

Temporary

T-12834

Name Coyote Rock RanchAddress 8800 NW 31 Street
Terrebonne, OR. 97760Change in POU/PODDate Filed 1/29/2018Initial notice date 2/6/2018

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 4-25-18 Vol 107 Page 1180

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Crooked RiverTrib. of Deschutes R.Use IrrigationCounty Crook

Quantity of water (CFS) _____

No. of Acres _____

Name of ditch _____

App# S-21823Per # S-17167Cert # 87331PR Date 7/23/1946

App# _____

Per # _____

Cert # _____

PR Date _____

App# _____

Per # _____

Cert # _____

PR Date _____

App# _____

Per # _____

Cert # _____

PR Date _____

App# _____

Per # _____

Cert # _____

PR Date _____

FEES PAID

Date	Amount	Receipt #
1-29-18	\$1,000.00	125778

FEES REFUNDED

Date	Amount	Receipt #
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Assignments: _____

Irrigation District North Unit Irrigation District

Agent _____

CWRE _____

CC's list Crook County☐ - Oversized map - Location _____

Water Right Transfer Cover Sheet

Transfer T-12834

Transfer Specialist: Joan

Transfer Type: Temporary Transfer

Applicant Name/Address: COYOTE ROCK RANCH LLC ERIC HAGERTY 8800 NW 31 STREET TERREBONNE, OR 97760	Agent Name/Address: UNAVAILABLE	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address: NUID	Affected Gov'ts Name/Address:
Commentors: Name/Address:		Current Landowner Name/Address: Butler Ranches

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"/>	S-21823	S-17167	87331	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: January 29, 2018	Proposed Action(s): POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 1000.00	WM District: 11	ODFW District:
Initial Notice: February 6, 2018	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>	GW Review sent:	

Processing Dates & Actions

Deficiency Contacts: Applicant

Newspaper quote requested: NA

☒ not required

DPD Mailed: NA

Request for news \$ sent: NA

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

News \$ received: NA

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

PD Signed: NA

Request to publish sent to newspaper: NA

PD Weekly Notice: NA

Affidavit of publication received: NA

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: <u>Arta</u>
Date: _____	Date: _____	Date: <u>7/16/18</u>
Coordinator: _____	Coordinator: _____	Coordinator: <u>PKS</u>
Date: _____	Date: _____	Date: <u>4/17/18</u>
Signature Bin Date: _____	Signature Bin Date: _____	Signature Bin Date: _____

Comments/Special Issues: Temporary Transfer to be in place until the Approval of T-12795

Special Order Volume: Vol ¹¹³ ~~107~~ Pages 769

Final Order Signature Date: 7-26-2019

Notice of FO email'd to processors _____



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

July 26, 2019

COYOTE ROCK RANCH LLC
ERIC HAGERTY
8800 NW 31 STREET
TERREBONNE, OR 97760

Re: Termination of Transfer T-12834

The Department received a voluntary request of Termination on July 17, 2019. Enclosed is a copy of the order signed by the Director of Oregon Water Resources Department terminating the above Transfer by Special Order Vol. 113 Page 769.

Transfer T-12834 is of no further force or effect.

If you have any questions please contact Joan Smith, by telephone at (503) 986-0886 or by e-mail at Joan.M.Smith@oregon.gov.

Sincerely,

Ashley N. Mosley
Water Rights Services Support
Transfers and Conservation Section

cc:

Jeremy T. Giffin, Watermaster Dist. # 11 (via email)
Crook County
North Unit Irrigation District

Enclosure



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

In the Matter of Temporary Transfer T-12834, Crook County, Oregon))	ORDER TERMINATING A TEMPORARY TRANSFER
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Authority

OAR 690-380-8002(3) and 690-380-8004(7) provide that the uses authorized under a temporary transfer revert to the terms and conditions of the originating water right on the written request of the applicant.

Applicant

Coyote Rock Ranch
8800 NW 31st Street
Terrebonne, OR 97760

Findings of Fact


1. On April 25, 2018, the Water Resources Department issued an order approving the temporary changes proposed in Application T-12834. The order was recorded in Special Order Volume 107, Page 1180.
2. Under the order, the water right would revert to the authorized place of use at the end of the 2022 irrigation season.
3. The most recent use of water at the place of use authorized under the temporary transfer was during the 2019 irrigation season.
4. On July 17, 2019, Eric Hungate for Coyote Rock Ranch, applicant, submitted a written request that the temporary transfer be voluntarily terminated upon issuance of a Final Order approving permanent transfer T-12795. A Final Order for Transfer T-12795 is being issued concurrently with the termination of this temporary transfer.

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.

Now, therefore, it is ORDERED:

Temporary Transfer T-12834 is terminated.

Dated in Salem, Oregon on JUL 26 2019.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing date: JUL 29 2019

WILKE Laura K * WRD

From: Eric Hagerty <elkridge@ykw.net>
Sent: Wednesday, July 17, 2019 11:20 AM
To: WILKE Laura K * WRD
Subject: Knight water transfer

Laura,

This is Eric Hagerty , am the ranch manager at Coyote rock ranch and Agent for the Knights on this water transfer.

I authorize the termination of the temporary water transfer T- 12834, this will keep the process moving forward to obtain the permanent transfer per email from you that was forwarded by John Short.

Thanks, Eric Hagerty

WILKE Laura K * WRD

From: Johnshort@usa.com
Sent: Wednesday, July 17, 2019 9:20 AM
To: WILKE Laura K * WRD
Subject: Re: Butler/Knight transfers

Thanks Laura,

I'll get it done.

John

John A. Short CCB # 197121
Water Right Services, LLC
PO Box 1830
Bend, OR 97709
541-389-2837
johnshort@usa.com

On Jul 17, 2019, at 9:07 AM, WILKE Laura K * WRD <Laura.K.Wilke@oregon.gov> wrote:

Good Morning John – we're in the process of putting together the final order materials for the Butler and Knight transfers. And a termination order for temporary transfer T-12834. While reviewing the temporary transfer, we noticed that you're not the agent for that particular transfer. In order to terminate the temporary transfer, which will allow us to issue the final order for the other transfers, we need to receive authorization from the transfer applicant, Coyote Rock Ranch (Eric Haggerty). We have an email contact for Mr. Haggerty and can contact him directly. But we thought you might be able to do this as well to keep these transfers moving forward. Authorization from Mr. Haggerty to terminate temporary transfer T-12834 may be via email or snail mail. And the termination request must reference the temporary transfer number (T-12834).

Thanks, Laura

Laura Wilke

TRANSFER SPECIALIST

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0888

<image003.jpg>

WILKE Laura K * WRD

From: WILKE Laura K * WRD
Sent: Wednesday, July 17, 2019 9:07 AM
To: 'johnshort@usa.com'
Cc: HENDERSON Sarah A * WRD
Subject: Butler/Knight transfers

Good Morning John – we're in the process of putting together the final order materials for the Butler and Knight transfers. And a termination order for temporary transfer T-12834. While reviewing the temporary transfer, we noticed that you're not the agent for that particular transfer. In order to terminate the temporary transfer, which will allow us to issue the final order for the other transfers, we need to receive authorization from the transfer applicant, Coyote Rock Ranch (Eric Haggerty). We have an email contact for Mr. Haggerty and can contact him directly. But we thought you might be able to do this as well to keep these transfers moving forward. Authorization from Mr. Haggerty to terminate temporary transfer T-12834 may be via email or snail mail. And the termination request must reference the temporary transfer number (T-12834).

Thanks, Laura

Laura Wilke

TRANSFER SPECIALIST

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0888



OREGON
WATER
RESOURCES
DEPARTMENT

Laura,
did we get permission
from Mr. Haggerty to terminate
or give John Short authority
to terminate? just a question
cause John is not agent on
T-12834...

Sarah

WILKE Laura K * WRD

From: johnshort@usa.com
Sent: Tuesday, December 11, 2018 9:57 AM
To: WILKE Laura K * WRD
Subject: Re: Draft Preliminary Determination for Instream Transfer Application T-11347
Signed By: johnshort@usa.com

Hello Laura,

Looks beautiful. Please terminate Temporary Transfer T-12834 upon Final Order approving Permanent Transfer T-12795. Title report to follow shortly. No other changes noted. Please move forward.

