

Regular

T-12534

Name Sutherlin Water Control DistrictAddress 495 N. State St.
Sutherlin, OR 97479Change in APODDate Filed 12-13-16Initial notice date 12-20-2016DPD issued date 1-22-2020PD issued date 7/15/2020PD notice date 7/21/2020Date of FO 10/13/2020 Vol 117 Page 194-100C-Date 10/01/2021COBU due date 10/01/2022COBU Received date 04-18-2022

Certificate issued _____

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Plat 1 Res.; Sutherlin Cr.Trib. of N. Umpqua R.Use Irrigation, Supp. Irrigation County Douglas wm 15Quantity of water (CFS) _____ Storage No. of Acres _____

Name of ditch _____

App# S-33577 Per # S-31273 Cert # 76599 PR Date 1960App# R-74271 Per # _____ Cert # 76600 PR Date 1993

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID

Date	Amount	Receipt #
<u>12-13-14</u>	<u>1450.00</u>	<u>12211</u>
<u>6-30-20</u>	<u>241.18</u>	<u>132940</u>

FEES REFUNDED

Date	Amount	Receipt #
<u>2/16/2022</u>	<u>\$1,360.00</u>	<u>VPOS3283</u>

Assignments: _____

Irrigation District _____

Agent Nathan R. Reed - 1113 SE Cass Ave. Roseburg, OR 97470

CWRE _____

CC's list _____

**CLAIM OF
BENEFICIAL USE
for Transfer New or Addition
POD Only**

A fee of \$230 must accompany this form including a water right with a priority date of July 1, 1966.

Example – A transfer of a water right has a priority date of July 1, 1966.

A separate form shall be completed for each transfer.

This form is subject to revision. Begin each new claim by checking for a new version of this form at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

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

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

"Section 8" of this form is intended to aid in the completion of this form and should not be submitted.

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

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

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

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

SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change in either point(s) of diversion or additional point(s) of diversion, or a combination of both. **YES**

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

1. File Information

APPLICATION #

T-12534

T-12534 is
for a district certificate
- a living certificate 76599,

I have prepared a
draft superseding cert
that will confirm
T-12534. ~~acts~~
The rate needs to
be checked.
Ann Reece

Department
Suite A

266

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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Sutherlin Water Control District		PHONE NO. 541-459-5450	ADDITIONAL CONTACT NO. NA
ADDRESS 495 N. State St.			
CITY Sutherlin	STATE OR	ZIP 97479	E-MAIL suthwcd@qwestoffice.net

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

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

TRANSFER HOLDER OF RECORD Sutherlin Water Control District			
ADDRESS 495 N. State St.			
CITY Sutherlin	STATE OR	ZIP 97479	

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4. Date of Site Inspection:

3/30/22

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

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NAME	DATE	ASSOCIATION WITH THE PROJECT
Robert Rippy	3/30/22	District Manager

6. County:

Douglas

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

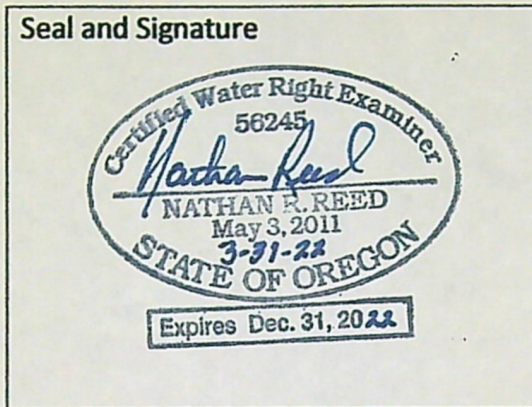
OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

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



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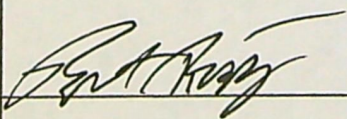
OWRD

CWRE NAME Nathan Reed	PHONE NO. 541-784-7191	ADDITIONAL CONTACT NO. NA
ADDRESS 157 West Bodie Street ,		
CITY Roseburg	STATE OR	ZIP 97471
E-MAIL nreed68@hotmail.com		

Transfer Holder of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Robert Rippey	District Manager	4-14-2022

SECTION 3 CLAIM DESCRIPTION

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Note: The Claim only needs to describe the new or additional point(s) of diversion. This Claim does not need to provide information for the original point(s) of diversion unless the original point of diversion is either a new or additional point of diversion on another right involved in this transfer.

1. New or additional point of diversion name or number:

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)	SOURCE
POD 2	Plat I Reservoir
POD 3	Plat I Reservoir
POD 4	Plat I Reservoir

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, **YES** or extension final? If yes, describe below.

(e.g. "The order allowed three new/additional points of diversion. The water user only developed one of the points.")

The order allowed four new/additional points of diversion. The water user only developed three of the points.

3. Claim Summary:

NEW OR ADDITIONAL POD NAME OR #	MAXIMUM RATE AUTHORIZED IN ORDER	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
POD 2	0.12 cfs	0.21 cfs	Not Measured
POD 3	0.06 cfs	0.15 cfs	Not Measured
POD 4	0.11 cfs	0.11 cfs	Not Measured

SECTION 4

SYSTEM DESCRIPTION

Are there multiple new or additional Points of Diversion (POD)s?

YES

If "YES" you will need to copy and complete a separate Section 4 for each POD.

POD Name or Number this section describes (only needed if there is more than one):

POD 2

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A. POD System Information

Provide the following information concerning the point of diversion. Information provided must describe the equipment used to appropriate water from the point of diversion.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Baldor	JML1406T	F991	Centrifugal	1.5	1.5

2. Motor Information

MANUFACTURER	HORSEPOWER
Baldor	3.0

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
3.0	40	-7'	0	0.21

4. Provide pump calculations:

40 psi = 101.6 feet; $Q = (Hp \times eff.) / (Y + L + H) = (3.0 \times 6.61) / (101.6 - 7 + 0) = 0.21 \text{ cfs}$

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
NA			

Reminder: For pump calculations use the reference information at the end of this document.

B. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the diversion involve a gravity flow pipe?

NO

Attach measurement notes.

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C. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Does the diversion involve a gravity flow ditch or canal?

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NO

D. Additional notes or comments related to the system:

POD 3

A. POD System Information

Provide the following information concerning the point of diversion. Information provided must describe the equipment used to appropriate water from the point of diversion.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Grundfos	MS402	79302006	Submersible	NA	1.25

2. Motor Information

MANUFACTURER	HORSEPOWER
Grundfos	2.0

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
2.0	40	-8'	0	0.15

4. Provide pump calculations:

40 psi = 101.6 feet; $Q = (Hp \times \text{eff.}) / (Y + L + H) = (2.0 \times 7.04) / (101.6 - 8 + 0) = 0.15 \text{ cfs}$

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
NA			

Reminder: For pump calculations use the reference information at the end of this document.

B. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the diversion involve a gravity flow pipe?

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NO

C. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

APR 18 2022

1. Does the diversion involve a gravity flow ditch or canal?

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NO

D. Additional notes or comments related to the system:

POD 4

A. POD System Information

Provide the following information concerning the point of diversion. Information provided must describe the equipment used to appropriate water from the point of diversion.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Goulds	10SB07422C	A1449167	Submersible	NA	2

2. Motor Information

MANUFACTURER	HORSEPOWER
Contripro	0.75

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
0.75	25	-15	0	0.11

4. Provide pump calculations:

25 psi = 63.5 feet; $Q = (Hp \times \text{eff.}) / (Y + L + H) = (0.75 \times 7.04) / (63.5 - 15 + 0) = 0.11 \text{ cfs}$

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
NA			

Reminder: For pump calculations use the reference information at the end of this document.

B. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the diversion involve a gravity flow pipe?

NO

C. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Does the diversion involve a gravity flow ditch or canal?

NO

D. Additional notes or comments related to the system:

SECTION 5 CONDITIONS

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

1. Time Limits:

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

	DATE FROM TRANSFER	DATE THE NEW AND/OR ADDITIONAL POD(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	10-14-2020	
COMPLETENESS DATE FROM ORDER (C)	10-1-2021	PODs used in District temporary transfers prior to this transfer. POD 2 installed 8/2017; POD 3 installed 6/2006 and POD 4 installed 8/2014

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

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

NO

3. Measurement Conditions:

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

NO

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

NO

5. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

YES

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

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed?

YES

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c. When was the fish screening installed?

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DATE	BY WHOM
8/2017	SWCD
6/2006	Landowner
8/2014	Landowner

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Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion **involves a pump and** the total diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? **NA**

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>, complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

e. If the diversion does **not involve a pump or** the total diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted?

NA

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

6. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

NO

7. Other conditions required by the transfer final order or extension final order:

- a. Was the water user required to restore the riparian area if it was disturbed?
- b. Was a fishway required?
- c. Other conditions?

NO

NO

NO

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

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SECTION 6 ATTACHMENTS

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

OWRD

ATTACHMENT NAME	DESCRIPTION
ODFW Letter	APOD Fish Screen Sign Off
CBU Map	Final Proof Survey

SECTION 7 CLAIM OF BENEFICIAL USE MAP

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

For the purpose of this Claim, the map identifying the location of the place of use does not require a new survey. The location of the place of use identified on the Claim map should be based on the original right of record at the time the transfer final order was issued. In transfers approved for additional points of diversion, the original points must be identified the map based on the original right of record at the time the transfer final order was issued.

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

A Garmin Rino 650, handheld GPS, was used to locate coordinates of pertinent features. Along with Douglas County GIS with Ultra High resolution imagery, 2018.

Map Checklist

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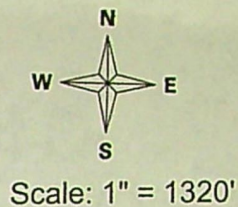
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Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

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

CLAIM of BENEFICIAL USE MAP
 FOR: SUTHERLIN WATER CONTROL DISTRICT
 BY: NATHAN R. REED, PE, CWRE
 T25S, R5W, W.M.
 TRANSFER NO. T-12534



DATE SURVEYED: March 30, 2022

POD 1 - 800 FEET SOUTH AND 580 FEET EAST FROM THE C1/4 CORNER OF SECTION 14.
 POD 2 - 50 FEET NORTH AND 1497 FEET WEST FROM THE SE CORNER OF SECTION 14.
 POD 3 - 103 FEET SOUTH AND 394 FEET WEST FROM THE NE CORNER OF SECTION 23.
 POD 4 - 1247 FEET SOUTH AND 918 FEET WEST FROM THE NE CORNER OF SECTION 23.

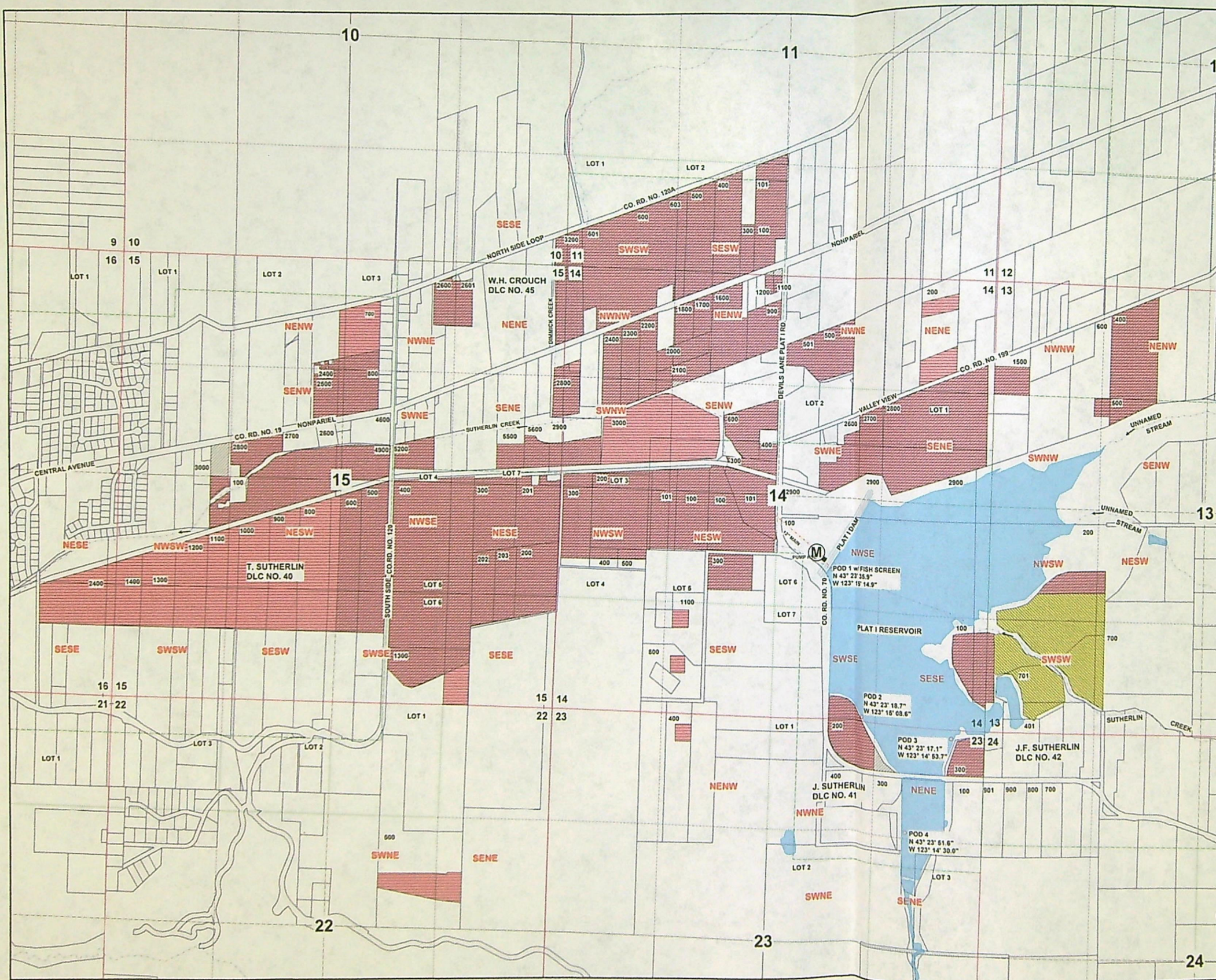
Legend

- | | | | |
|--|------------|--|--|
| | Reservoir | | Section |
| | Stream | | Quarter |
| | POD | | Sixteenth |
| | Meter | | Parcels |
| | Roads | | Cert 76599, Priority 1-27-1960 Supplemental |
| | Pipeline | | Cert 76599, Priority 1-27-1960 Primary |
| | Flow arrow | | Cert 76600, Priority 1-1-1993 Primary/Supplemental |
| | Gov Lot | | |
| | DLC | | |

