer T-10808, a 75hp turbine pump, pumped water to three small circles. During the 5 year temporary transfer the 75 hp pump delivered water for the growing of Blue Berries though a solid set system.

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 <input type="checkbox"/> Proposed	MORR 754 & 755	4 N	25 E	10	SW SW		1310 ft N & 140 ft East from the SW Corner Section 10
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 56160

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
										POU	4	N	25	E	10	SW	SW	3400		17.6	N/A	Well	12-23-1976
											4	N	25	E	9	SE	SE	411		5.0	N/A	Well	12-23-1976
TOTAL ACRES:												TOTAL ACRES:						22.6					

Additional remarks: _____.

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use N/A

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

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
N/A										

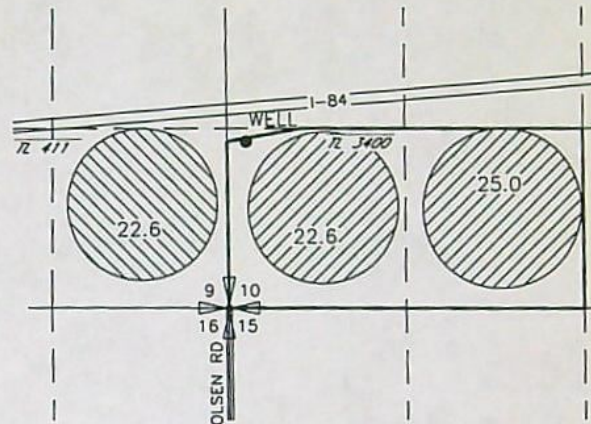
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AMENDED TRANSFER APPLICATION MAP (1/16/15)
FOR TRANSFER 11755 IN THE NAME OF
CRAIG COLEMAN
INVOLVING CERTIFICATES 56159 & 56160
T4N, R25E, WM
MORROW COUNTY

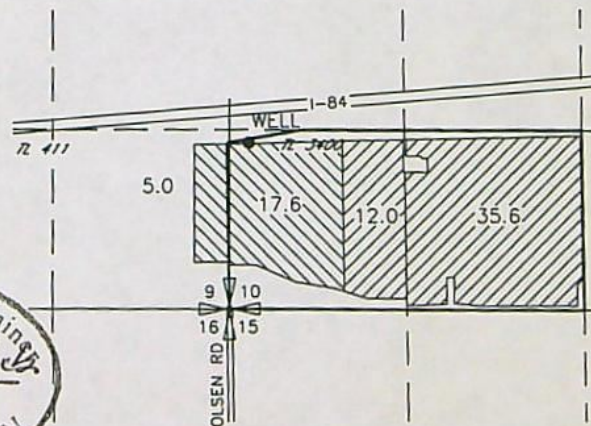
FROM

LEGEND

- 47.6 AC
CERTIFICATE 56159
- 22.6 AC
CERTIFICATE 56160



TO



Renews 6/30/16

POINT OF APPROPRIATION

WELL
LOCATED 1310'N AND 140'E FROM THE SW CORNER
OF SEC 10

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

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0 1320 2640
SCALE IN FEET

Regular Permanent Water Right Transfer Application Checklist

Checked by Scott - CSG Date 3-12-14

Certs & acres involved:

Changes: _____

cfs involved: _____

Source: _____

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

☒ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? NO LAND USE RECORD per OAR 690-380-3000 (199-d)

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

► If a Substitution (see Page 5 of application)

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

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

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

Base fee for one water right, one change and first cfs =		\$1,000.00
# of additional water rights beyond the first (see Part 4 of application) =	<u>1</u>	x \$450.00 = <u>450</u>
Additional fee for groundwater staff review if any number of changes to well location(s), additional well(s) or change from SW diversion point to a well =		\$350.00
1 or 2 additional TYPES of change* (see Page 5 of application) =	_____	x \$800.00 =
If Place of Use or Character of Use change <u>and</u> transfer involves more than 1 cfs (based on primary acres x rate), # cfs or fraction above the first cfs =	_____	x \$300.00 =
HINT: Total cfs on WR (+) total # acres on WR (x) # acres involved in transfer = # cfs involved in transfer		
Sub-total =		<u>1450</u>
If a letter from ODFW endorsing this as a "fish-friendly" transfer is included, multiply sub-total by 0.50 =		
Total = sub-total minus 50% "fish-friendly" reduction, if applicable =		<u>145</u>

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

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

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

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

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application and assign it a numbered transfer folder. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

ORIGINAL

Oregon Water Resources Department

Date
3/7/2014
Type
Bill
Reference
cert. 56159, 56160Original Amt.
1,450.00Balance Due
1,450.003/7/2014
Discount
Check AmountPayment
1,450.00
1,450.00

4071

Banner Bank

1,450.00

STATE OF OREGON
WATER RESOURCES DEPARTMENT725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # 111338

INVOICE #

RECEIVED FROM: Stiffler LLC

APPLICATION T-11755

BY:

PERMIT

TRANSFER

CASH: CHECK: # OTHER: (IDENTIFY)