Thanks,
John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
johnshort@usa.com
oregonwater.us

On Dec 10, 2018, at 12:45 PM, WILKE Laura K * WRD <Laura.K.Wilke@oregon.gov> wrote:

Greetings – Please find attached the Draft Preliminary Determination, cover letter, and associated attachments for Transfer Application T-11373 filed in the name of Butler Ranch. A hard copy should go out in the mail tomorrow for the applicants.

Please give me a call or email if you have any questions.

Laura Wilke

TRANSFER SPECIALIST

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0888

<image002.jpg>

<11347-revised-dpd-approve-iswr-MP162-final.pdf><11347-revised-dpd-cov-approve-iswr-MP162.pdf>



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

April 25, 2018

COYOTE ROCK RANCH
ERIC HAGERTY
8800 NW 31 STREET
TERREBONNE, OR 97760

REFERENCE: Temporary Transfer Application T-12834

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

The temporary change shall be effective at the **beginning of the irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2022 irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Joan Smith, by telephone at 503-986-0892 or by e-mail at Joan.M.Smith@oregon.gov.

Sincerely,

Sarah Henderson
Transfer and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)
North Unit Irrigation District

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING
T-12834, Crook County)	TEMPORARY CHANGES IN PLACE
)	OF USE AND POINT OF DIVERSION

Authority

Oregon Revised Statute (ORS) 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 diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

COYOTE ROCK RANCH
ERIC HAGERTY
8800 NW 31 STREET
TERREBONNE, OR 97760

Findings of Fact

1. On January 29, 2018, Coyote Rock Ranch, filed an application to temporarily change the place of use and change the point of diversion to serve the proposed place of use under Certificate 87331 for a period of 5 years. The Department assigned the application number T-12834.
2. Notice of the application for transfer was published on February 6, 2018, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The portion of the right to be temporarily transferred is as follows:

Certificate: 87331 in the name of CLAUDE BUTLER (perfected under Permit S-17167)
Use: IRRIGATION of 20.0 ACRES
Priority Date: JULY 23, 1946
Rate: 0.38 CUBIC FEET 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, shall be limited to ONE-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: CROOKED RIVER tributary to the DESCHUTES RIVER

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.

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	22	NE NE

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	14 E	WM	15	NE SE	2.2
14 S	14 E	WM	15	NW SE	0.8
14 S	14 E	WM	15	SE SE	16.6
14 S	14 E	WM	22	NW NW	0.4
Total:					20.0

4. The applicant provided additional information with regard to the point of diversion describing it as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	14 E	WM	22	NE NE	1300 FEET SOUTH FROM THE NE CORNER OF SECTION 22

5. Temporary Transfer Application T-12834 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	13 E	WM	15	NE SW	5.7
13 S	13 E	WM	15	SE SW	5.3
13 S	13 E	WM	15	NW SE	2.0
13 S	13 E	WM	15	SW SE	7.0
Total:					20.0

6. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-12834 proposes to move the authorized point of diversion approximately 8 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	13 E	WM	34	SE SW	1180 FEET NORTH FROM THE SW CORNER OF SECTION 34

Temporary Transfer Review Criteria

- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
- The proposed changes as conditioned would not result in enlargement of the right.
- 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(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

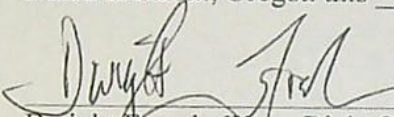
The temporary changes in place of use and point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-12834 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use and change in point of diversion to convey water to the temporary place of use proposed in Temporary Transfer Application T-12834 are approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2018, 2019, 2020, 2021, and 2022 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2022 irrigation season. The authorization to use the additional point of diversion shall be terminated concurrently.
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 Certificate 87331 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 87331.
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. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each new point of diversion.
 - b. The water user shall maintain the meter or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meter or measuring devices; provided however, where the meter or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

9. The use of the remaining water right described by Certificate 87331 shall continue to be in accordance with the terms and conditions of Certificate 87331.

Dated at Salem, Oregon this APR 25 2018.



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

Mailing Date: APR 26 2018

WILKE Laura K * WRD

From: Eric Hagerty <elkridge@ykw.net>
Sent: Wednesday, July 17, 2019 11:20 AM
To: WILKE Laura K * WRD
Subject: Knight water transfer

Laura,

This is Eric Hagerty , am the ranch manager at Coyote rock ranch and Agent for the Knights on this water transfer.

I authorize the termination of the temporary water transfer T- 12834, this will keep the process moving forward to obtain the permanent transfer per email from you that was forwarded by John Short.

Thanks, Eric Hagerty

Review Checklist

T-12834

Caseworker: shan

PR Initials _____

Perm-Trans T-12795

File Prep

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

APPLICATION/MAP REVIEW

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

DETERMINING THE "FROM" AND "TO" LANDS

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

INJURY REVIEWS/COMMENTS/CONDITIONS

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

<i>Affidavit of Consent</i>		OWNERSHIP VERIFICATION	
PR	CW		<i>Butler Ranch ✓</i>
<input checked="" type="checkbox"/>	<input type="checkbox"/>	The deed/ROI matches the "from" lands.	<input type="checkbox"/> <input checked="" type="checkbox"/> Notarized, signed statement of consent (if applicable)
<input type="checkbox"/>	<input type="checkbox"/>	All owners on the deed/ROI have signed the application.	<input type="checkbox"/> <input checked="" type="checkbox"/> Compare with current tax lot map.
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?	
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		

Record Keeping: DPD Mailed (Date) _____ PD Mailed (Date) _____

COMMENTS:

5 Year Temp

WILKE Laura K * WRD

From: WILKE Laura K * WRD
Sent: Wednesday, February 28, 2018 11:42 AM
To: 'johnshort@usa.com'
Cc: SMITH Joan M * WRD
Subject: Transfers for Butler and Coyote Rock Ranch

John:

I've been looking at the original instream and regular transfers for butler Ranch with Joan Smith. She informed me this morning that there's two pending transfers that will conflict with the Butler Ranch Transfers. Before anything can move forward, the overlapping between transfers will need to be resolved.

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There may be other possible options that we could discuss as well.

If you have any questions, please give us a call. I'm still on a limited schedule but readily available via email. Joan can also help you with any follow up questions.

Laura

Laura Wilke

FLOW RESTORATION PROGRAM COORDINATOR

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0884



SMITH Joan M * WRD

From: johnshort@usa.com
Sent: Friday, March 16, 2018 10:39 AM
To: WILKE Laura K * WRD
Cc: SMITH Joan M * WRD; HENDERSON Sarah A * WRD
Subject: Re: Transfers for Butler and Coyote Rock Ranch

Follow Up Flag: Follow up
Flag Status: Flagged

Hello Laura, Joan and Sarah!

I agree with Laura on the straight forward option:

"One option would be to modify Instream Transfer Application T-11347 to 1.7 acres of primary under Certificate 87331 and 14.3 acres under Certificate 2734. Then it appears that all four transfers could go through as proposed but the three permanent transfers would likely need to occur concurrently to avoid any inadvertent transfer layering issues."

We'd like all four transfers to go through. The temporary transfer is only to allow immediate water use until the permanent transfer receives Final Order. Makes sense to me that the permanent transfers should be linked to prevent inadvertent layering. If permanent transfers were ready, I don't see any problem in early voluntary cancellation of the temporary transfer if helpful.

This approach also appears consistent with both DPD's other than the simple change to 1.7 acres on Cert 87331 noted by Laura. I'm working on the amended maps they require and will secure the title reports. Please use Frontier Advertiser for publication.

Thanks so much to all of you on this!

Sincerely,
John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
johnshort@usa.com
oregonwater.us

On Mar 15, 2018, at 9:49 AM, WILKE Laura K * WRD <Laura.K.Wilke@oregon.gov> wrote:

Hi John – have you had a chance to look into the below situation? We need your feedback, if at all possible, by end of this week. T-12834 is a temporary transfer and the transfer specialist (Joan Smith) has let me know that she won't be able to hold this up much longer. This may also result in needing to send out a more official email or letter to you and the affected transfer applicant's next week so that we can move the temporary transfer and untangle the permanent transfers.

Thanks, Laura

Laura Wilke

FLOW RESTORATION PROGRAM COORDINATOR

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0884

<image003.jpg>

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There may be other possible options that we could discuss as well.

If you have any questions, please give us a call. I'm still on a limited schedule but readily available via email. Joan can also help you with any follow up questions.