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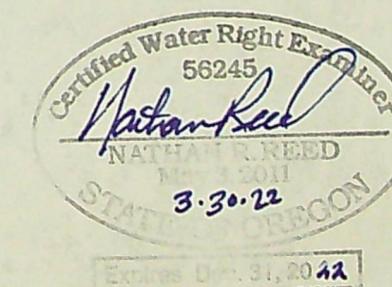
OWRD



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

MAP PREPARED BY:
 NATHAN R. REED, PE, CWRE
 157 WEST BODIE STREET
 ROSEBURG, OR 97471

MAP PREPARED FOR:
 SUTHERLIN WATER CONTROL DIST.
 495 N. STATE ST.
 SUTHERLIN, OR 97479





Oregon

Kate Brown, Governor

Department of Fish and Wildlife

Rogue Watershed District Office

1495 E Gregory Rd

Central Point, OR 97502-9430

(541) 826-8774

Fax: (541) 826-8776

www.myodfw.com



May 13, 2021

Sutherlin Water Control District (SWCD)

495 N State St

Sutherlin, OR 97479

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Dear SWCD,

Regarding Oregon Water Resources Department water right transfer T-12534 (permit S-54794), Oregon Department of Fish and Wildlife (ODFW) has determined the fish screens at the pump point-of-diversion (POD) #1, #2, #3, #4, and #5 have met current fish protection criteria and fish bypass devices are not necessary. Referenced below are specifics and requirements for each POD.

- POD #1 (location - 43.39337, -123.25415) meets screening requirements and no fish passage is necessary.
- POD #2 (location - 43.388994, -123.253084) meets screening requirements and no fish passage is necessary. In addition, POD #2 currently has no fish presented to the irrigation system due to underground drains leading to culvert with pump. Under any circumstance leading to fish being presented to irrigation system the site will require ODFW site visit and re-approval.
- POD#3 (location - 43.388557, -123.247843) meets screening requirements and no fish passage is necessary. In addition, POD #3 currently has no fish presented to the irrigation system due to underground drain leading to culvert with pump. Under any circumstance leading to fish being presented to irrigation system the site will need ODFW site visit and approval.
- POD #4 (location - 43.385549, -123.250574) meets screening requirements and no fish passage is necessary.





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Kate Brown, Governor

Department of Fish and Wildlife

Rogue Watershed District Office

1495 E Gregory Rd

Central Point, OR 97502-9430

(541) 826-8774

Fax: (541) 826-8776

www.myodfw.com



- POD #5 (location – 43.398154, -123.240662) as per SWCD conducts a yearly temporary water right transfer. Under these conditions where no water is being diverted from POD #5, screening and fish bypass devices are not necessary. In the instance water is diverted from POD #5 fish screening would be required and need ODFW approval.

Thank you for your continual support in fish screening and passage. If you have any questions or concerns, please contact ODFW.

Sincerely,

Josh Kelsey
Senior Fish Screen Technician
Fish Screening and Passage Program
Office (541) 857-2424
Cell (541)-601-4512

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Cc: Nathan Reed, CWRE



WATER RESOURCES DEPARTMENT
REQUEST FOR DISTRIBUTION OF FUNDS

TO: Fiscal Services Section

DATE: February 1, 2022

FROM: Gerry Clark

RE: Request for Refund

APPLICATION: T 12534

RECEIPT #: 137286

Please prepare a refund in the amount of \$1,360.00, made payable to:

Name: Irrigation Operating Fund Sutherlin Water Control District

Address: 495 N State Street

City: Sutherlin OR 97479

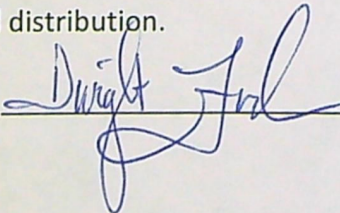
These funds are being paid or refunded as a result of (check one):

- ☐ Request for file to be withdrawn
- ☐ Excess fees were collected for application
- ☐ Protest filing fees
- ☐ Standing fees
- ☐ Permit recording fees – Application denied
- ☒ Other: The claim was prepared on a form used for District Permanent

Transfer processed under OAR 690-385. The process under this Rule is a special process for Districts that allows for changes in place of use only.

I have reviewed this distribution request and have determined the request to be justified as to the purpose indicated above. Fiscal Services is hereby authorized to process the requested distribution.

Authorized Signature: _____



Date: _____

2/7/22

Date refund was requested _____



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

February 1, 2022

Sutherlin Water Control District
Attn: Robert Rippy
495 N State Street
Sutherlin OR 97479

RE: Transfer T-12534

Dear Robert,

On January 18, 2022, the Department received the Claim of Beneficial Use (Claim) that you submitted for Transfer T-12534. The Claim was prepared on a form used for District Permanent Transfers processed under OAR 690-385. The process under this Rule is a special process for Districts that allows for changes in place of use only. Unfortunately, this transfer was processed under OAR 690-380 and requires a different type of Claim form because the authorized change was for additional points of diversion.

Enclosed you will find your Claim materials. A refund in the amount of \$1,360.00 is being processed and will be mailed separately. In addition, I have attached a copy of the Claim form that will need to be completed by a Certified Water Right Examiner (CWRE); it looks like you have been working with Nathan Reed. Please be aware that the fee required to submit the Claim is only \$230.00.

If you have any questions, please feel free to call me at 503-979-9103.

Sincerely,

Gerry Clark
Water Rights Specialist
Certificates

cc: file T-12534
Nathan Reed, CWRE

Enclosures: Claim of Beneficial Use



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

October 13, 2020

SUTHERLIN WATER CONTROL DISTRICT
495 N STATE ST
SUTHERLIN, OR 97479

REFERENCE: Transfer Application T-12534

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

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

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

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

If you have any questions related to the approval of this transfer, you may contact your caseworker, Corey Courchane, by telephone at (503) 986-0825 or by e-mail at Corey.A.Courchane@oregon.gov.

Sincerely,

Julie C. Baustian
Water Right Services Support
Transfers and Conservation Section

cc: Susan M. Douthit, Watermaster Dist. #15 (via email)
Nathan R. Reed, Agent

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-12534, Douglas County	)	ADDITIONAL POINTS OF
	)	DIVERSION

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SUTHERLIN WATER CONTROL DISTRICT
495 N. STATE STREET
SUTHERLIN, OR 97479

Findings of Fact

1. On December 13, 2016, SUTHERLIN WATER CONTROL DISTRICT filed an application for additional points of appropriation under Certificates 76599 and 76600. The Department assigned the application number T-12534.
2. Notice of the application for transfer was published on December 20, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 22, 2020, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12534 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of February 24, 2020, for the applicant to respond.
4. On March 2, 2020, the applicant requested that the Department proceed with issuance of a Preliminary Determination.

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

5. On July 15, 2020, the Department issued a Preliminary Determination proposing to approve Transfer T-12534 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on July 21, 2020, and in the News Review newspaper on July 21 and 28, 2020 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 76599 in the name of SUTHERLIN WATER CONTROL DISTRICT
(perfected under Permit S-31273)

Use: PRIMARY IRRIGATION OF 499.1 ACRES AND SUPPLEMENTAL
IRRIGATION OF 34.6 ACRES

Priority Date: JANUARY 27, 1960

Rate: 6.67 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage. The use of water for supplemental irrigation is limited to stored water only.

Source: SUTHERLIN CREEK AND PLAT 1 RESERVOIR CONSTRUCTED
UNDER PERMIT R-4751, a tributary of NORTH UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	5 W	WM	14	NW SE	41	POD 1 - 800 FEET SOUTH AND 580 FEET EAST FROM THE C1/4 CORNER OF SECTION 14

Authorized Place of Use:

PRIMARY							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.7
25 S	5 W	WM	11	NE SW		45	0.9
25 S	5 W	WM	11	SW SW		45	25.0
25 S	5 W	WM	11	SE SW	2		2.6
25 S	5 W	WM	11	SE SW		45	31.7
25 S	5 W	WM	13	NE NW			12.4
25 S	5 W	WM	13	SW NW		42	3.2
25 S	5 W	WM	13	SE NW		42	4.0
25 S	5 W	WM	13	NE SW		42	0.6
25 S	5 W	WM	13	NW SW		42	4.1
25 S	5 W	WM	13	SW SW		42	3.4
25 S	5 W	WM	14	NE NE			2.9
25 S	5 W	WM	14	NW NE			10.4
25 S	5 W	WM	14	SW NE	2	41	3.8
25 S	5 W	WM	14	SW NE		41	6.6
25 S	5 W	WM	14	SE NE		41	11.8
25 S	5 W	WM	14	SE NE	1	41	19.0

PRIMARY							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	14	NE NW		45	32.0
25 S	5 W	WM	14	NW NW		45	29.6
25 S	5 W	WM	14	SW NW		41	1.7
25 S	5 W	WM	14	SW NW	3	41	3.2
25 S	5 W	WM	14	SW NW		45	13.4
25 S	5 W	WM	14	SE NW		45	5.2
25 S	5 W	WM	14	SE NW		41	12.8
25 S	5 W	WM	14	NE SW	5	41	4.9
25 S	5 W	WM	14	NE SW		41	22.0
25 S	5 W	WM	14	NW SW			3.3
25 S	5 W	WM	14	NW SW	4	41	22.7
25 S	5 W	WM	14	SW SE		41	2.0
25 S	5 W	WM	14	SE SE		41	5.9
25 S	5 W	WM	15	NE NE		45	5.8
25 S	5 W	WM	15	NW NE		40	2.3
25 S	5 W	WM	15	NW NE		45	2.8
25 S	5 W	WM	15	SW NE	4	40	1.2
25 S	5 W	WM	15	SW NE		45	3.6
25 S	5 W	WM	15	SW NE		40	12.9
25 S	5 W	WM	15	SE NE	7	40	4.0
25 S	5 W	WM	15	SE NE		45	8.3
25 S	5 W	WM	15	NE NW		40	1.2
25 S	5 W	WM	15	SW NW		40	2.2
25 S	5 W	WM	15	SE NW		40	18.4
25 S	5 W	WM	15	NE SW		40	9.4
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NE SE			40.0
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	4.9
25 S	5 W	WM	23	NW NE		41	6.4
Total							499.1

SUPPLEMENTAL (STORED WATER ONLY)						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	13	NE SW	42	0.8
25 S	5 W	WM	13	NW SW	42	5.9
25 S	5 W	WM	13	SW SW	42	25.4
25 S	5 W	WM	13	SE SW	42	2.5
Total						34.6

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

Certificate: 76600 in the name of SUTHERLIN WATER CONTROL DISTRICT
(perfected under Reservoir Application R-74271)
Use: PRIMARY IRRIGATION OF 137.1 ACRES AND SUPPLEMENTAL
IRRIGATION OF 533.7 ACRES
Priority Date: JANUARY 1, 1993
Rate: 450.0 ACRE-FEET
Source: SUTHERLIN CREEK, A TRIBUTARY OF NORTH UMPQUA RIVER
IN AN ENLARGEMENT PLAT 1 RESERVOIR, ORIGINALLY
CONSTRUCTED UNDER PERMIT R-4751

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q
25 S	5 W	WM	14	NW SE

Authorized Place of Use:

PRIMARY						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	14	NE NE		5.0
25 S	5 W	WM	14	SW NW		14.3
25 S	5 W	WM	14	SE NW		12.1
25 S	5 W	WM	14	SE SW		2.0
25 S	5 W	WM	15	NW NE	40	6.6
25 S	5 W	WM	15	NE NW	40	0.8
25 S	5 W	WM	15	NE SW	40	29.4
25 S	5 W	WM	15	NW SW	40	15.6
25 S	5 W	WM	15	SW SW	40	13.6
25 S	5 W	WM	15	SE SW	40	13.6
25 S	5 W	WM	15	SE SE		3.7
25 S	5 W	WM	16	NE SE	40	3.4
25 S	5 W	WM	16	SE SE	40	9.7
25 S	5 W	WM	22	SW NE		3.9
25 S	5 W	WM	22	SE NE		2.4
25 S	5 W	WM	23	NE NW		1.0
Total						137.1

SUPPLEMENTAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.7
25 S	5 W	WM	11	NE SW			0.9
25 S	5 W	WM	11	SW SW		45	25.0
25 S	5 W	WM	11	SE SW		45	31.7
25 S	5 W	WM	11	SE SW	2		2.6
25 S	5 W	WM	13	NE NW			12.4
25 S	5 W	WM	13	SW NW		42	3.2
25 S	5 W	WM	13	SE NW		42	4.0
25 S	5 W	WM	13	NE SW		42	1.4
25 S	5 W	WM	13	NW SW		42	10.0
25 S	5 W	WM	13	SW SW		42	28.8
25 S	5 W	WM	13	SE SW		42	2.5

SUPPLEMENTAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	14	NE NE			2.9
25 S	5 W	WM	14	NW NE			10.4
25 S	5 W	WM	14	SW NE	2		3.8
25 S	5 W	WM	14	SW NE		41	6.6
25 S	5 W	WM	14	SE NE		41	11.8
25 S	5 W	WM	14	SE NE	1		19.0
25 S	5 W	WM	14	NE NW		45	32.0
25 S	5 W	WM	14	NW NW		45	29.6
25 S	5 W	WM	14	SW NW		45	13.4
25 S	5 W	WM	14	SW NW	3		3.2
25 S	5 W	WM	14	SW NW		41	1.7
25 S	5 W	WM	14	SE NW		41	12.8
25 S	5 W	WM	14	SE NW		45	5.2
25 S	5 W	WM	14	NE SW	5		4.9
25 S	5 W	WM	14	NE SW		41	22.0
25 S	5 W	WM	14	NW SW		41	3.3
25 S	5 W	WM	14	NW SW	4		22.7
25 S	5 W	WM	14	SW SE		41	2.0
25 S	5 W	WM	14	SE SE		41	5.9
25 S	5 W	WM	15	NE NE		45	5.8
25 S	5 W	WM	15	NW NE		45	2.8
25 S	5 W	WM	15	NW NE		40	2.3
25 S	5 W	WM	15	SW NE		40	12.9
25 S	5 W	WM	15	SW NE	4	40	1.2
25 S	5 W	WM	15	SW NE		45	3.6
25 S	5 W	WM	15	SE NE		45	8.3
25 S	5 W	WM	15	SE NE	7		4.0
25 S	5 W	WM	15	NE NW		40	1.2
25 S	5 W	WM	15	SW NW		40	2.2
25 S	5 W	WM	15	SE NW		40	18.4
25 S	5 W	WM	15	NE SW		40	9.4
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NE SE			40.0
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	4.9
25 S	5 W	WM	23	NW NE		41	6.4
Total							533.7

8. The Department received information from the applicant that better describes the location of the authorized point of diversion for Certificate 76600 as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	5 W	WM	14	NW SE	41	POD 1 - 800 FEET SOUTH AND 580 FEET EAST FROM THE C1/4 CORNER OF SECTION 14

9. Transfer Application T-12534 proposes additional points of diversion for the rights as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximated distance from original point of diversion in miles (mi.)
25 S	5 W	WM	13	SE NW	42	POD 5 - 753 FEET NORTH AND 1239 FEET WEST FROM THE C1/4 CORNER OF SECTION 13	0.7 mi.
25 S	5 W	WM	14	SW SE	41	POD 2 - 50 FEET NORTH AND 1497 FEET WEST FROM THE SE1/4 CORNER OF SECTION 14	0.4 mi.
25 S	5 W	WM	23	NE NE	41	POD 3 - 103 FEET SOUTH AND 394 FEET WEST FROM THE NE1/4 CORNER OF SECTION 23	0.5 mi.
25 S	5 W	WM	23	NE NE	41	POD 4 - 1247 FEET SOUTH AND 918 FEET WEST FROM THE NE1/4 CORNER OF SECTION 23	0.7 mi.

10. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new points of diversion to prevent fish from entering the diversions and/or safely transport fish back to the body of water from which the fish were diverted and that the diversions are not currently equipped with an appropriate fish screening and/or by-pass device. The diversions may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-4010(2)]

11. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
12. A pump, pipeline, and water distribution system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12534.
13. The proposed changes would not result in enlargement of the rights.
14. The proposed changes would not result in injury to other water rights.
15. All other application requirements are met.

Conclusions of Law

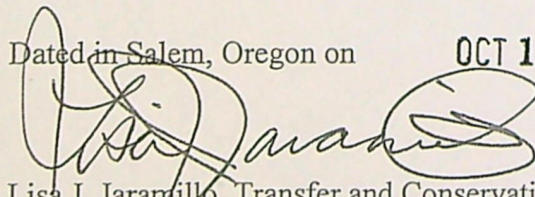
The additional points of diversion proposed in Transfer Application T-12534 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is **ORDERED**:

1. The additional points of diversion proposed in Transfer Application T-12534 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 76599 and 76600, and any related decree.
3. Water right Certificates 76599 and 76600 are modified. After satisfactory proof of completion has been determined by the Department, superseding water right certificates will be issued when the Department determines it is necessary for record keeping.
4. The quantity of water diverted at the new additional points of diversion (POD 2, POD 3, POD 4, and POD 5), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).
5. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2021**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

Dated in Salem, Oregon on

OCT 13 2020


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

OCT 14 2020

Mailing date: _____

Affidavit of Publication

The News-Review
OF DOUGLAS COUNTY

Roseburg, Oregon

ISSUED DAILY EXCEPT MONDAY

STATE OF OREGON
COUNTY OF DOUGLAS } ss.

I, BRENDA FISCHER, being first duly sworn, depose and say that I am the CHIEF FINANCIAL OFFICER, of The News-Review, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Roseburg in the aforesaid county and state; that the _____

#6464 Legal Notice of Water Right Transfer T-12534 a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 2 successive and consecutive weeks in the following issue:

July 21, 28, 2020

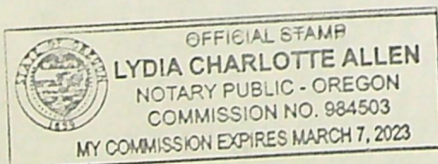
The fee actually charged by such newspaper for such publication is \$200.98

Brenda Fischer

Subscribed and sworn to before me this 2nd day of September, 2020.

Lydia Allen

Notary Public of Oregon



RECEIVED

SEP 08 2020

OWRD

Notice of Preliminary Determination for Water Right Transfer T-12534 filed by Sutherlin Water Control District, 495 N State Street, Sutherlin, OR 97479, proposes additional points of appropriation under Certificates 76599 and 76600. Certificate 76599 allows the use of 6.67 cubic feet per second from Sutherlin Creek and Plat 1 Reservoir in Sec. 14, T25S, R5W, WM for primary irrigation in Sects. 10, 11, 13, 14, 15, and 23, T25S, R5W, WM, and supplemental irrigation in Sec. 13, T25S, R5W, WM. Certificate 76600 allows the use of 450.0 acre-feet from Sutherlin Creek and Plat 1 Reservoir in Sec. 14, T25S, R5W, WM for primary irrigation in Sects. 14, 15, 16, 22, and 23, T25S, R5W, WM,

and supplemental irrigation in Sects. 10, 11, 13, 14, 15, and 23, T25S, R5W, WM. The applicant proposes additional points of diversion in Sects. 13, 14, and 23, T25S, R5W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000. IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. Mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 07/28/2020. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

#6464 Pub. Dates: July 21, 28, 2020

Water Right Transfer Cover Sheet

Transfer T-12534

Transfer Specialist: Corey

Transfer Type: Regular

Applicant Name/Address: SUTHERLIN WATER CONTROL DISTRICT 495 STATE ST SUTHERLIN, OR 97479	Agent Name/Address: NATHAN REED 1113 SE CASS AVE ROSEBURG, OR 97470	Rec Landowner Name/Address:
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: Douglas County Planning
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	<input type="checkbox"/>	S-33577	S-31273	76599	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>	R-74271		76600	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions

Rec'd: December 13, 2016	Proposed Action(s): ADDITIONAL POINT OF DIVERSION	
Fees Pd: 1450.00	WM District: 15	ODFW District:
Initial Notice: December 20, 2016	WM Review sent: 12/13/2016	ODFW Review sent: 12/13/2016
Acknowledgement Letter Sent <input checked="" type="checkbox"/>	GW Review sent:	

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: 1/22/20

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

PD Signed: _____

PD Weekly Notice: _____

Newspaper quote requested: News Review

☐ not required

Request for news \$ sent: 6/18/20

News \$ received: 6/30/20

Request to publish sent to newspaper: _____

Affidavit of publication received: _____

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: <u>PKS</u>	Reviewer: <u>AKD</u>	Reviewer: <u>S. H. H.</u>
Date: <u>12-25-19</u>	Date: <u>3/16/20</u>	Date: <u>7/20/20</u>
Coordinator: <u>PKS</u>	Coordinator: <u>PKS</u>	Coordinator: <u>PKS</u>
Date: <u>1/17/2020</u>	Date: <u>3/19/20</u>	Date: <u>8/6/20</u>
Comments/Special Issues: <u>APOD - Living Certificates</u> <u>7/15/2020 made</u>		

Special Order Volume: Vol 117 Pages 694-700 Final Order Signature Date: 10/13/2020
 Notice of FO email'd to processors _____

Data does NOT
need this
back
4-8-20
Duff

Last revised: October 26, 2018

By: Lisa Jaramillo

Transfer / Data Center ROUTE SLIP

...in between PD Peer Review and PD issuance)

1. Transfer Caseworker:

- Attach PD and RR (if any) to the front of the Transfer file and give to Transfer Support

Transfer Number:	T-12534
Caseworker:	Corey
Is a Living Certificate Involved? → If YES... list Living Certificate number(s) HERE: X YES NO	
Date delivered to T-Support:	3/26/20

2. Transfer Support:

Date Received from Caseworker:	03/26/2020
<input type="checkbox"/> Update Transfer/Data Center Tracking Log (...file sent to Data Center)	
Date Delivered to Data Center:	03/26/2020

3. Data Center:

Date Received from T-Support:	3-26-20
<input type="checkbox"/> WRIS entry and mapping in ARCGIS. Any discrepancies noted? <input type="checkbox"/> YES <input checked="" type="checkbox"/> NO → If YES... Data Center routes back to Caseworker for re-review. <ul style="list-style-type: none">• Date file sent back to CW for re-review: _____ <input type="checkbox"/> Modified OR <input type="checkbox"/> Determined should not be modified• Date CW returns file to Data Center: _____• Date WRIS entry & ARCGIS Mapping completed: 4-8-20	
Date Delivered to T-Support:	

Sheila said
there was something
about a map

4. Transfer Support:

Date Received from Data Center:	
<input type="checkbox"/> Update Transfer/Data Center Tracking Log (...file received back from Data Center)	
Date Delivered back to Caseworker:	

Regular Transfer Review Checklist

T- 12534

Caseworker: Corey

TYPE OF TRANSFER

<input checked="" type="checkbox"/>	POD, APOD or POA, APOA and/or Place of Use (690-380-2110 and 690-380-2200)	
Transfers Requiring Supplemental Review Criteria		
<input type="checkbox"/>	Character of Use (690-380-2300)	<input type="checkbox"/> Surface Water to Ground Water (SW to GW), ORS 540.531, (690-380-2130)
<input type="checkbox"/>	Instream, ORS 537.348, (690-380-2200, 690-380-2300 and 690-077-065 thru 075)	<input type="checkbox"/> Supplemental Use to Primary Use (S to P), ORS 540.524, (690-380-2320)
<input type="checkbox"/>	Consent to Injury of Instream (CTI) ORS 540.530, (690-380-5050)	<i>If transfer type not listed above, see separate checklists</i>

FILE PREPARATION

CW		CW	
<input checked="" type="checkbox"/>	File Assigned (Computer Entry)		All Stakeholders accurately listed in WRIS with email addresses if available, including <input checked="" type="checkbox"/> Irrigation District <input type="checkbox"/> BOR <input type="checkbox"/> Tribes Is this a Living Certificate? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	Is transfer within a district boundary? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No <i>If yes, attach "Supplemental Processing Checklist for Transfers with a District" for additional required information.</i> <i>District is the applicant</i>		
<input checked="" type="checkbox"/>	Make Copies and Place in Working File: <input checked="" type="checkbox"/> Application <input checked="" type="checkbox"/> Map	<input checked="" type="checkbox"/>	Double check all water rights/permits are included in WRIS under Transfer #
<input checked="" type="checkbox"/>	Verify all Certificates/Permits are shown in WRIS to be non-cancelled <input checked="" type="checkbox"/> Print Certificates and Place in Working File	<input type="checkbox"/>	Copy and Place in Working File: <input type="checkbox"/> Watermaster Review <input type="checkbox"/> Groundwater Review <input type="checkbox"/> ODFW Review
<input checked="" type="checkbox"/>	Add Working file to T-file	<input checked="" type="checkbox"/>	Public Comments Received? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, print comments and place in file <input type="checkbox"/> Timely <input type="checkbox"/> Untimely Notes:
<input checked="" type="checkbox"/>	Check Public Comments https://apps.wrd.state.or.us/apps/wr/wr_public_comment_mgmt/default.aspx		

PR Initials

CS

BASIC APPLICATION REVIEW and NOTICE (OAR 680-380-3000 and -4000)