4071



TOTAL REC'D \$1450.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$

OTHER: (IDENTIFY) \$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$

0410 RESEARCH FEES \$

0408 MISC REVENUE: (IDENTIFY) \$

TC162 DEPOSIT LIAB. (IDENTIFY) \$

0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER \$

0203 GROUND WATER \$

0205 TRANSFER \$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$

LANDOWNER'S PERMIT

0219 \$

0220 \$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$

0210 MONITORING WELLS \$

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$

0231 HYDRO LICENSE FEE (FW/WRD) \$

HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION \$

RECEIPT: 111338

DATED: 3-10-14 BY: J. Martin

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone (503) 986-0900

Fax (503) 986-0904

www.wrd.state.or.us

March 17, 2014

STIFFLER LLC
c/o CRAIG COLEMAN
33896 E WALLS RD
HERMISTON, OR 97838

Reference: Application T- 11755

On March 10, 2014, we received your water right Transfer application. The application was accompanied by \$1450.00. Our receipt number 111338 is enclosed.

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

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

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

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

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

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

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

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

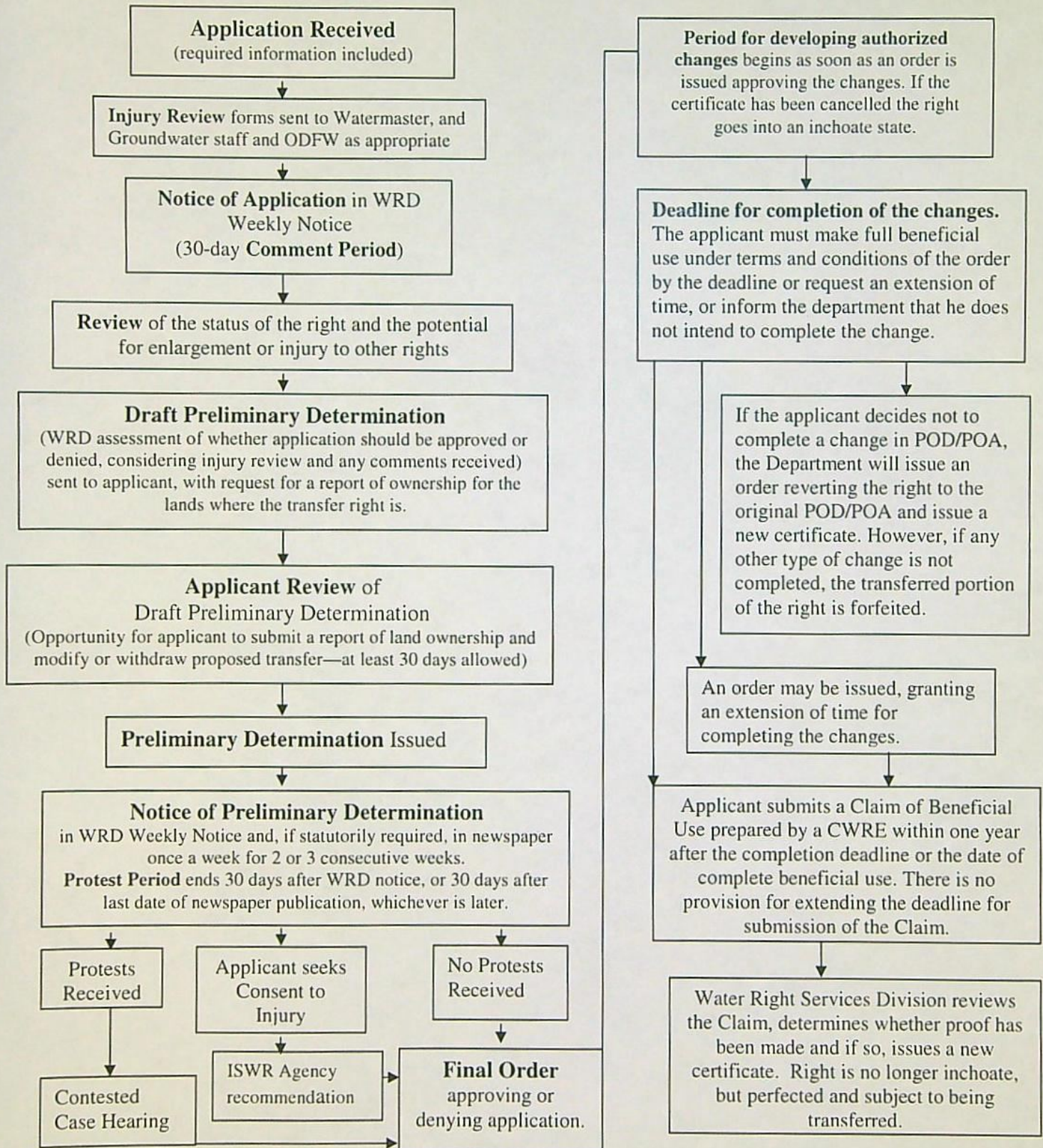
Cc: Watermaster Dist. #5 (*via email*)
William I. Porfily, Agent

Enclosure



Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380





Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

**Notice of Application for
Water Right Transfer, Temporary Transfer, or Permit Amendment**
March 18, 2014

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: MORROW
Transfer: 11755
Water Right: CERT 56159; 56160
Priority Date: FEBRUARY 12, 1976; DECEMBER 23, 1976
Name: STIFFLER LLC
33896 E WALLS RD HERMISTON, OR 97838
Change: place of use
Source: WELL #2

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.