Laura

Laura Wilke

FLOW RESTORATION PROGRAM COORDINATOR

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0884

<image002.jpg>



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-12834

Review Due Date: 3/4/18

Applicant Name: Coyote Rock Ranch LLC

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

Reviewer(s): Giffin

Date of Review: Feb. 28, 2018

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: _____

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

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

- | | |
|---|--|
| <input type="checkbox"/> Weir | <input type="checkbox"/> Submerged Orifice |
| <input type="checkbox"/> Parshall Flume | <input type="checkbox"/> Flow Restrictor |
| <input type="checkbox"/> Other: _____ | |

Oregon Water Resources Department

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

Transfer #: T-12834

- ☒ In order to avoid enlargement of the right or injury to other rights, a totalizing flowmeter will be required to be installed **prior to diversion of water**, as a condition of this transfer:
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- ☒ 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: Jeremy GiffinDistrict: 11Address: 231 SW Scalehouse LpCity/State/Zip: Bend, OR 97702Phone: 541-306-6885Email: Jeremy.T.Giffin@oregon.gov

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:

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725 Summer Street NE, Suite A
Salem, OR 97301-1266

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- ☐ Parshall Flume
- ☐ Other: _____

- ☐ Submerged Orifice
- ☐ Flow Restrictor

Receiv
FEB 28 2018

Salem, OR

Oregon Water Resources Department**Measurement Condition Information for the Applicant***(to be sent with the Draft Preliminary Determination or Final Order)*Transfer #: T-12834

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725 Summer Street NE, Suite A
Salem, OR 97301-1266

Received by OWRD

FEB 28 2018

Salem, OR

* APPLICATION FOR PERMIT

To Appropriate the Public Waters of the State of Oregon

I, Claude Butler (Name of applicant)
 of Terrebonne (Mailing address)
 State of Oregon, do hereby make application for a permit to appropriate the
 following described public waters of the State of Oregon, **SUBJECT TO EXISTING RIGHTS:**

If the applicant is a corporation, give date and place of incorporation _____

1. The source of the proposed appropriation is Crooked River (Name of stream)
 _____, a tributary of Deschutes River

2. The amount of water which the applicant intends to apply to beneficial use is 10.18
 cubic feet per second. (If water is to be used from more than one source, give quantity from each)

**3. The use to which the water is to be applied is irrigation & supplemental irrigation
 (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located 1310 ft. S. and 10 ft. W. from the NE
 corner of Sec. 22, T. 14 S., R. 14 E., W. M. approximately (Section or subdivision)

 (If preferable, give distance and bearing to section corner)

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary)
 being within the NE 1/4 of Sec. 22, Tp. 14 S.
 (Give smallest legal subdivision) (N. or S.)
 R. 14 E., W. M., in the county of Crook (E. or W.)

5. The _____ to be _____
 (Main ditch, canal or pipe line) (Miles or feet)
 in length, terminating in the _____ of Sec. _____, Tp. _____
 (Smallest legal subdivision) (N. or S.)
 R. _____, W. M., the proposed location being shown throughout on the accompanying map.
 (E. or W.)

DESCRIPTION OF WORKS

Diversion Works— No dam

6. (a) Height of dam _____ feet, length on top _____ feet, length at bottom
 _____ feet; material to be used and character of construction _____
 (Loose rock, concrete, masonry,
 rock and brush, timber crib, etc., wasteway over or around dam)

(b) Description of headgate _____
 (Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description _____
 (Size and type of pump)

See "remarks" _____
 (Size and type of engine or motor to be used, total head water is to be lifted, etc.)

*A different form of application is provided where storage works are contemplated.

**Application for permits to appropriate water for the generation of electricity, with the exception of municipalities, must be made to the Hydroelectric Commission. Either of the above forms may be secured, without cost, together with instructions by addressing the State Engineer, Salem, Oregon.

Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(b) At miles from headgate: width on top (at water line) feet; width on bottom feet; depth of water feet; grade feet fall per one thousand feet.

(c) Length of pipe, ft.; size at intake, in.; size at ft. from intake in.; size at place of use in.; difference in elevation between intake and place of use, ft. Is grade uniform? Estimated capacity, sec. ft.

8. Location of area to be irrigated, or place of use

Township	Range	Section	Forty-acre Tract	Number Acres To Be Irrigated
14 S	14 E	15	NE $\frac{1}{4}$ SW $\frac{1}{4}$	40 Cert 87331
			SW $\frac{1}{4}$ SW $\frac{1}{4}$	20 5.2
			SE $\frac{1}{4}$ SW $\frac{1}{4}$	40 19.6
			NE $\frac{1}{4}$ SE $\frac{1}{4}$	40 2.2
			NW $\frac{1}{4}$ SE $\frac{1}{4}$	40 0.8
			SW $\frac{1}{4}$ SE $\frac{1}{4}$	40 39.4
			SE $\frac{1}{4}$ SE $\frac{1}{4}$	40 34.2
		22	NE $\frac{1}{4}$ NE $\frac{1}{4}$	38 Sup. 16.4
			NW $\frac{1}{4}$ NE $\frac{1}{4}$	39 " 16.0
			NE $\frac{1}{4}$ NW $\frac{1}{4}$	40 " 40.0
			NW $\frac{1}{4}$ NW $\frac{1}{4}$	29.5 " 31.6
				406.5

(If more space required, attach separate sheet)

(a) Character of soil average of 6 ft deep - Sandy

(b) Kind of crops raised potatoes alfalfa clover

Power or Mining Purposes—

9. (a) Total amount of power to be developed theoretical horsepower.

(b) Quantity of water to be used for power sec. ft.

(c) Total fall to be utilized feet.

(d) The nature of the works by means of which the power is to be developed

(e) Such works to be located in of Sec.

(Legal Subdivisions)

Tp., R., W. M.

(No. N. or S.)

(No. E. or W.)

(f) Is water to be returned to any stream?

(Yes or No)

(g) If so, name stream and locate point of return

....., Sec., Tp., R., W. M.

(No. N. or S.)

(No. E. or W.)

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

Municipal or Domestic Supply—

10. (a) To supply the city of _____

(Name of) _____ County, having a present population of _____
and an estimated population of _____ in 19____.

(b) If for domestic use state number of families to be supplied _____

(Answer questions 11, 12, 13, and 14 in all cases)

11. Estimated cost of proposed works, \$ 15000⁰⁰

12. Construction work will begin on or before One year after approval.

13. Construction work will be completed on or before Two yrs " "

14. The water will be completely applied to the proposed use on or before 3 yrs " "

(Sgd) Claude Butler
(Signature of applicant)

Remarks: It is intended to pump water through about 1/2 mile of 12" steel pipe
against a maximum static head of 70 feet. Water will be released for distribution
in gravity ditches at 55, 65 and 70 ft. elevation above water surface in river. Have
a 40 HP electric motor and 8 in Bingham Pump -- may install 50 HP motor. May later
use sprinklers to distribute on upper lands above highest gravity ditch.

STATE OF OREGON, }
County of Marion, } ss

This is to certify that I have examined the foregoing application, together with the accompanying
maps and data, and return the same for _____

In order to retain its priority, this application must be returned to the State Engineer, with correc-
tions on or before _____, 194____.

WITNESS my hand this _____ day of _____, 194____.

STATE ENGINEER

Application No. 21823

Permit No. 17167

PERMIT
TO APPROPRIATE THE PUBLIC
WATERS OF THE STATE
OF OREGON

Division No. District No.

This instrument was first received in the
office of the State Engineer at Salem, Oregon,on the 23rd day of July

1946, at 1:37 o'clock P. M.

Returned to applicant:

Corrected application received:

Approved:

October 1, 1946

Recorded in book No. 42 of

Permits on page 17167

CHAS. E. STRICKLIN

STATE ENGINEER

Drainage Basin No. 5 Page 10 A

Fees Paid \$35.35

PERMIT

STATE OF OREGON, }

County of Marion, }

This is to certify that I have examined the foregoing application and do hereby grant the same,
SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use
and shall not exceed 10.18 cubic feet per second measured at the point of diversion from the
stream, or its equivalent in case of rotation with other water users, from Crooked River

The use to which this water is to be applied is irrigation and supplemental irrigation

If for irrigation, this appropriation shall be limited to 1/40th 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 5.45 acre feet per acre for each acre irrigated throughout
the irrigation season.