CW	N/A		CW	N/A	
<input checked="" type="checkbox"/>		Appropriately signed	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Check Area of Interest – Print if needed, include in WRIS stakeholder as interested party
<input type="checkbox"/>		All required Attachments Received	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Ditch Co., Irr. Dist and/or BOR sent copies
<input checked="" type="checkbox"/>		Appropriate Fees Paid	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Overpayment of Fees, Refund Request w/FO
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Local Government [County] noticed Copy of Acknowledgment Letter	<input type="checkbox"/>	<input type="checkbox"/>	OWRD Land Use Form matches Tax Lots, is signed by proper official and is APPROVED N/A = Must meet all 4 criteria for exemption (OAR 690-380-3000(19))

BASIC APPLICATION REVIEW and NOTICE (OAR 680-380-3000 and -4000) Cont'd

CW	N/A		CW	N/A	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Supp. Form D or Letter of approval from Irrigation or Water Control District	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Evidence of Use is submitted with supporting documentation
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are the supplemental water rights included in the Transfer? <input type="checkbox"/> Yes <input type="checkbox"/> No If no, are they cancelling? <input type="checkbox"/> Yes <input type="checkbox"/> No	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Map meets criteria of OAR 690-380-3100
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Water Use Subject to Transfer (OAR 690-380-0100(14)) Is the water right(s) proposed for transfer a water use(s) subject to transfer? <input type="checkbox"/> Adjudicated or decreed <input checked="" type="checkbox"/> Certificated <input type="checkbox"/> Water use permit with CBU and proof to satisfaction issued <input type="checkbox"/> Transfer app for which an order approving change has been issued and proper proof of the completion of the change has been filed	<input type="checkbox"/>	<input type="checkbox"/>	Any application deficiencies that need to be addressed? <input type="checkbox"/> Yes <input type="checkbox"/> No Notes: _____ _____ _____

PR Initials

[Signature]

Reviewing the "From" and "To" Lands (Use working copy of application and certificates to mark on)

CW		CW	
<input checked="" type="checkbox"/>	<u>From:</u> Only the authorized POD's/POA's and POUs involved are listed.	<input checked="" type="checkbox"/>	<u>From:</u> Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
<input checked="" type="checkbox"/>	<u>From:</u> Marked on certificate the acreage being affected and remaining by ¼ ¼.	<input checked="" type="checkbox"/>	<u>From:</u> Marked on certificate the quantity of water being transferred, cancelled, and remaining
<input checked="" type="checkbox"/>	<u>From and To:</u> Print Plat Card(s), check and note conflicts (change in pou and use only)	<input checked="" type="checkbox"/>	<u>From and To:</u> Compare water right map to Application tabulation (Table 2) to Application map for accuracy

PR Initials

[Signature]

Amended Application Pages and Maps

CW	N/A		CW	N/A	Notes/Documentation
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Amended Application Pages Rec'd _____ Amended Application Map Rec'd _____	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Scan new pages <input type="checkbox"/> Update WRIS with new pages <input type="checkbox"/> Mark replaced pages in red with 'SUPERSEDED' and place in back of file
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Did the amendment change the location of the proposed POD or POA? <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> For POD changes, re-review from Watermaster or other documentation <input type="checkbox"/> For POA changes, re-review from GW section

Layered and Supplemental Water Rights (OAR 690-380-2240)

CW	N/A		CW	N/A	NOTES
<input type="checkbox"/>	<input checked="" type="checkbox"/>	OAR 690-380-2240(2) and (3) Transfer of Layered Water Rights and Certificates of Registration (change in use or pou) <i>See definition of layered in OAR 690-380- 0100(4)</i>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are there other layered water uses subject transfer, permits or certificates of registration which were <u>not</u> included in the application? <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, provide applicant 30days to: <input type="checkbox"/> Submit application for concurrent changes <input type="checkbox"/> Submit affidavits for voluntary cancellations <input type="checkbox"/> Withdraw the application
<input type="checkbox"/>	<input checked="" type="checkbox"/>	OAR 690-380-2240(5) Transfer of Supplemental Irrigation water right separately from associated primary water right. Transfer of supplemental irrigation right may be moved separately from associated primary irrigation right if another primary irrigation right with similar reliability is appurtenant to the lands to which the supplemental right is to be moved.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Does the new primary irrigation water right have similar reliability as the associated primary irrigation water right? <input type="checkbox"/> Yes <input type="checkbox"/> No Will the supplemental water right be used more than it was when associated with previous primary right? New primary right priority date: _____ Prior primary right priority date: _____ History of regulation? <input type="checkbox"/> Yes <input type="checkbox"/> No Watermaster Review

TRANSFER REVIEW Criteria (OAR 690-380-4010)

CW		CW	DOCUMENTATION
<input checked="" type="checkbox"/>	Validity of the Right; Not Forfeited OAR 690-380-4010(2)(a) The right(s) has been used over the past five years according to the terms and conditions of the right and the right is not subject to forfeiture under ORS 540.610.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Evidence of Use & supporting documentation <input type="checkbox"/> Confirming Cert issued within last 5 years <input type="checkbox"/> Rebuttal to forfeiture (ORS 540.610(2)) _____
<input checked="" type="checkbox"/>	Ready, Willing, and Able OAR 690-380-4010(2)(b) The water user is ready, willing and able to use the full amount of water allowed under the right.	<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/> Current delivery system description in Part 5 of Application Notes: _____ Delivery system has the capacity to fully divert and use the rate/duty of the right
<input checked="" type="checkbox"/>	Enlargement OAR 690-380-4010(2)(c) The proposed transfer would result in enlargement <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Notes: _____ _____ (Must make a positive finding of "No enlargement").	<input checked="" type="checkbox"/>	No expansion of the right: <input checked="" type="checkbox"/> No greater rate or duty per acre than currently allowed <input type="checkbox"/> Cannot increase acreage under the right <input type="checkbox"/> Must prevent the original place of use from receiving water from the same source <input type="checkbox"/> Cannot divert more water at the new POD or POA than is legally available to that right at the original point of diversion/appropriation See deficient rate right guidance See micro irrigation guidance

TRANSFER REVIEW Criteria Cont'd (OAR 690-380-4010)

<p>Injury OAR 690-380-4010(2)(d) The proposed transfer would result in injury <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Notes: _____ _____ (Must make a positive finding of "No injury").</p>	<p>The proposed transfer would result in another, existing water right not receiving previously available water to which it is legally entitled <input type="checkbox"/> Watermaster Review. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> Groundwater Review. <input type="checkbox"/> Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> N/A <input type="checkbox"/> ODFW Review. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No <input type="checkbox"/> N/A If yes, can the injury be mitigated? <input type="checkbox"/> Yes <input type="checkbox"/> No Conditions: _____ _____ Also See Injurious Transfers (690-380-5030 to 5050)</p>
<p>Other requirements OAR 690-380-4010(2)(e) Any other requirements for water right transfers are met.</p>	<p>Attach supplemental criteria checklist for transfer type marked on page 1 <input type="checkbox"/> Character of Use <input type="checkbox"/> SW to GW <input type="checkbox"/> Instream <input type="checkbox"/> Supplemental to Primary <input type="checkbox"/> Consent to Injury of Instream Water Right</p>

COORD INITIALS

PR Initials

Additional Findings of Fact

CW	N/A		CW	N/A	SAMPLE FINDING
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add Finding for submission of amended application pages or amended map	<input type="checkbox"/>	<input type="checkbox"/>	On ____, the applicant submitted an amended application page/map clarifying
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add Finding for timely comments received	<input type="checkbox"/>	<input type="checkbox"/>	On (date), timely comments were received from (name), asserting (issues). The Department has considered the comments and finds: (do they assert injury/enlargement or forfeiture?)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add Watermaster Review	<input type="checkbox"/>	<input type="checkbox"/>	The District __ Watermaster reviewed the proposed transfer application and concluded the proposed transfer would not result in enlargement of the right or injury to existing water rights. OR would result in injury or enlargement of the right unless it was conditioned

COORD INITIALS

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Additional Conditions and Provisions under Review Criteria

CW	N/A		CW	N/A	SAMPLE FINDING
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add Watermaster conditions	<input type="checkbox"/>	<input type="checkbox"/>	See Supplemental Language (Measurement devices) or requirements to prevent injury or enlargement
<input checked="" type="checkbox"/>	<input type="checkbox"/>	Add ODFW fish screen requirements	<input checked="" type="checkbox"/>	<input type="checkbox"/>	See Supplemental Language Fish Screen Requirements
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add ground water conditions	<input type="checkbox"/>	<input type="checkbox"/>	See Groundwater Review / Supplemental Language

Additional Conditions and Provisions under Review Criteria (Cont'd)					
CW	N/A		CW	N/A	SAMPLE FINDING
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Additional finding for evaluation of comments received and any actions or conditions to address comments	<input type="checkbox"/>	<input type="checkbox"/>	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add any other special provisions	<input type="checkbox"/>	<input type="checkbox"/>	Additional findings to support determination of additional review criteria listed
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any cancellation/diminishment submitted? <input type="checkbox"/> Yes <input type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	If yes: (See Supplemental Language Document) <input type="checkbox"/> Add Authority after 1 st paragraph <input type="checkbox"/> Add finding(s) to document cancellation/diminishment
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Are the existing water rights issued in the name of a District or Bureau of Reclamation? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/>	<input type="checkbox"/>	If yes, a Finding of Fact and an Order item identifying the name in which the confirming certificate will be issued and who is responsible for COBU. Notes: <i>See "Supplemental Processing Checklist for Transfers within a District"</i>

COORD INITIALS

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Determination and Conclusions of Law

FINDINGS	DETERMINATION AND PROPOSED ACTION / CONCLUSIONS OF LAW
Based on review of the evidence submitted, the Department finds the water right(s) has/have been used [within the last five years] OR [within the five-year period prior to submittal of the transfer application] according to the terms and conditions of the right(s) and the right(s) is/are not subject to forfeiture.	The right(s) has/have been used [within the past five years] OR [within the five-year period prior to submittal of the transfer application] according to the terms and conditions of the right(s). OR Confirming water right Certificate XXXXX was issued within the last five years prior to submission of Transfer Application T-XXXXX.
Based on the information submitted [and Department records], a diversion structure and ditch sufficient to use the full amount of water allowed under the existing right(s) were present within the five-year period prior to submittal of the transfer application. OR Based on the information submitted [and Department records], a pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right(s) were present within the five-year period prior to submittal of the transfer application.	The Applicant is ready, willing, and able to use the full quantity of water under the right. There is no evidence in the record to suggest the right is subject to forfeiture.
[As conditioned,] the proposed change(s) would not result in enlargement of the right. OR, if denial The lands currently irrigated under the right would continue to receive water from the same source resulting in enlargement of the right(s).	The proposed change(s) will not enlarge the right. OR The proposed change(s) would result in enlargement of the right.

Determination and Conclusions of Law (Cont'd)

Based on review of the record, the proposed change(s) would not result in injury to other water rights.

OR, if denial

The proposed change(s) would result in the routing of return flows around at least one diversion of other existing water rights, resulting in injury to those rights. **OR**

An instream water right, Certificate XXXXX, exists for the reach of the river in which the authorized point of diversion would be moved upstream, and streamflows within the reach are frequently below the levels allocated under the instream water right. Thus, the instream water right would be injured as a result of the proposed change in point of diversion.

The proposed change(s) would not result in injury to other water rights.

OR

The proposed change would result in injury to other water rights.

OR

The proposed change would result in injury to the instream water right. [See consent to injury]

☒ The application is complete. **OR**

☐ The application is incomplete

☒ All other application requirements are met. **OR**

☐ The application is incomplete because . . .

Ensure all conditions are carried forward in Order section.