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

The priority date of this permit is July 23, 1946

Actual construction work shall begin on or before October 1, 1947, and shall
thereafter be prosecuted with reasonable diligence and be completed on or before

October 1, 1948

Extended to Oct. 1, 1951

Complete application of the water to the proposed use shall be made on or before

October 1, 1949

Extended to Oct. 1, 1951

WITNESS my hand this 1st day of October, 1946

CHAS. E. STRICKLIN

STATE ENGINEER

STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CLAUDE BUTLER
TERREBONNE, OR 97760

confirms the right to use the waters of CROOKED RIVER, a tributary of DESCHUTES RIVER for IRRIGATION AND SUPPLEMENTAL IRRIGATION.

This right was perfected under Permit S-17167. The date of priority is JULY 23, 1946. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 3.89 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q
14 S	14 E	WM	22	NE NE

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-FORTIETH 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 4.0 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	14 E	WM	15	SW SW	5.2
14 S	14 E	WM	15	SE SW	19.6
14 S	14 E	WM	15	NE SE	2.2
14 S	14 E	WM	15	NW SE	0.8
14 S	14 E	WM	15	SW SE	39.4
14 S	14 E	WM	15	SE SE	34.2
14 S	14 E	WM	22	NE NE	16.4
14 S	14 E	WM	22	NW NE	16.0
14 S	14 E	WM	22	NE NW	40.0
14 S	14 E	WM	22	NW NW	31.6

143 -

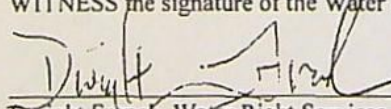
Total: 205.4

This certificate describes that portion of the water right confirmed by Certificate 22454, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered DEC 06 2011 approving Transfer Application T-11243.

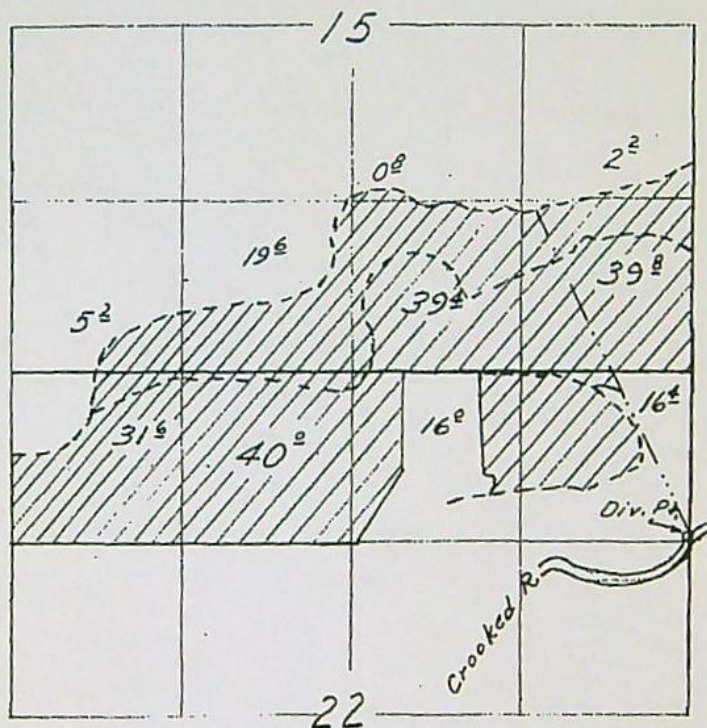
The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

WITNESS the signature of the Water Resources Director, affixed December 6, 2011


Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

T. 14S, R. 14E, W.M.



Final Proof Survey
Under

Application No. 21823 Permit No. 17167
In Name Of

Claude Butler

Surveyed April 23, 1955 by T. Jones

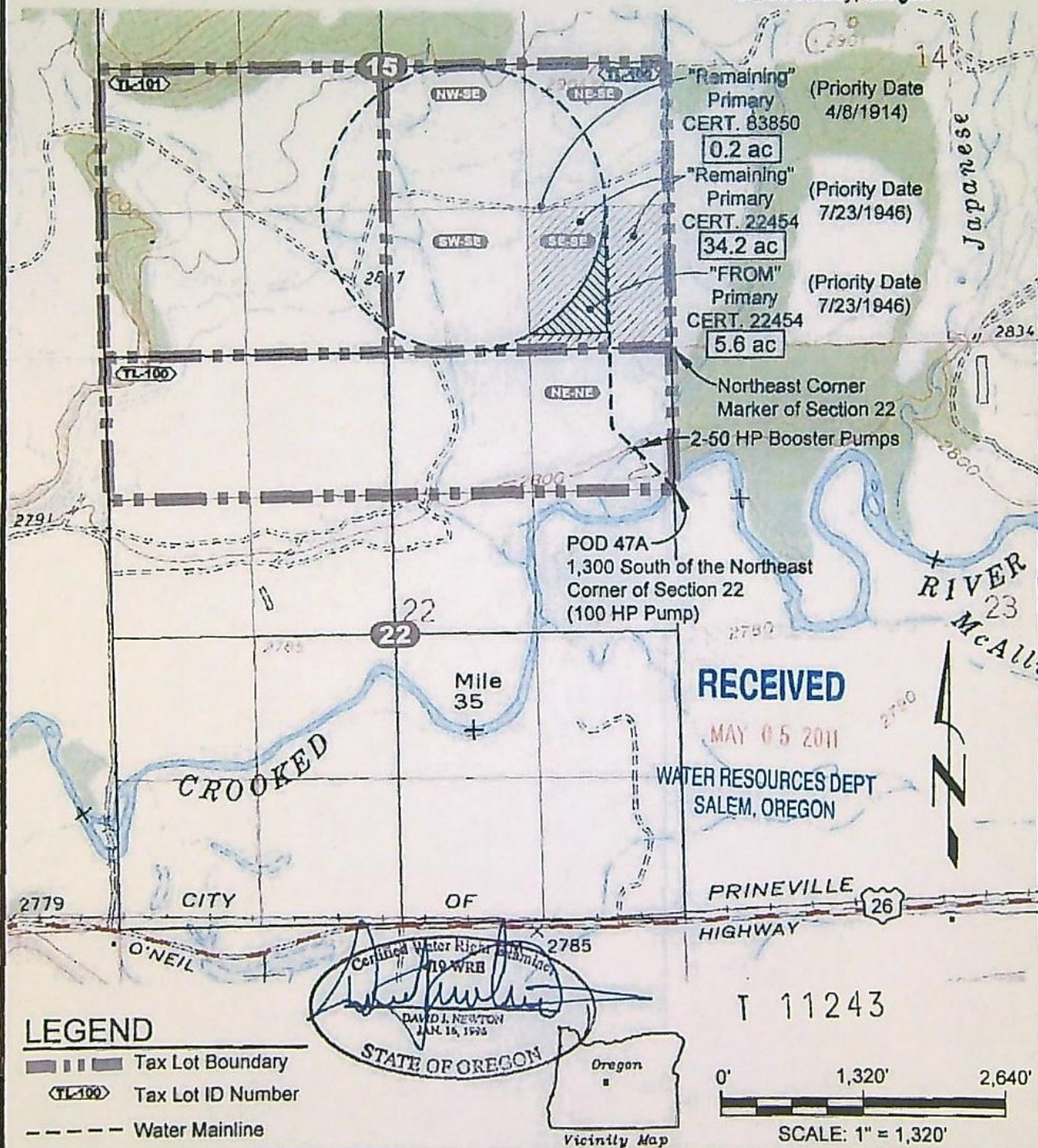
NOTES

1. This map was prepared for the purpose of identifying the location of water rights only and is not intended to provide legal dimensions or locations of property ownership lines.

WATER TRANSFER MAP

TAX LOT 100

Located in SE $\frac{1}{4}$ - SE $\frac{1}{4}$
of Section 15, T14S R14E W.M.
Crook County, Oregon



NEWTON
CONSULTANTS INC.
Earth, Water and Rock Specialists
Ph: 541 504-9900 Fax: 541 504-9901



Water Transfer 'FROM' Map
Butler Ranch
Crook County, Oregon

DESIGNED BY:
D. Newton

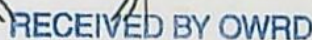
DRAWN BY:
S. Schenck

DATE:
April 2011

PROJECT NO.
1109-101

FIGURE 1

T 14 S, R 14 E, WM
SECTIONS 15 & 22
CROOK COUNTY, OREGON



RECEIVED BY OWRD

NOV 29 2017

DEC 22 2017

SALEM, OR

SALEM, OR

POD - Direct Diversion No. 47A - 1300' S of NE Cor Sec 22.