~~CORR~~ INITIALS

PR Initials

Denial of Transfer (OAR 690-380-4010(3))

☒ N/A

OAR 690-380-4010(3)(a)

Describe the basis for the denial

☐

☐ Injury

☐ Enlargement

☐ Deficiencies not rectified

OAR 690-380-4010(3)(b)

Identify conditions or restrictions that, if included in the transfer, would allow approval of the transfer

☐

Examples: consent to injury; amend application to remove well

☐ Yes Approve with conditions

☐ No Must be denied

COORD INITIALS

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DRAFT PRELIMINARY DETERMINATION**Document Preparation**

<input type="checkbox"/>	<input checked="" type="checkbox"/> N/A	Additional Supplemental Review Criteria Checklist attached	
CW		CW	
<input checked="" type="checkbox"/>	Check tenses (Find and Replace (s), is/are, was/were	<input checked="" type="checkbox"/>	Add agent, receiving landowner, if applicable, etc.
<input checked="" type="checkbox"/>	Compare authorized PODs/POAs with marked up Certificate	<input checked="" type="checkbox"/>	Compare "from" lands with marked up Table 2 of Application and Certificate
<input checked="" type="checkbox"/>	Compare Proposed PODs/POAs with Table 1 of Application and Map	<input checked="" type="checkbox"/>	Compare Proposed Place of Use with Table 2 of Application and Map

Cover Letter

CW	N/A		CW	N/A	
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Correct Name and Address including email address	<input checked="" type="checkbox"/>	<input type="checkbox"/>	Attach supporting documents to cover letter
					<input type="checkbox"/> Completed Watermaster Contact Sheet <input checked="" type="checkbox"/> ODFW Contact sheet
<input checked="" type="checkbox"/>	<input checked="" type="checkbox"/>	Include email addresses for agent and other interested parties (in cc section) of letter	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any special conditions explained
			<input checked="" type="checkbox"/>		Document is "Spell checked"

Remaining Right Certificate(s)

<input type="checkbox"/>	Check tenses (Find and Replace (s), is/are, was/were	<input type="checkbox"/>	Table format matches current template
<input type="checkbox"/>	Content format matches original certificate (e.g., rate/duty limitation)	<input type="checkbox"/>	Name and address matches originating certificate Note: Remaining rights can only be issued in the name of the current landowner(s) of the remaining rights <u>IF</u> 1) the Report of Ownership information supplied for the transfer covers all of the remaining right lands (as well as the right being transferred) <u>and</u> 2) the applicant asks for the remaining right to be issued in its name. Otherwise, the name(s) on the remaining right will be the same as the original water right involved in the transfer.
<input type="checkbox"/>	Determination and remaining acres combined match acres under originating certificate?	<input type="checkbox"/>	All water accounted for
<input type="checkbox"/>	Draft all remaining right certificates	<input type="checkbox"/>	Document is "Spell checked"

COMMENTS

COORD INITIALS

PR Initials

PRELIMINARY DETERMINATION**Public/Newspaper Notice**

CW	N/A		CW	N/A	
<input type="checkbox"/>	<input type="checkbox"/>	Prepare public/newspaper notice using template	<input type="checkbox"/>	<input type="checkbox"/>	Send letter to Applicant/Agent regarding newspaper notice cost
<input type="checkbox"/>		Notice and Letter are "Spellchecked"	<input type="checkbox"/>	<input type="checkbox"/>	Funds received from Applicant/Agent for newspaper notice
<input type="checkbox"/>	<input type="checkbox"/>	Forward Draft Newspaper Notice to Coordinator	<input type="checkbox"/>	<input type="checkbox"/>	Affidavit of Publication Received

Ownership Verification

CW		CW	
<input type="checkbox"/>	The Deed/ROI matches the "from" lands	<input type="checkbox"/>	Compare with current tax lot map
<input type="checkbox"/>	All owners on the Deed/ROI have signed the application	<input type="checkbox"/>	<input type="checkbox"/> N/A Notarized, signed statement of consent

Document Preparation

CW		CW	
<input type="checkbox"/>	Save DPD document as a new document XXXXX-pd.doc	<input type="checkbox"/>	Hidden Findings unveiled (control "a", select Font, unmark hidden box)
<input type="checkbox"/>	Any substantive changes/amendments as result of DPD <input type="checkbox"/> Yes <input type="checkbox"/> No If yes, issue revised DPD	<input type="checkbox"/>	Remove "DRAFT" from document title and any extra "carriage" returns
<input type="checkbox"/>	Update the hidden paragraph following the received notice and amendments findings (regarding is authorized to pursue transfer, etc.)	<input type="checkbox"/>	Select the appeals language in the first page footer for the preliminary determination
<input type="checkbox"/>	Protest language is listed following document preparation box	<input type="checkbox"/>	Notice Regarding Service Members is showing
		<input type="checkbox"/>	Document is "Spell checked"

Cover Letter

<input type="checkbox"/>	Cover letter prepared	<input type="checkbox"/>	Email addresses checked for accuracy
		<input type="checkbox"/>	Document is "Spell checked"

Remaining Right Certificate(s)

<input type="checkbox"/>	Assign certificate #s to all Remaining Right Certificates	<input type="checkbox"/>	Document is "Spell checked"
<input type="checkbox"/>	Remaining right Certificate numbers Orig. Cert. # _____ RR Cert. # _____ Orig. Cert. # _____ RR Cert. # _____ Orig. Cert. # _____ RR Cert. # _____ Orig. Cert. # _____ RR Cert. # _____ Orig. Cert. # _____ RR Cert. # _____ Orig. Cert. # _____ RR Cert. # _____	<input type="checkbox"/>	Update Certificates with new Certificate numbers and print

Data Center Review

CW		CW	
<input type="checkbox"/>	Prepare Route Slip	<input type="checkbox"/>	<input type="checkbox"/> Prepare Revised DPD if <i>substantive changes OR</i> <input type="checkbox"/> Issue Preliminary Determination
<input type="checkbox"/>	File Returned		

COMMENTS

COORD INITIALS

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FINAL ORDER**Document Preparation**

CW		CW	
<input type="checkbox"/>	Save PD document as new document XXXXX-ord-approve.doc	<input type="checkbox"/>	Hidden Findings unveiled (control "a", select Font, unmark hidden box)
<input type="checkbox"/>	Update the hidden paragraph following the received notice and amendments findings (regarding issuance of PD)	<input type="checkbox"/>	Remove "PRELIMINARY DETERMINATION" from document title and replace with "FINAL ORDER", Replace "PROPOSING APPROVAL/DENIAL OF" with APPROVING/DENYING"
<input type="checkbox"/>	Unhide and Select the appeals language in the first page footer for the "Final Order" language; unhide Special Order Volume and page	<input type="checkbox"/>	Change "Determination and Proposed Action" to "Conclusions of Law" and update paragraph
<input type="checkbox"/>	Replace "If application T-XXXXX is approved . . ." with Now, therefore, it is ORDERED:	<input type="checkbox"/>	Select text below "It is ORDERED" section and turn off Italics. Restart numbering at "1".
<input type="checkbox"/>	Delete Protest language, Document preparation box, and Notice Regarding Servicemembers; Insert "Mailing Date: _____"	<input type="checkbox"/>	Final Check: All Conclusions of Law have Findings to support them
		<input type="checkbox"/>	Document is "Spell checked"

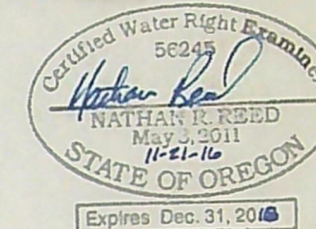
Remaining Right Certificate

CW		CW	
<input type="checkbox"/>	Assign Certificate Number from Spreadsheet	<input type="checkbox"/>	Update footer to read: T-XXXXX.rr.YYYYY.ini, where YYYYY is original certificate number, and ini stands for your initials
<input type="checkbox"/>	Input new certificate number on right side of footer	<input type="checkbox"/>	Print on Certificate paper
		<input type="checkbox"/>	Document is "Spell checked"

COMMENTS

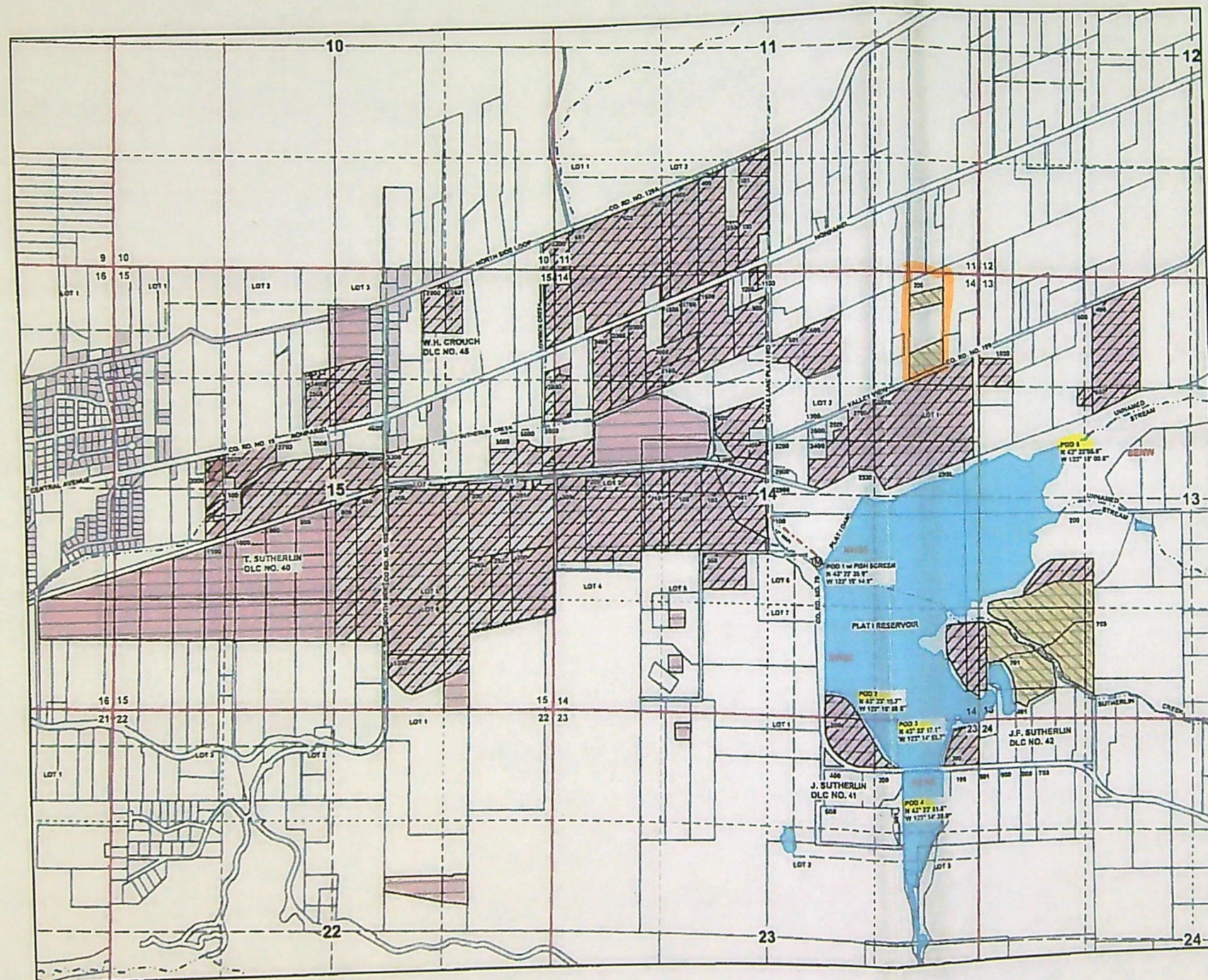
TRANSFER APPLICATION MAP

FOR: SUTHERLIN WATER CONTROL DISTRICT
 BY: NATHAN R. REED, P.E., CWRE
 T25S, R5W, W.M.
 CERTIFICATE NO. 76599
 CERTIFICATE NO. 76600



EXISTING
 POD 1: 800 FEET SOUTH AND 580 FEET EAST FROM C1/4 COR SEC 14
 AS PROJECTED WITHIN J. SUTHERLIN DLC 41.

PROPOSED
 POD 2: 50 FEET NORTH AND 1497 FEET WEST FROM SE1/4 COR SEC 14
 POD 3: 103 FEET SOUTH AND 394 FEET WEST FROM NE1/4 COR SEC 23
 POD 4: 1247 FEET SOUTH AND 918 FEET WEST FROM NE1/4 COR SEC 23
 ALL AS PROJECTED WITHIN J. SUTHERLIN DLC 41.
 POD 5: 753 FEET NORTH AND 1239 FEET WEST FROM C1/4 COR SEC 13
 AS PROJECTED WITHIN J.F. SUTHERLIN DLC 42.



- | | | | |
|-----|-------------|-----|-------------------------------|
| ○ | POD & APODs | □ | Section |
| ⊙ | Meter | --- | Quarter |
| --- | Stream | --- | Sixteenth |
| ■ | Pond | □ | Parcels |
| --- | Pipeline | ▨ | Cert 76599 primary, 1/27/1960 |
| → | Flow Arrow | ▨ | Cert 76599 suppl, 1/27/1960 |
| --- | Gov Lot | ▨ | Cert 76600 Pri/Sup, 1/1/1993 |
| □ | DLC | | |

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DEC 13 2016

SALEM, OR

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

1 12534

MAP PREPARED BY:
 NATHAN R. REED, P.E., CWRE
 1113 SE CASS AV
 ROSEBURG, OR 97470

MAP PREPARED FOR:
 SUTHERLIN WATER CONTROL DIST.
 495 N. STATE ST.
 SUTHERLIN, OR 97479

STATE OF OREGON
WATER RESOURCES DEPARTMENT
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
RECEIPT # **137286** INVOICE # _____
(503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: Irrigation Operating Fund
BY: Sutherlin Water Control
CASH: ☐ CHECK: # 1645 OTHER: (IDENTIFY) ☐
APPLICATION: PERMIT
TRANSFER: T-12534
TOTAL REC'D \$ 1,360.00

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 46110 \$
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 \$ 1360.00
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 (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$

RECEIPT: **137286** DATED: 1-18-2022 BY: Mindy Carlson

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STATE OF OREGON
WATER RESOURCES DEPARTMENT
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
RECEIPT # **137286** INVOICE # _____
(503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: Irrigation Operating Fund
BY: Sutherlin Water Control
CASH: ☐ CHECK: # 1645 OTHER: (IDENTIFY) ☐
APPLICATION: PERMIT
TRANSFER: T-12534
TOTAL REC'D \$ 1,360.00

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 46110 \$
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 \$ 1360.00
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 (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$

RECEIPT: **137286** DATED: 1-18-2022 BY: Mindy Carlson

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



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

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

DEC 13 2016

- ☐ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist. SALEM, OR
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: 76599 & 76600**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

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

(For Staff Use Only)

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

___ Application fee not enclosed/insufficient

___ Map not included or incomplete

___ Land Use Form not enclosed or incomplete

___ Additional signature(s) required

___ Part ___ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____ / ____ / ____

Part 3 of 5 – Fee Worksheet

*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

- FEE WORKSHEET for SUBSTITUTION

TACS

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Sutherlin Water Control District			PHONE NO. 541-459-5450	ADDITIONAL CONTACT NO. NA
ADDRESS 495 N. State Street			FAX NO. 541-459-5450	
CITY Sutherlin	STATE OR	ZIP 97479	E-MAIL suthwcd@qwestoffice.net	
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 Nathan R. Reed			PHONE NO. 541-784-7191	ADDITIONAL CONTACT NO. NA
ADDRESS 1113 SE Cass Ave			FAX NO. NA	
CITY Roseburg	STATE OR	ZIP 97470	E-MAIL nreed68@hotmail.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:
Requesting four additional Points of Diversion at Plat I Reservoir to serve customers within the district.