Renwal Date 12-31-2018



This map is not intended to provide legal dimensions or locations of property ownership lines.

Cert 87331

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

WWW.OREGONWATER.US 541-389-2837

johnshort@usa.com

T.17795

**T13S, R13E,
SECTION 34, WM**

JEFFERSON COUNTY, OREGON



0 1,320 Feet
1" = 1,320'

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DEC 22 2017

SALEM, OR

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NOV 29 2017

SALEM, OR

- POU, Transfer ON
- Township
- Section
- Quarter Quarter
- Tax Lot
- River
- Point of Diversion

POD LOCATION:
1,180' N, 2,220' E OF SW COR SEC 34



RENEWAL DATE 12/31/2018



TRANSFER "ON"
Knight Ranch

NOTE: THIS MAP IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES.

OCTOBER 28, 2017

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

CCB# 197121 www.oregonwater.us

541-389-2837 JOHNSHORT@USA.COM

T 12705

February 2, 2018

COYOTE ROCK RANCH LLC
ERIC HAGERTY
8800 NW 31 STREET
TERREBONNE, OR 97760

Reference: Application T-12834

On January 29, 2018, we received your water right Transfer application. The application was accompanied by \$1000.00. Our receipt number 125778 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.

Except as provided under ORS 540.510(3) for municipalities, you may not *temporarily* use water, in the new place of use or from the new point of diversion until a final order approving the temporary transfer application has been issued by the Department. Additionally, pursuant to OAR 690-380-8010, the lands from which an irrigation water right is to be temporarily transferred and the land to which the right is to be temporarily transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

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

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

Cc: Jeremy Griffin, Watermaster Dist. #11 (via email)

Enclosure

Regular Temporary* Water Right Transfer Application Checklist

Checked by J. Joye Date 1-30-18

* Temporary transfer will have one or more of the last checkboxes checked on Page 1 of the application.

A temporary transfer must be for a change in place of use. A temporary change in POD/POA or APOD/APOA cannot be accepted as a stand-alone change.

A change in POD/POA can accompany the temporary change in place of use, only if the proposed temporary POD/POA is supplying water to the proposed temporary place of use.

(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? App for temp not filled out, a perm. xfer is also attached. See Joan.
- ☒ 2. Are fees included and correct? \$
If not, the correct fee would be: \$5600, so the amount missing is: over \$1442
- If a DROUGHT SUBSTITUTION is checked on Page 5, then... Fee = \$100.00
- ☐ 3. Page 3 of application: Have all the applicants listed at the top of the page signed at the bottom?
If not, whose signature is missing? _____
- ☒ 4. Are all listed certificates or permits shown by WRIS as non-cancelled?
If not, 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.

87331

**Oregon Water Resources Department**
Transfer Fee Calculation for Temporary Transfer[Main](#)[Help](#)[Return](#)[Contact Us](#)

Today's Date: Tuesday, January 30, 2018

**Fee
Calculation**

Base Fee (includes temporary change to one water right for up to 1 cfs)

\$810.00

Fill in information below-- Check each box that applies.

Enter total number of water rights included in transfer.

1

\$0.00

☐ Check this box if you propose to change the place of use for a NON-irrigation use.☒ Check this box if you propose to change the place of use for an irrigation use.

Enter the number of acres in the footprint of the place of use to be transferred.

20.0

\$46.00

(If a supplemental certificate also covers the same land as an included primary right, count the acreage only once.)

Total Transfer CFS(rounded up to the next whole cfs):

Subtotal:

\$856.00

☐ The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.☐ The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

Discount:

☐ Check the box if you are submitting the application and map in a digital format.

Transfer Fee:

\$856.00

[Return to Edit](#)[Clear](#)

1-25-18

Joan,

Enclosed is our Temporary water Right transfer Application, I have filled out what I can. Also enclosed is our permanent transfer Application, this has all our information.

Our intention is to use our 20 acres of water that Mr. Knight has already paid \$300,000 for this season, 2018, I understand the Temp app is good for 5 years or until the permanent transfer is complete.

I have also enclosed a check for \$1,000, your application on the fee schedule is incredibly confusing, so I have assumed \$1,000 is very close to amount needed.

Thank you,

Eric Hagerly
541-977-5275

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JAN 29 2018

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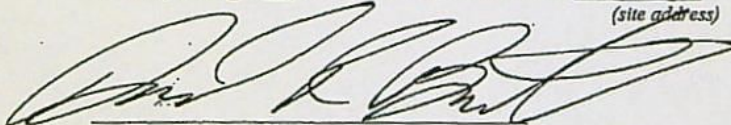
Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
)ss
County of Deschutes)

I David Butler in my/our capacity as President, Butler Ranch, Inc.,
mailing address 5294 NW Lone Pine Road, Terrebonne, OR 97760,
telephone number _____, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 87331
described in a Transfer Application (T-TBD) submitted by Philip & Penelope Knight,
(transfer number, if known)
on the property in tax lot number(s) 100, Section 15 & 22, Township 14
South, Range 14 East, W.M., located at (see map).
(site address)

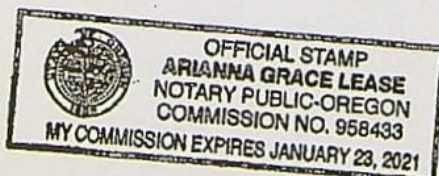

Signature of Affiant

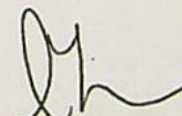
8-7-17
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 7 day of August, 2017.




Notary Public for Oregon

My commission expires Jan. 23, 2021

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DEC 22 2017

NOV 29 2017

SALEM, OR

SALEM, OR

ORIGINALS

Transfer Application

Transfer Map

Evidence of Use Affidavit

Documentation of Use

Land Use Information Form

Report of Ownership

Miscellaneous

Superseded Pages

Receipt



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

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

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

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☐ Part 1 – Completed Minimum Requirements Checklist.
- ☐ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☐ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the 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 Transferred Water Rights: **How many water rights are to be transferred?** 1 **List them here:** 87331
Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year** 2018 **End Year** 2023
- ☐ ☐ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- ☐ Completed Temporary Transfer Application Map.
- ☐ Completed Evidence of Use Affidavit and supporting documentation. T 12834
- ☐ Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- ☐ ☐ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☐ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- ☐ ☐ N/A 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 (if necessary to convey water to the proposed place of use).

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JAN 29 2018

OWRD

Revised 8/8/2017

(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 – Temporary Transfer Application Map Checklist

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

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

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

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Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS					
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00		
2	Number of water rights included in transfer <u>20 (2a) acres</u> Subtract 1 from the number in 3a above: _____ (2b) If only one water right this will be 0 Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » » » » »	2			
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (4a) Subtract 1.0 from the number in 4a above: _____ (4b) If 4b is 0, enter 0 on line 4 » » » » » » » » » » » » » » » » If 4b is greater than 0, round up to the nearest whole number: _____ (4c) and multiply 4c by \$200.00, then enter on line 4 (or \$0.50 if submitted in a Department approved digital format) » » » » » » » » » »	4			?
4	Do you propose to change the place of use for an irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 5 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the number of acres for the portions of the rights to be transferred: _____ (5a) Multiply the number of acres in 5a above by \$2.30 and enter on line 5 » »	5			?
5	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6			
6	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			?
7	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:	8			

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
	Enter the cfs for the portions of the rights to be transferred (see example below*): <div style="text-align: right;">_____ (2a)</div> Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » »		
2		2	
3	Add entries on lines 1 through 2 above » » » » » » » » Transfer Fee::	3	1,000.00

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

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

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JAN 29 2018

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME <i>Eric Hagerty - Coyote Rock Ranch</i>		PHONE NO. <i>541-977-5275</i>	ADDITIONAL CONTACT NO.
ADDRESS <i>8800 NW 31st</i>		FAX NO.	
CITY <i>Terrebonne</i>	STATE <i>OR</i>	ZIP <i>97260</i>	E-MAIL <i>Elkridge@YKWC.net</i>
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 <i>Eric Hagerty</i>		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <i>property manager @ Coyote Rock Ranch</i>		FAX NO.	
CITY <i>owned by</i>	STATE <i>Phil & Penny</i>	ZIP <i>Kenight</i>	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application; and why:
We want to irrigate our new 20 ac's from Crooked River

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)

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

Eric Hagerty
Applicant signature

Eric Hagerty
Print Name (and Title if applicable)

1-25-18
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 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) has been conveyed.