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.

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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: News Review.

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



[Signature]
Applicant signature

BLAIR NASH Manager 12-7-16
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.*

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			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 Sutherlin Water Control District	ADDRESS 495 N. State Street	
CITY Sutherlin	STATE OR	ZIP 97479

- ☐ 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	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 Douglas County	ADDRESS 1036 SE Douglas Ave	
CITY Roeburg	STATE OR	ZIP 97470

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

CERTIFICATE # 76599

Description of Water Delivery System

System capacity: 6.67 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **Waters are drawn from Plat I reservoir through a fish screened intake to a pump house containing three centrifugal pumps (25 Hp and two 50 Hp). The water is pumped through a totalizing flow meter to a distribution system of 1271 LF of 12 inch asbestos cement (AC) mainline, splitting north and west through 7800 LF 10 inch AC, continuing with 2494 LF of 8 inch and 2176 LF of 6 inch AC pipe.**

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-_____)	Twsp	Rng	Sec	1/4 1/4	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	NA	25 S	5 W	14	NW SE	41	800 ft South & 580 ft East fr. C1/4 Section 14
POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	14	SW SE	41	50 ft North & 1497 ft West fr. SE1/4 Corner Section 14
POD 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	23	NE NE	41	103 ft South & 394 ft West fr. NE1/4 Corner Section 23
POD 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	23	NE NE	41	1247 ft South & 918 ft West fr. NE1/4 Corner Section 23
POD 5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	13	SE NW	42	753 ft North & 1239 ft West fr. C1/4 Section 13

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

- | | |
|--|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" 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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Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

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	12.0	Irrigation	POD #1 POD #2	1901	FOI/POD	2	S	9	E	1	NW	NW	500	1	18.0		POD #3	1901
													2	S	9	E	2	SW	NW	500		5.0		POD #6	1901

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STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SUTHERLIN WATER CONTROL DISTRICT
P.O. BOX 1167
SUTHERLIN, OREGON 97479

confirms the right to use the waters of SUTHERLIN CREEK AND PLAT I RESERVOIR
CONSTRUCTED UNDER PERMIT R-4751, a tributary of NORTH UMPQUA RIVER, for
PRIMARY IRRIGATION OF 499.1 ACRES AND SUPPLEMENTAL IRRIGATION OF 34.6
ACRES.

This right was perfected under Permit 31273. The date of priority is JANUARY 27, 1960. The
amount of water to which this right is entitled is limited to an amount actually beneficially used and
shall not exceed 6.67 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at
the point of diversion from the source.

The point of diversion is located as follows:

NW 1/4 SE 1/4, SECTION 14, AS PROJECTED WITHIN J. SUTHERLIN DLC 41,
TOWNSHIP 25 SOUTH, RANGE 5 WEST, W.M.; 800 FEET SOUTH AND 580 FEET EAST
FROM THE C 1/4 CORNER, SECTION 14.

The amount of water used for irrigation, together with the amount secured under any other right
existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or
its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5
acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and
storage. The use of water for supplemental irrigation is limited to stored water only.

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:

SUPPLEMENTAL (STORED WATER ONLY)

NE 1/4 SW 1/4 0.8 ACRE
NW 1/4 SW 1/4 5.9 ACRES
SW 1/4 SW 1/4 25.4 ACRES
SE 1/4 SW 1/4 2.5 ACRES

ALL AS PROJECTED WITHIN J. SUTHERLIN DLC 42
SECTION 13
TOWNSHIP 25 SOUTH, RANGE 5 WEST, W.M.

PRIMARY

SE 1/4 SE 1/4 0.7 ACRE
SECTION 10
NE 1/4 SW 1/4 0.9 ACRE
SW 1/4 SW 1/4 25.0 ACRES
SE 1/4 SW 1/4 31.7 ACRES


BOTH AS PROJECTED WITHIN CROUCH DLC 45
LOT 2 (SE 1/4 SW 1/4) 2.6 ACRES
SECTION 11

SEE NEXT PAGE

SE 1/4 NW 1/4 4.0 ACRES
 SW 1/4 NW 1/4 3.2 ACRES
 NE 1/4 SW 1/4 0.6 ACRE
 NW 1/4 SW 1/4 4.1 ACRES
 SW 1/4 SW 1/4 3.4 ACRES
 ALL AS PROJECTED WITHIN SUTHERLIN DLC 42
 NE 1/4 NW 1/4 12.4 ACRES
 SECTION 13

NE 1/4 NE 1/4 2.9 ACRES
 NW 1/4 NE 1/4 10.4 ACRES
 LOT 2 (SW 1/4 NE 1/4) 3.8 ACRES
 LOT 1 (SE 1/4 NE 1/4) 19.0 ACRES
 SW 1/4 NE 1/4 6.6 ACRES
 SE 1/4 NE 1/4 11.8 ACRES
 BOTH AS PROJECTED WITHIN J. SUTHERLIN DLC 41
 NE 1/4 NW 1/4 32.0 ACRES
 NW 1/4 NW 1/4 29.6 ACRES
 SW 1/4 NW 1/4 13.4 ACRES
 SE 1/4 NW 1/4 5.2 ACRES
 ALL AS PROJECTED WITHIN CROUCH DLC 45
 LOT 3 (SW 1/4 NW 1/4) 3.2 ACRES
 SW 1/4 NW 1/4 1.7 ACRES
 SE 1/4 NW 1/4 12.8 ACRES
 NE 1/4 SW 1/4 22.0 ACRES
 NW 1/4 SW 1/4 3.3 ACRES
 ALL AS PROJECTED WITHIN J. SUTHERLIN DLC 41
 LOT 5 (NE 1/4 SW 1/4) 4.9 ACRES
 LOT 4 (NW 1/4 SW 1/4) 22.7 ACRES
 SW 1/4 SE 1/4 2.0 ACRES
 SE 1/4 SE 1/4 5.9 ACRES
 BOTH AS PROJECTED WITHIN J. SUTHERLIN DLC 41
 SECTION 14

NE 1/4 NE 1/4 5.8 ACRES
 NW 1/4 NE 1/4 2.8 ACRES
 SW 1/4 NE 1/4 3.6 ACRES
 SE 1/4 NE 1/4 8.3 ACRES
 ALL AS PROJECTED WITH CROUCH DLC 45
 NW 1/4 NE 1/4 2.3 ACRES
 SW 1/4 NE 1/4 12.9 ACRES
 BOTH AS PROJECTED WITHIN T. SUTHERLIN DLC 40
 LOT 4 (SW 1/4 NE 1/4) 1.2 ACRES
 LOT 7 (SE 1/4 NE 1/4) 4.0 ACRES
 NE 1/4 NW 1/4 1.2 ACRES
 SW 1/4 NW 1/4 2.2 ACRES
 SE 1/4 NW 1/4 18.4 ACRES
 NE 1/4 SW 1/4 9.4 ACRES
 NW 1/4 SW 1/4 2.7 ACRES
 NW 1/4 SE 1/4 18.6 ACRES
 SW 1/4 SE 1/4 6.6 ACRES
 ALL AS PROJECTED WITHIN DLC 40
 SECTION 15

NE 1/4 SE 1/4 40.0 ACRES 
LOT 5 (NW 1/4 SE 1/4) 20.0 ACRES
LOT 6 (SW 1/4 SE 1/4) 14.4 ACRES
SE 1/4 SE 1/4 11.6 ACRES
SECTION 15

NE 1/4 NE 1/4 4.9 ACRES
NW 1/4 NE 1/4 6.4 ACRES
AS PROJECTED WITH J. SUTHERLIN DLC 41
SECTION 23
TOWNSHIP 25 SOUTH, RANGE 5 WEST, W.M.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed AUGUST 17, 2000.

/S/ Richard D. Bailey

Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 76599.

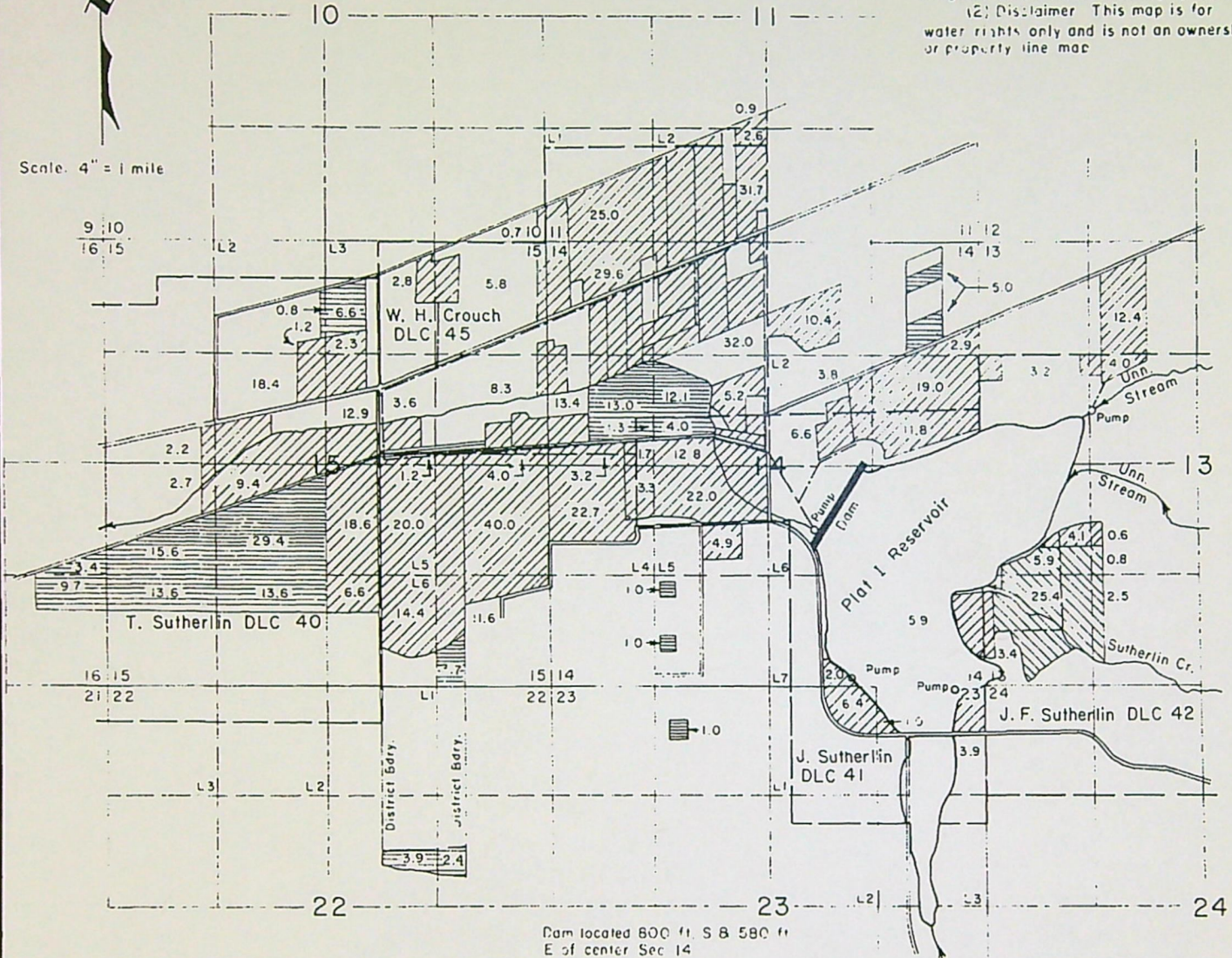
R-33577.SB

T 25 S, R 5 W, W. M.

Statements:

- (1) Lands shown were beneficially irrigated on or before January 1, 1993.
- (2) Disclaimer: This map is for water rights only and is not an ownership or property line map.

Scale: 4" = 1 mile



Note:

This map, using the preliminary Final Proof Survey map made for Permit 31273 as a base, has been prepared for and accepted by the Sutherlin Water Control District for showing lands where the right is to be perfected under Permit 31273. These lands are to receive a supplemental supply from Plat 1 Reservoir enlargement*.

Lands within the district not to be included in the right perfected under Permit 31273 are shown as lands to receive a primary supply from Plat 1 Reservoir enlargement*.

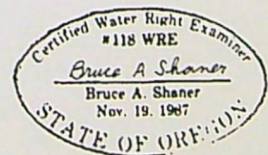
This map shows [redacted] acres supplemental and [redacted] acres primary for Application No. R-74271 & Permit No. 51049.

*The Plat 1 Reservoir enlargement includes Application No. R-74271 & Permit No. 51049.

FINAL PROOF SURVEY
for
SUTHERLIN WATER CONTROL DISTRICT
Application No's. R-74271 & 70277
Permit No. 51049

For: Sutherlin Water Control District
P. O. Box 1167
Sutherlin, Oregon 97479
By: Shaner Engineering, Inc.
P. O. Box 1430
Roseburg, Oregon 97470

- Primary, Permit No. 31273
- Supplemental, Permit No. 31273
- *Primary, Permit No. 51049



November 30, 1998

Table 2: Certificate No. 76600

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	14	NE NE			5.00
25 S	5 W	WM	14	SW NW			14.3
25 S	5 W	WM	14	SE NW			12.1
25 S	5 W	WM	14	SE SW			2.00
25 S	5 W	WM	15	NW NE		40	6.6
25 S	5 W	WM	15	NE NW		40	0.8
25 S	5 W	WM	15	NE SW		40	29.4
25 S	5 W	WM	15	NW SW		40	15.6
25 S	5 W	WM	15	SW SW		40	13.6
25 S	5 W	WM	15	SE SW		40	13.6
25 S	5 W	WM	16	NE SE		40	3.4
25 S	5 W	WM	16	SE SE		40	9.7
25 S	5 W	WM	22	SW NE			3.9
25 S	5 W	WM	22	SE NE			2.4
25 S	5 W	WM	23	NE NW			1.0
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE		45	0.7
25 S	5 W	WM	11	NE SW		45	0.9
25 S	5 W	WM	11	SW SW		45	25.0
25 S	5 W	WM	11	SE SW		45	31.7
25 S	5 W	WM	11	SE SW	2		2.6
25 S	5 W	WM	13	SW NW		42	3.2
25 S	5 W	WM	13	SE NW		42	4.0
25 S	5 W	WM	13	NE SW		42	1.4
25 S	5 W	WM	13	NW SW		42	10.0
25 S	5 W	WM	13	SW SW		42	28.8
25 S	5 W	WM	13	SE SW		42	2.5
25 S	5 W	WM	13	NE NW			12.4
25 S	5 W	WM	14	NE NE			2.9
25 S	5 W	WM	14	NW NE			10.4
25 S	5 W	WM	14	SW NE	2		3.8
25 S	5 W	WM	14	SE NE	1		19.0
25 S	5 W	WM	14	SW NE		41	6.6
25 S	5 W	WM	14	SE NE		41	11.8
25 S	5 W	WM	14	NE NW		45	32.0
25 S	5 W	WM	14	NW NW		45	29.6
25 S	5 W	WM	14	SW NW		45	13.4
25 S	5 W	WM	14	SE NW		45	5.2
25 S	5 W	WM	14	SW NW	3		3.2
25 S	5 W	WM	14	SW NW		41	1.7
25 S	5 W	WM	14	SE NW		41	12.8
25 S	5 W	WM	14	NE SW		41	22.0
25 S	5 W	WM	14	NW SW		41	3.3
25 S	5 W	WM	14	NE SW	5		4.9
25 S	5 W	WM	14	NW SW	4		22.7
25 S	5 W	WM	14	SW SE		41	2.0
25 S	5 W	WM	14	SE SE		41	5.9
25 S	5 W	WM	15	NE NE		45	5.8
25 S	5 W	WM	15	NW NE		45	2.8
25 S	5 W	WM	15	SW NE		45	3.6

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Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	15	SE NE		45	8.3
25 S	5 W	WM	15	NW NE		40	2.3
25 S	5 W	WM	15	SW NE		40	12.9
25 S	5 W	WM	15	SW NE	4		1.2
25 S	5 W	WM	15	SE NE	7		4.0
25 S	5 W	WM	15	NE NW		40	1.2
25 S	5 W	WM	15	SW NW		40	2.2
25 S	5 W	WM	15	SE NW		40	18.4
25 S	5 W	WM	15	NE SW		40	9.4
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	NE SE			40.0
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	3.9
25 S	5 W	WM	23	NW NE		41	6.4

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 76599.

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 # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

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Identify the primary certificate to be cancelled. Certificate # _____

SALEM, OR

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

T 12534

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 76600

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	1/4 1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
EXAMPLE																				
2	5	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POB	2	5	9	E 1 NW NW	500	1	10.0		POD #5	1901
TOTAL ACRES:											TOTAL ACRES:									

Additional remarks: See Attached Sheet.

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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

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 # 76600

Description of Water Delivery System

System capacity: 6.67 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **Waters are drawn from Plat I reservoir through a fish screened intake to a pump house containing three centrifugal pumps (25 Hp and two 50 Hp). The water is pumped through a totalizing flow meter to a distribution system of 1271 LF of 12 inch asbestos cement (AC) mainline, splitting north and west through 7800 LF 10 inch AC, continuing with 2494 LF of 8 inch and 2176 LF of 6 inch AC pipe.**

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	NA	25 S	5 W	14	NW	SE	41	800 ft South & 580 ft East fr. C1/4 Section 14
POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	14	SW	SE	41	50 ft North & 1497 ft West fr. SE1/4 Corner Section 14
POD 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	23	NE	NE	41	103 ft South & 394 ft West fr. NE1/4 Corner Section 23
POD 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	23	NE	NE	41	1247 ft South & 918 ft West fr. NE1/4 Corner Section 23
POD 5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	13	SE	NW	42	753 ft North & 1239 ft West fr. C1/4 Section 13

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 76600.

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 # _____;
Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

- ☐ 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, water right

Table 2: Certificate No. 76599

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	13	NE SW		42	0.80
25 S	5 W	WM	13	NW SW		42	5.90
25 S	5 W	WM	13	SW SW		42	25.40
25 S	5 W	WM	13	SE SW		42	2.50
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.70
25 S	5 W	WM	11	NE SW		45	0.90
25 S	5 W	WM	11	SW SW		45	25.00
25 S	5 W	WM	11	SE SW	2		2.60
25 S	5 W	WM	11	SE SW		45	31.70
25 S	5 W	WM	13	NE NW			12.40
25 S	5 W	WM	13	SW NW		42	3.20
25 S	5 W	WM	13	SE NW		42	4.00
25 S	5 W	WM	13	NE SW		42	0.60
25 S	5 W	WM	13	NW SW		42	4.10
25 S	5 W	WM	13	SW SW		42	3.40
25 S	5 W	WM	14	NE NE			2.90
25 S	5 W	WM	14	NW NE			10.40
25 S	5 W	WM	14	SW NE	2	41	3.80
25 S	5 W	WM	14	SW NE		41	6.60
25 S	5 W	WM	14	SE NE		41	11.80
25 S	5 W	WM	14	SE NE	1	41	19.00
25 S	5 W	WM	14	NE NW		45	32.00
25 S	5 W	WM	14	NW NW		45	29.60
25 S	5 W	WM	14	SW NW		41	1.70
25 S	5 W	WM	14	SW NW	3	41	3.20
25 S	5 W	WM	14	SW NW		45	13.40
25 S	5 W	WM	14	SE NW		45	5.20
25 S	5 W	WM	14	SE NW		41	12.80
25 S	5 W	WM	14	NE SW	5	41	4.90
25 S	5 W	WM	14	NE SW		41	22.00
25 S	5 W	WM	14	NW SW			3.30
25 S	5 W	WM	14	NW SW	4	41	22.70
25 S	5 W	WM	14	SW SE			2.00
25 S	5 W	WM	14	SE SE		41	5.90
25 S	5 W	WM	15	NE NE		45	5.80
25 S	5 W	WM	15	NW NE		40	2.30
25 S	5 W	WM	15	NW NE		45	2.80
25 S	5 W	WM	15	SW NE	4	40	1.20
25 S	5 W	WM	15	SW NE		45	3.60
25 S	5 W	WM	15	SW NE		40	12.90
25 S	5 W	WM	15	SE NE	7	40	4.00
25 S	5 W	WM	15	SE NE		45	8.30
25 S	5 W	WM	15	NE NW		40	1.20
25 S	5 W	WM	15	SW NW		40	2.20
25 S	5 W	WM	15	SE NW		40	18.40
25 S	5 W	WM	15	NE SW		40	9.40
25 S	5 W	WM	15	NW SW		40	2.70
25 S	5 W	WM	15	NE SE		40	40.00
25 S	5 W	WM	15	NW SE			18.60

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Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	15	NW SE	5		20.00
25 S	5 W	WM	15	SW SE		40	6.60
25 S	5 W	WM	15	SW SE	6		14.40
25 S	5 W	WM	15	SE SE			11.60
25 S	5 W	WM	23	NE NE		41	4.90
25 S	5 W	WM	23	NW NE		41	6.40

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SALEM, OR

T 12534

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

In the Matter of Transfer Application
T-12534, Douglas County

)
)
)
)
)
)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL FOR
ADDITIONAL POINTS OF
DIVERSION

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SUTHERLIN WATER CONTROL DISTRICT
495 N. STATE STREET
SUTHERLIN, OR 97479

Findings of Fact

1. On December 13, 2016, SUTHERLIN WATER CONTROL DISTRICT filed an application for additional points of appropriation under Certificates 76599 and 76600. The Department assigned the application number T-12534.
2. Notice of the application for transfer was published on December 20, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The first right to be transferred is as follows:

Certificate: 76599 in the name of SUTHERLIN WATER CONTROL DISTRICT
(perfected under Permit S-31273)
Use: PRIMARY IRRIGATION OF 499.1 ACRES AND SUPPLEMENTAL
IRRIGATION OF 34.6 ACRES
Priority Date: JANUARY 27, 1960
Rate: 6.67 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage. The use of water for supplemental irrigation is limited to stored water only.



Source: SUTHERLIN CREEK AND PLAT 1 RESERVOIR CONSTRUCTED
UNDER PERMIT R-4751, a tributary of NORTH UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	5 W	WM	14	NW SE	41	POD 1 - 800 FEET SOUTH AND 580 FEET EAST FROM C1/4 CORNER, SECTION 14

Authorized Place of Use:

PRIMARY							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.7 ✓
25 S	5 W	WM	11	NE SW		45	0.9 ✓
25 S	5 W	WM	11	SW SW		45	25.0 ✓
25 S	5 W	WM	11	SE SW	2		2.6 ✓
25 S	5 W	WM	11	SE SW		45	31.7 ✓
25 S	5 W	WM	13	NE NW			12.4 ✓
25 S	5 W	WM	13	SW NW		42	3.2 ✓
25 S	5 W	WM	13	SE NW		42	4.0 ✓
25 S	5 W	WM	13	NE SW		42	0.6 ✓
25 S	5 W	WM	13	NW SW		42	4.1 ✓
25 S	5 W	WM	13	SW SW		42	3.4 ✓
25 S	5 W	WM	14	NE NE			2.9 ✓
25 S	5 W	WM	14	NW NE			10.4 ✓
25 S	5 W	WM	14	SW NE	2	41	3.8 ✓
25 S	5 W	WM	14	SW NE		41	6.6 ✓
25 S	5 W	WM	14	SE NE		41	11.8 ✓
25 S	5 W	WM	14	SE NE	1	41	19.0 ✓
25 S	5 W	WM	14	NE NW		45	32.0 ✓
25 S	5 W	WM	14	NW NW		45	29.6 ✓
25 S	5 W	WM	14	SW NW		41	1.7 ✓
25 S	5 W	WM	14	SW NW	3	41	3.2 ✓
25 S	5 W	WM	14	SW NW		45	13.4 ✓
25 S	5 W	WM	14	SE NW		45	5.2 ✓
25 S	5 W	WM	14	SE NW		41	12.8 ✓
25 S	5 W	WM	14	NE SW	5	41	4.9 ✓
25 S	5 W	WM	14	NE SW		41	22.0 ✓
25 S	5 W	WM	14	NW SW			3.3 ✓
25 S	5 W	WM	14	NW SW	4	41	22.7 ✓
25 S	5 W	WM	14	SW SE		41	2.0 ✓
25 S	5 W	WM	14	SE SE		41	5.9 ✓
25 S	5 W	WM	15	NE NE		45	5.8 ✓
25 S	5 W	WM	15	NW NE		40	2.3 ✓
25 S	5 W	WM	15	NW NE		45	2.8 ✓
25 S	5 W	WM	15	SW NE	4	40	1.2 ✓
25 S	5 W	WM	15	SW NE		45	3.6 ✓
25 S	5 W	WM	15	SW NE		40	12.9 ✓
25 S	5 W	WM	15	SE NE	7	40	4.0 ✓
25 S	5 W	WM	15	SE NE		45	8.3 ✓
25 S	5 W	WM	15	NE NW		40	1.2 ✓
25 S	5 W	WM	15	SW NW		40	2.2 ✓
25 S	5 W	WM	15	SE NW		40	18.4 ✓
25 S	5 W	WM	15	NE SW		40	9.4 ✓

THE ★ OF ★

→? "both as projected
align DLC 41" ★

PRIMARY							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NE SE		40 2	40.0
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	4.9
25 S	5 W	WM	23	NW NE		41	6.4
						Total	499.1

SUPPLEMENTAL (STORED WATER ONLY)						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	13	NE SW	42	0.8
25 S	5 W	WM	13	NW SW	42	5.9
25 S	5 W	WM	13	SW SW	42	25.4
25 S	5 W	WM	13	SE SW	42	2.5
					Total	34.6

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

Certificate: 76600 in the name of SUTHERLIN WATER CONTROL DISTRICT
(perfected under Reservoir Application R-74271)

Use: PRIMARY IRRIGATION OF 137.1 ACRES AND SUPPLEMENTAL
IRRIGATION OF 532.7 ACRES

Priority Date: JANUARY 1, 1993

Rate: 450.0 ACRE-FEET

Source: SUTHERLIN CREEK, A TRIBUTARY OF NORTH UMPQUA RIVER
IN AN ENLARGEMENT PLAT 1 RESERVOIR, ORIGINALLY
CONSTRUCTED UNDER PERMIT R-4751