RECEIVED

JAN 29 2018

OWRD

INSTRUCTIONS for editing the Application Form

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

Microsoft Word 2003

Unlock the document by one of the following:

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

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

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

Microsoft Word 2007

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

Microsoft Word 2010

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

Once the application has been unlocked, you may:

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

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

Other Alternatives:

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

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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.)

DISTRICT NAME	ADDRESS	
CITY N/A	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY N/A	STATE	ZIP



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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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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

Describe any special ownership circumstances here: _____

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

IRRIGATION DISTRICT NAME 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 Jefferson County Community Development	ADDRESS 85 SE "D" Street	
CITY Madras	STATE OR	ZIP 97741

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP T 12934

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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 # 87331

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Description of Water Delivery System

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System capacity: 5.0 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

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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. _____

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)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14 S	14 E	22	NE NE		1300 ft South from the NE Corner of S22
POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		13 S	13 E	34	SE SW		1,180 ft North from the SW Corner of S34
	<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 checked="" 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) |

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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 # 87331

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901			
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901			
14	S	14	E 15 NE SE	100		2.2	IR	POD 1	1946		13	S	13	E 34 NE SW	100 & 103		5.7		POD 2	1946			
14	S	14	E 15 NW SE	100		0.8	IR	POD 1	1946		13	S	13	E 34 SE SW	103		5.3		POD 2	1946			
14	S	14	E 15 SE SE	100		16.6	IR	POD 1	1946		13	S	13	E 34 NW SE	100		2.0		POD 2	1946			
14	S	14	E 22 NW NW	100		0.4	IR	POD 1	1946		13	S	13	E 34 SW SE	100		7.0		POD 2	1946			
TOTAL ACRES:						20.0					TOTAL ACRES:						20.0						

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 2734 & 83850.

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

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

Ground water supplemental Permit or Certificate # N/A;

Surface water primary Certificate # N/A.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

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

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

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

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

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss
County of DESCHUTES)

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

mailing address PO BOX 1830, BEND, OR 97709

telephone number (541)389-2837, being first duly sworn depose and say:

1. My knowledge of the exercise or status of the water right is based on (check one):

☐ Personal observation ☒ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for
Certificate # ____; **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)
87331	14	S	14	E	WM	15	NE	SE		2.2
						15	SE	SE		16.6
						15	NW	SE		0.8
						22	NW	NW		0.4

OR

☐ Confirming Certificate # ____ has been issued within the past five years; **OR**

☒ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: IL 1204 (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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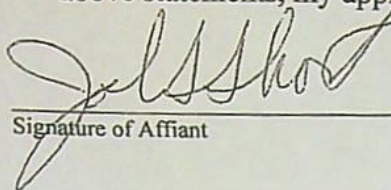
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3. The water right was used for: (e.g., crops, pasture, etc.): TO BENEFIT FISH AND WILDLIFE.

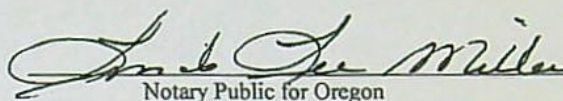
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.


Signature of Affiant

11-7-2017
Date

Signed and sworn to (or affirmed) before me this 07 day of Nov., 20 17.




Notary Public for Oregon

My Commission Expires: 8-30-2021

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 type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. 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 checked="" type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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

In the Matter of Instream Lease Application)	DETERMINATION and
IL-1204 and Preliminary and Final Award)	FINAL ORDER ON PROPOSED
of Mitigation Credits, Certificates 87331)	INSTREAM LEASE and MITIGATION
and 2734, Crook County)	CREDIT PROJECT

Authority

ORS 537.348 establishes the process in which a water right holder may submit a request to lease an existing water right for instream purposes. OAR Chapter 690, Division 077 implements the statutes and provides the Department's procedures and criteria for evaluating instream lease applications.

OAR 690-521-0100 to 690-521-0600 establishes the process in which anyone may submit a ground water mitigation project to the Department for the purpose of establishing mitigation credits in the Deschutes Ground Water Study Area.

Lessor

Butler Ranch, Inc.
5294 Lone Pine Rd.
Terrebonne, OR 97760
johnshort@use.com

Lessee

Deschutes River Conservancy (DRC)
Mitigation Bank
P.O. Box 1560
Bend, Oregon 97709
gen@deschutesriver.org

Findings of Fact

1. On March 15, 2012, the DRC Mitigation Bank and Butler Ranch filed an application to lease a portion of Certificates 87331 and 2734 for instream use. The Department assigned the application number IL-1204.
2. On March 28, 2012, a revised lease application was received from the DRC Mitigation Bank.
3. The portion of the first right to be leased is as follows:

Certificate: 2734 in the name of E.D. Tirrill (perfected under Permit S-823)
Use: Irrigation of 14.3 acres
Priority Date: August 24, 1911
Quantity: **Rate:** 0.18 Cubic Foot per Second (CFS)
Source: Crooked River, tributary to the Deschutes River
Authorized Point of Diversion (POD): Not described in Certificate.
Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
14S	14E	WM	22	NW NW	14.3

This is a final order in other than 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 either 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.

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4. Certificate 2734 does not specify the irrigation season. However, the irrigation season consistent with the Crooked River Decree is February 1 to December 1.
5. Certificate 2734 also does not specify a duty limit. The duty limit for the area, consistent with the Crooked River Decree, is 4.0 acre-feet (AF) per acre. This would allow the use of up to 57.2 AF during the irrigation season.
6. Certificate 2734 does not identify a point of diversion. However, information provided with the lease application identifies that the point of diversion may be the same point as described in Finding of Fact #7 for Certificate 87331.
7. The portion of the second right to be leased is as follows:

Certificate: 87331 in the name of Claude Butler (perfected under Permit S-17167)
Use: Irrigation of 21.7 acres
Priority Date: July 23, 1946
Quantity: **Limit:** One-fortieth CFS per acre, not to exceed 4.0 AF per acre per year
Source: Crooked River, tributary to the Deschutes River

Authorized Point of Diversion (POD):

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14S	14E	WM	22	NE NE	Not described on Certificate

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
14S	14E	WM	15	NE SE	2.2
14S	14E	WM	15	NW SE	0.8
14S	14E	WM	15	SE SE	16.6
14S	14E	WM	22	NW NW	2.1

8. Certificate 87331 does not specify the irrigation season. However, the irrigation season consistent with the Crooked River Decree is February 1 to December 1.
9. Certificate 87331 is a deficient water right. If water were diverted simultaneously to all authorized lands and uses described in the right at the maximum rates and duty allowed (described in Finding of Fact #7), the total rate and duty for the right would be exceeded. In the event water were diverted simultaneously to all authorized lands and uses described in the right at the maximum rate and duty allowed at the POD (described in Finding of Fact #7), the portion of the right involved in this lease would be limited as described in the table below. This rate and duty are also the quantities by which Certificate 87331 shall be reduced, if this lease is approved.

Rate	Duty
0.41 CFS	86.8 AF

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10. Certificate 87331 does not provide any measured distances for the location of the authorized point of diversion. However, based upon information provided with the lease application materials, the point of diversion is more accurately located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14S	14E	WM	22	NE NE	1300 FEET SOUTH FROM THE NE CORNER OF SECTION 22

11. The lease application includes the information required under OAR 690-077-0076(3). The Department provided notice of the lease application pursuant to OAR 690-077-0077(1). No comments were received.
12. A portion of the water diverted at the POD returns to the Crooked River below the POD and is available to downstream water right holders. To prevent injury to downstream water right holders and enlargement, the quantity of water that may be protected instream requires modification to account for both surface and subsurface return flows.

The hydrogeologic evaluation of where subsurface return flows occur is generally based on the following information: 1) the local shallow and regional ground water elevations, 2) the shallow and regional head gradient (i.e. ground water flow direction), 3) elevation of nearby streams, 4) elevation of closest gaining stream reaches, 5) distance from nearby streams and gaining stream reaches, and 6) local geologic information.

When evaluating for return flows, the Department generally considers the place of use as a whole and where the majority of return flows occur based upon the presence of surface return flows (overland flow) and the factors described above for any subsurface return flows.

A portion of the water diverted to the place of use returns to the Crooked River through subsurface return flows. Immediately below the point of diversion, return flows begin to shoe back up in the river system. Approximately 10% return just below the point of diversion and all return flows are back in the river system by River Mile 30.

Because the return flows do not occur at a definite point, all return flows will be accounted for below the point of diversion consistent with OAR 690-077-0075(2)(b)(A). The instream flows just below the point of diversion have been reduced to the consumptive portion of the right to account for return flows and prevent injury and enlargement.

13. The instream use has been modified from the lease application to prevent injury and enlargement and is as follows:
Crooked River, tributary to the Deschutes River

Instream Reach #1: At the POD (as described in Finding of Fact #10)

Certificate	Priority Date	Instream Rate (cfs)	Instream Volume (AF)	Period Protected Instream
2734	8/24/1911	0.18	57.2	May 5 through October 15
87331	7/23/1946	0.41	86.8	July 1 through October 15

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Instream Reach #2: From immediately below the POD (as described in Finding of Fact #10) to Lake Billy Chinook

DWRD

Certificate	Priority Date	Instream Rate (cfs)	Instream Volume (AF)	Period Protected Instream
2734	8/24/1911	0.08	25.7	May 5 through October 15
87331	7/23/1946	0.18	39.1	July 1 through October 15

14. A portion of Certificate 87331 is supplemental to the portion of Certificate 2734 proposed to be leased instream as described in Finding of Fact #3. The Lessor and Lessee have requested that the supplemental portion of Certificate 87331 not be included as part of this lease application. During the term of the lease, water use under this right will also be suspended.
15. If approved, this instream lease is not reasonably expected to significantly affect land use as prescribed by ORS 197.180, OAR Chapter 660, Divisions 30 and 31, and OAR Chapter 690, Division 5.
16. Based upon review of the application, comments received, information provided by the Department's Watermaster, and other available information, the Department finds that the lease will not result in injury or enlargement. This finding is made through an abbreviated review recognizing that the lease may be modified or revoked under OAR 690-077-0077 if the Department later finds that the lease is causing injury to any existing water right or enlargement of the original right.
17. If a right which has been leased is later proposed to be leased again or transferred to an instream use under ORS 537.348 and OAR 690-077-0070 or OAR 690-077-0075 a new injury review shall be required. Transfers will be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380 and Division 077. Approval of this lease does not establish a precedent for approval of future leases or transfers.
18. The Lessor has requested that the lease terminate on November 1, 2016. An instream lease generally terminates on the last day of the authorized period of allowed use. The irrigation season ends November 30. The lease may terminate on November 30, 2016. The lease will commence the date the final order is signed and on February 1 of each succeeding calendar year that the lease is in place.
19. The Lessor has requested the option of terminating the lease early with written notice to the Department.

Preliminary Award of Deschutes Basin Mitigation Credits

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20. The Lessee, a mitigation bank chartered by the Water Resources Commission, has requested that the portion of the right to be protected instream be used to generate mitigation credits.
21. The Department assigned this mitigation credit project number MP-167.
22. The Department provided notice of the mitigation credit project pursuant to OAR 690-521-0300 (6). The Department also provided notice of the mitigation credit project to the Oregon Department of Fish and Wildlife, Oregon Department of Environmental Quality, Oregon

Parks and Recreation Department, Oregon Department of State Lands, the Oregon Department of Agriculture, and the Department's Watermaster pursuant to OAR 690-521-0300 (7) and OAR 690-505-0630 (2). Comments were received from OPRD. These comments identified that additional streamflow may benefit aquatic resources and potentially improve recreational fishery resources in this area.

23. No modifications were made to the lease based on the comments received.
24. The lease of 36.0 acres of irrigation will generate 64.8 acre-feet of mitigation water. Therefore, the Department finds that 64.8 mitigation credits may be awarded to this mitigation credit project and assigned to the DRC Mitigation Bank. The mitigation credits may be used to mitigate for ground water permit applications and existing conditioned ground water permits and certificates, providing mitigation pursuant to the Deschutes Ground Water Mitigation Rules, OAR Chapter 690, Division 505, within the Crooked River and General Zones of Impact.
25. The mitigation credits expire on December 31, 2016.
26. The use and maintenance of the mitigation credits is subject to the terms and conditions of the DRC Mitigation Bank Charter.
27. The Department shall award final mitigation credits upon completion of the approved project by the applicant and verification by the Department that the project is complete. The issuance of the Final Order approving the proposed instream lease shall result in completion of the project and verification that the project is complete.
28. No precedent is set by this Final Order as to the amount of mitigation credits that may be generated by a subsequent mitigation credit project.

CONCLUSIONS OF LAW

The Department concludes that the lease will not result in injury or enlargement, OAR 690-077-0077. The lease conforms to the applicable provisions of OAR 690-077-0015. 12834

This mitigation project results in mitigation credits pursuant to ORS 537.746 and OAR 690-521-0300 and 690-521-0400.

ORDER

Therefore, it is ORDERED:

1. That the Lease as described herein is APPROVED.
2. The former place of use will no longer receive water as part of these rights, any supplemental rights, or any other layered water rights for irrigation use, including ground water registrations during the term of the lease.
3. The lease will terminate on November 30, 2016. For multiyear leases, the Lessor shall have the option of terminating the lease with written notice to the Department provided to both the Salem office and Watermaster office. Written notice of termination of a lease must be

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provided by all Lessors and the Lessee. The lease may be terminated at any time during a calendar year. However, if the termination request is received less than 30-days prior to the period of allowed instream use (May 5 through October 15) or after the period of allowed use has begun for the water rights being leased, water may not be used under the rights leased until the following calendar year, unless the Director determines that enlargement would not occur.

4. **Final Award of Deschutes Basin Mitigation Credits:** Issuance of this Final Order results in completion of the project and verification by the Department that the project is complete. The Department concludes that the mitigation credit project is awarded mitigation credits, as described above, pursuant to OAR 690-521-0400 and ORS 537.746. Mitigation Credits, in the amount of 64.8 credits, as described herein, are awarded to this mitigation project and assigned to the DRC Mitigation Bank. Mitigation Credits may be used to satisfy a mitigation obligation of a ground water permit applicant and/or ground water permit/certificate holder in the Crooked River and General Zones of Impact.
5. Mitigation credits are valid until used (or until they expire or are terminated) to satisfy a mitigation obligation of a ground water permit applicant and/or ground water permit/certificate holder within the Deschutes Ground Water Study Area pursuant to the Deschutes Ground Water Mitigation Rules. Mitigation credits are used when a person submits to the Department documentary evidence that valid credits have been obtained and assigned to satisfy a mitigation obligation.
6. The mitigation credits shall expire on December 31, 2016.
7. The use and maintenance of the mitigation credits shall be subject to the terms and conditions of the DRC Mitigation Bank Charter.

Dated at Salem, Oregon this 28th day of June, 2012.

E. Timothy Wally for

Dwight French, Water Right Services Administrator, for
PHILLIP C. WARD, DIRECTOR

This document was prepared by Laura
Wilke and if you have any questions,
please call 503-986-0884.

Mailing date: 'JUL 02 2012

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Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
)ss
County of Deschutes)

I David Butler in my/our capacity as President, Butler Ranch, Inc.,
mailing address 5294 NW Lone Pine Road, Terrebonne, OR 97760,
telephone number _____, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 87331
described in a Transfer Application (T-TBD) submitted by Philip & Penelope Knight,
(transfer number, if known)
on the property in tax lot number(s) 100, Section 15 & 22, Township 14
South, Range 14 East, W.M., located at (see map).
(site address)

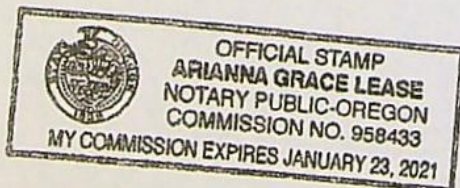
Signature of Affiant

8-7-17
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 7 day of August, 2017.



Notary Public for Oregon

My commission expires Jan. 23, 2021

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Land Use Information Form



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

Applicant: Philip H. & Penelope P. Knight
First Last

Mailing Address: 34645 SW Boudrest Lane

Hillsboro OR 97123 Daytime Phone: _____
City State Zip

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
13S	13E	34	SESW	103	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Jefferson

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Crooked River

Estimated quantity of water needed: 0.02 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s) 12834
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

Briefly describe:

change Water Right to new diversion and Use to Beneficial Use for crop irrigation

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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

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

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

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

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Name: Jefferson Spencer Title: Planning Director

Signature: [Signature] Phone: 541-475-4462 Date: 11.14.17

Government Entity: Jefferson County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____



JEFFERSON COUNTY COMMUNITY DEVELOPMENT

Transaction Receipt

Record Number: 451-17-000087-NQRY

Receipt Number: 11985

85 SE D St.
Madras, OR 97741
Phone: 541-475-4462

www.co.jefferson.or.us

permits@co.jefferson.or.us

Address: 1581 SW STAGECOACH LN, TERREBONNE, OR 97760
Parcel Number: 11098

Receipt Date: 11/15/17

Fee Items Paid

DESCRIPTION	ACCOUNT CODE	AMOUNT PAID
Agency sign-off incl LUC Statement, DMV, water right, etc	503-100-343-4322	\$41.00
		\$41.00

Payment Summary

PAYMENT METHOD	PAYER	COMMENTS	AMOUNT PAID
Credit Card Authorization - 91774B	JOHN A SHORT		\$41.00
			\$41.00

T 12834

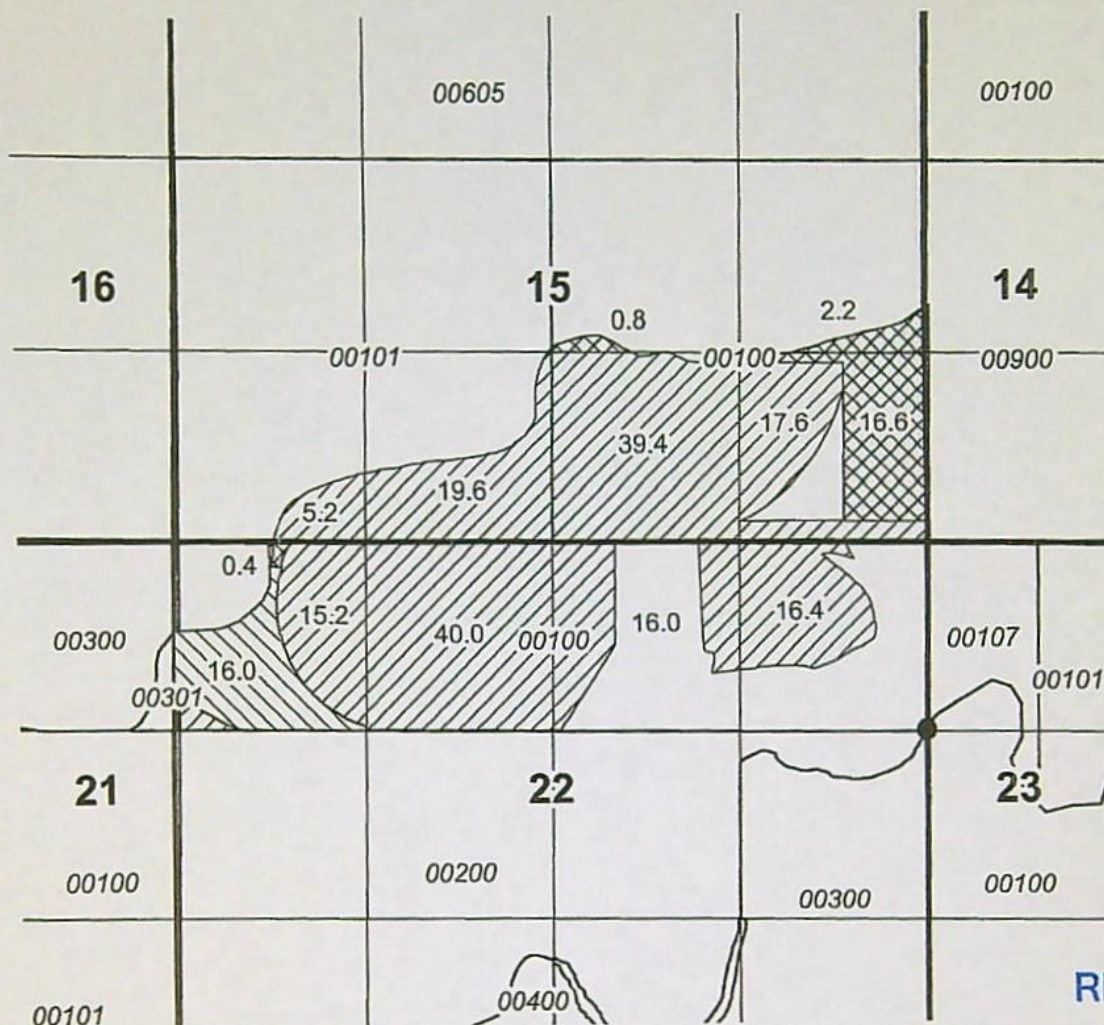
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0 660 1,320 Feet
1" = 1320'

T 14 S, R 14 E, WM SECTIONS 15 & 22 CROOK COUNTY, OREGON



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T012834

- POU IR OFF
- POU OFF in T-11347
- POU Remaining
- POD
- Sections
- QQ
- Tax Lots

POD - Direct Diversion No. 47A - 1300' S of NE Cor Sec 22.



Renwal Date 12-31-2018



WATER RIGHT TRANSFER "OFF" MAP for BUTLER RANCH

July 15, 2017

Cert 87331

This map is not intended to provide legal dimensions or locations of property ownership lines.

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

WWW.OREGONWATER.US 541-389-2837

johnshort@usa.com

**T13S, R13E,
SECTION 34, WM**

JEFFERSON COUNTY, OREGON



0 1,320 Feet

1" = 1,320'

- POU, Transfer ON
- Township
- Section
- Quarter Quarter
- Tax Lot
- River
- Point of Diversion

POD LOCATION:
1,180' N, 2,220' E OF SW COR SEC 34



RENEWAL DATE 12/31/2018

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TRANSFER "ON"
Knight Ranch

NOTE: THIS MAP IS NOT INTENDED TO
PROVIDE LEGAL DIMENSIONS OR LOCATIONS
OF PROPERTY OWNERSHIP LINES.

OCTOBER 28, 2017

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

CCB# 197121 www.oregonwater.us

541-389-2837 JOHNSHORT@USA.COM

27

0300

0201

0200

NWNW

NENW

NWNE

NENE

0400

0100

SWNW

SENW

SWNE

SENE

33

34

35

NWSW

NESW

NWSE

NESE

SWSW

0103

SESW

SWSE

SESE

T13S R13E

T14S R13E

TJ12834

03

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **125778**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Coyote Rock Ranch LLC

BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-12834</u>

CASH: ☐ CHECK: # 7757 OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 1,000.00

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	EXAM FEE \$ _____	0202 RECORD FEE \$ _____
0203 GROUND WATER	\$ _____	0204 \$ _____
0205 TRANSFER	\$ <u>856.00</u>	

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$ _____	0219 LICENSE FEE \$ _____
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 (FWWRD) \$ _____
0231 HYDRO LICENSE FEE (FWWRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **125778**

DATED: 1-29-18

BY: [Signature]



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

Your copy - original

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? One List them here: C-87331**
Please include a separate Part 5 for each water right. (See instructions on page 6)

COPY

Attachments:

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

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(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: ____/____/____

COPY

Joan -
permanent water
transfer App w/map

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

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

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Philip H. & Penelope P. Knight		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS 34645 SW Cloudrest Lane		FAX NO.	
CITY Hillsboro	STATE OR	ZIP 97123	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME John A. Short / Water Right Services, LLC		PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 1830		FAX NO.	
CITY Bend	STATE OR	ZIP 97709	E-MAIL johnshort@usa.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:

Transfer of water rights for primary irrigation.

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: _____.

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

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Applicant signature

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.*

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.

Description of Water Delivery System

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

200 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. none used

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	1/4 1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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

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

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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 Temporary Changes to Water Right Certificate # 87331

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.																			
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date									
EXAMPLE																															
2	S	9		15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901					
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901					
14	S	14	E	15	NE	SE	100		2.2	IR	POD1	1946		13	S	13	E	34	NE	SW	100/100		5.7		POD2	1946					
14	S	14	E	15	NW	SE	100		0.8	IR	POD1	1946		13	S	13	E	34	SE	SW	103		5.3		POD2	1946					
14	S	14	E	15	SE	SE	100		16.6	IR	POD1	1946		13	S	13	E	34	NW	SE	100		2.0		POD2	1946					
14	S	14	E	22	NW	NW	100		0.4	IR	POD1	1946		13	S	13	E	34	SW	SE	100		7.0		POD2	1946					
TOTAL ACRES								20-															TOTAL ACRES								20-

Additional remarks:_____.

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