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q
25 S	5 W	WM	14	NW SE

Authorized Place of Use:

PRIMARY						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
22 S	5 W	WM	14	NE NE		5.0
25 S	5 W	WM	14	SW NW		14.3
25 S	5 W	WM	14	SE NW		12.1
25 S	5 W	WM	14	SE SW		2.0
25 S	5 W	WM	15	NW NE	40	6.6
25 S	5 W	WM	15	NE NW	40	0.8
25 S	5 W	WM	15	NE SW	40	29.4
25 S	5 W	WM	15	NW SW	40	15.6
25 S	5 W	WM	15	SW SW	40	13.6
25 S	5 W	WM	15	SE SW	40	13.6
25 S	5 W	WM	15	SE SE		3.7

PRIMARY						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	16	NE SE	40	3.4
25 S	5 W	WM	16	SE SE	40	9.7
25 S	5 W	WM	22	SW NE		3.9
25 S	5 W	WM	22	SE NE		2.4
25 S	5 W	WM	23	NE NW		1.0
					Total	137.1



SUPPLEMENTAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.7
25 S	5 W	WM	11	NE SW			0.9
25 S	5 W	WM	11	SW SW		45	25.0
25 S	5 W	WM	11	SE SW		45	31.7
25 S	5 W	WM	11	SE SW	2		2.6
25 S	5 W	WM	13	NE NW			12.4
25 S	5 W	WM	13	SW NW		42	3.2
25 S	5 W	WM	13	SE NW		42	4.0
25 S	5 W	WM	13	NE SW		42	1.4
25 S	5 W	WM	13	NW SW		42	10.0
25 S	5 W	WM	13	SW SW		42	28.8
25 S	5 W	WM	13	SE SW		42	2.5
25 S	5 W	WM	14	NE NE			2.9
25 S	5 W	WM	14	NW NE		41	10.4
25 S	5 W	WM	14	SW NE	2		3.8
25 S	5 W	WM	14	SW NE		41	6.6
25 S	5 W	WM	14	SE NE		41	11.8
25 S	5 W	WM	14	SE NE	1		19.0
25 S	5 W	WM	14	NE NW		45	32.0
25 S	5 W	WM	14	NW NW		45	29.6
25 S	5 W	WM	14	SW NW		45	13.4
25 S	5 W	WM	14	SW NW	3		3.2
25 S	5 W	WM	14	SW NW		41	1.7
25 S	5 W	WM	14	SE NW		41	12.8
25 S	5 W	WM	14	SE NW		45	5.2
25 S	5 W	WM	14	NE SW	5		4.9
25 S	5 W	WM	14	NE SW		41	22.0
25 S	5 W	WM	14	NW SW		41	3.3
25 S	5 W	WM	14	NW SW	4		22.7
25 S	5 W	WM	14	SW SE		41	2.0
25 S	5 W	WM	14	SE SE		41	5.9
25 S	5 W	WM	15	NE NE		45	5.8
25 S	5 W	WM	15	NW NE		45	2.8
25 S	5 W	WM	15	NW NE		40	2.3
25 S	5 W	WM	15	SW NE		40	12.9
25 S	5 W	WM	15	SW NE	4	40	1.2
25 S	5 W	WM	15	SW NE		45	3.6
25 S	5 W	WM	15	SE NE		45	8.3
25 S	5 W	WM	15	SE NE	7		4.0
25 S	5 W	WM	15	NE NW		40	1.2
25 S	5 W	WM	15	SW NW		40	2.2
25 S	5 W	WM	15	SE NW		40	18.4

91.9

210.6

16.8

SUPPLEMENTAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	15	NE SW		40	9.4
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NE SE			40.0
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	3.9
25 S	5 W	WM	23	NW NE		41	6.4

TOTAL

133.6

532.9 < 6.8 miles ?

5. The Department received information from the applicant that better describes the location of the authorized point of diversion for Certificate 76600 as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	5 W	WM	14	NW SE	41	POD 1 - 800 FEET SOUTH AND 580 FEET EAST FROM C1/4 CORNER, SECTION 14

6. Transfer Application T-12534 proposes additional points of diversion for the rights as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximated distance from original point of diversion in miles (mi.)
25 S	5 W	WM	13	SE NW	42	POD 5 - 753 FEET NORTH AND 1239 FEET WEST FROM THE C1/4 CORNER OF SECTION 13	0.7 mi.
25 S	5 W	WM	14	SW SE	41	POD 2 - 50 FEET NORTH AND 1497 FEET WEST FROM THE SE1/4 CORNER OF SECTION 14	0.4 mi.
25 S	5 W	WM	23	NE NE	41	POD 3 - 103 FEET SOUTH AND 394 FEET WEST FROM THE NE1/4 CORNER OF SECTION 23	0.5 mi.
25 S	5 W	WM	23	NE NE	41	POD 4 - 1247 FEET SOUTH AND 918 FEET WEST FROM THE NE1/4 CORNER OF SECTION 23	0.7 mi.

7. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

✓

Transfer Review Criteria [OAR 690-380-4010(2)]

8. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and water distribution system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12534.
10. The proposed changes would not result in enlargement of the rights.
11. The proposed changes would not result in injury to other water rights.
12. All other application requirements are met.

Determination and Proposed Action

The additional points of diversion proposed in Transfer Application T-12534 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-12534 is approved, the final order will include the following:

1. *The additional points of diversion proposed in Transfer Application T-12534 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 76599 and 76600, and any related decree.*
3. *Water right Certificates 76599 and 76600 are modified. After satisfactory proof of completion has been determined by the Department, superseding water right certificates will be issued when the Department determines it is necessary for record keeping.*
4. *The quantity of water diverted at the new additional points of diversion (POD 2, POD 3, POD 4, and POD 5), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).*
5. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

- ✓
6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2021**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

Dated in Salem, Oregon on

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-986-0825 or corey.a.courchane@oregon.gov



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

January , 2020

SUTHERLIN WATER CONTROL DISTRICT
495 N. STATE STREET
SUTHERLIN, OR 97479

Reference: Water Right Transfer Application T-12534

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-12534. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

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

Conditions to your water right...

This transfer will require installation of a fish screen at the new diversion point **prior to diversion of water. You may not divert water prior to installation and approval of the fish screen by the Oregon Department of Fish and Wildlife (ODFW).** You may wish to contact the ODFW staff person listed on the enclosed contact sheet for more information about the screen and to determine a reasonable timeline.

Please note the proposed date by which all conditions must be met: October 1, 2021. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of diversion, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

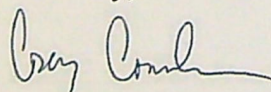
Issuance of the Preliminary Determination will occur shortly after we receive:

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

If we do not receive the items listed above by February , 2020, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 986-0825, if I may be of assistance.

Sincerely,



Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-12534
Susan M. Douthit, District 15 Watermaster (via e-mail)
Nathan R. Reed, Agent for the applicant (via e-mail)

encs

**Notice of Preliminary Determination for
Water Right Transfer T-12534**

T-12534 filed by Sutherlin Water Control District, 495^{N. ★} State Street, Sutherlin, OR 97479, proposes additional points of appropriation under Certificates 76599 and 76600. Certificate 76599 allows the use of 6.67 cubic feet per second from Sutherlin Creek and Plat 1 Reservoir in Sec. 14, T25S, R5W, WM for primary irrigation in Sects. 10, 11, 13, 14, 15, and 23, T25S, R5W, WM, and supplemental irrigation in Sec. 13, T25S, R5W, WM. Certificate 76600 allows the use of 450.0 acre-feet from Sutherlin Creek and Plat 1 Reservoir in Sec. 14, T25S, R5W, WM for primary irrigation in Sects. 14, 15, 16, 22, and 23, T25S, R5W, WM, and supplemental irrigation in Sects. 10, 11, 13, 14, 15, and 23, T25S, R5W, WM. The applicant proposes additional points of diversion in Sects. 13, 14, and 23, T25S, R5W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, MM/DD/YEAR. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

T 25 S, R 5 W, W. M.

Statements:

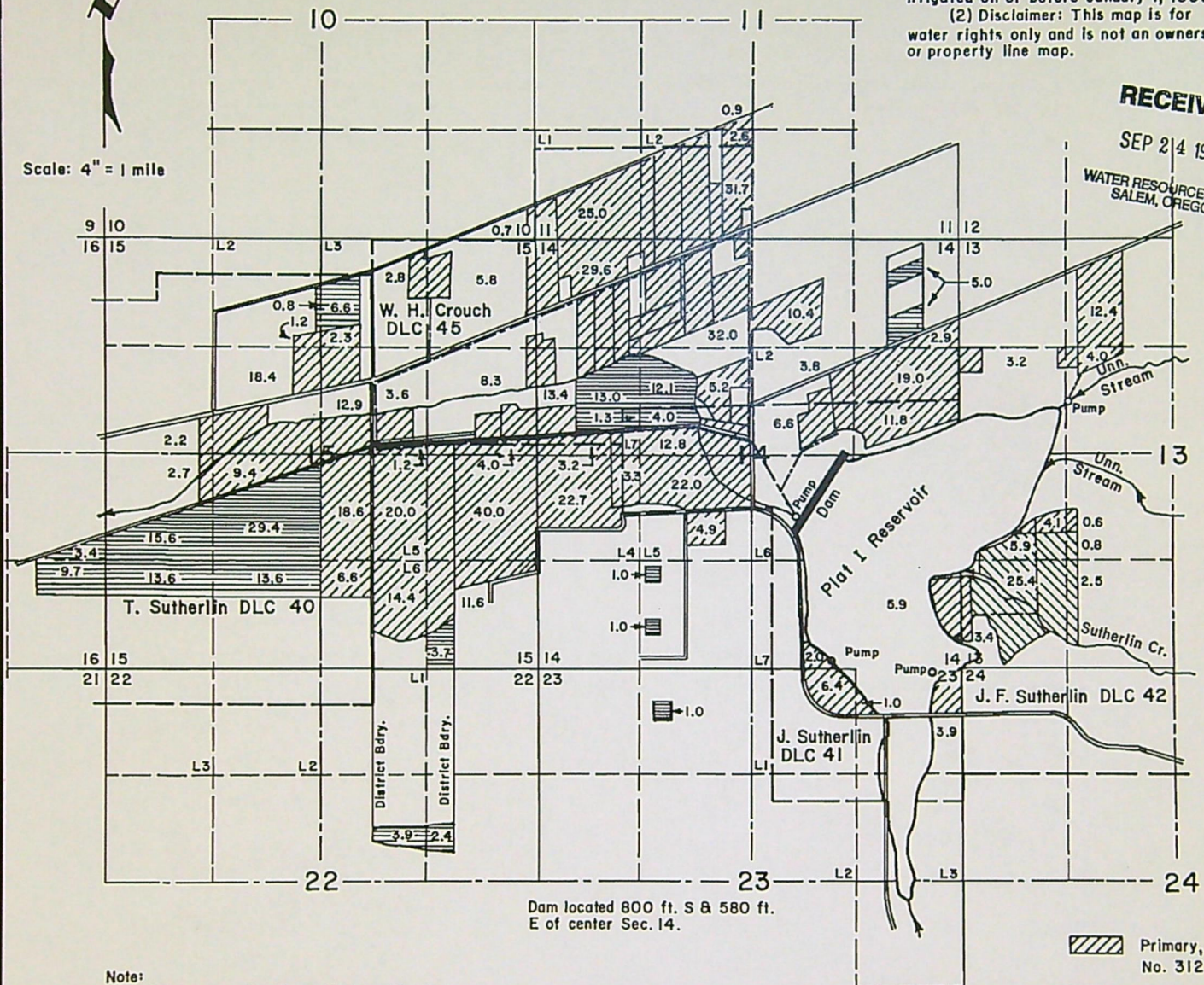
- (1) Lands shown were beneficially irrigated on or before January 1, 1993.
- (2) Disclaimer: This map is for water rights only and is not an ownership or property line map.

RECEIVED

SEP 21 1999

WATER RESOURCES DEPT
SALEM, OREGON

Scale: 4" = 1 mile



Dam located 800 ft. S & 580 ft.
E of center Sec. 14.

Note:

This map, using the preliminary Final Proof Survey map made for Permit 31273 as a base, has been prepared for and accepted by the Sutherlin Water Control District for showing lands where the right is to be perfected under Permit 31273. These lands are to receive a supplemental supply from Plat 1 Reservoir enlargement*.

Lands within the district not to be included in the right perfected under Permit 31273 are shown as lands to receive a primary supply from Plat 1 Reservoir enlargement*.

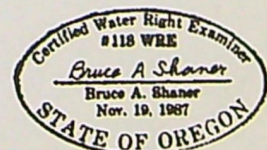
This map shows 524.7 acres supplemental and 137.1 acres primary for Application No. R-74271 & Permit No. 51049.

*The Plat 1 Reservoir enlargement includes Application No. R-74271 & Permit No. 51049.

FINAL PROOF SURVEY for SUTHERLIN WATER CONTROL DISTRICT Application No's. R-74271 & 70277 Permit No. 51049

For: Sutherlin Water Control District
P. O. Box 1167
Sutherlin, Oregon 97479

By: Shaner Engineering, Inc.
P. O. Box 1430
Roseburg, Oregon 97470

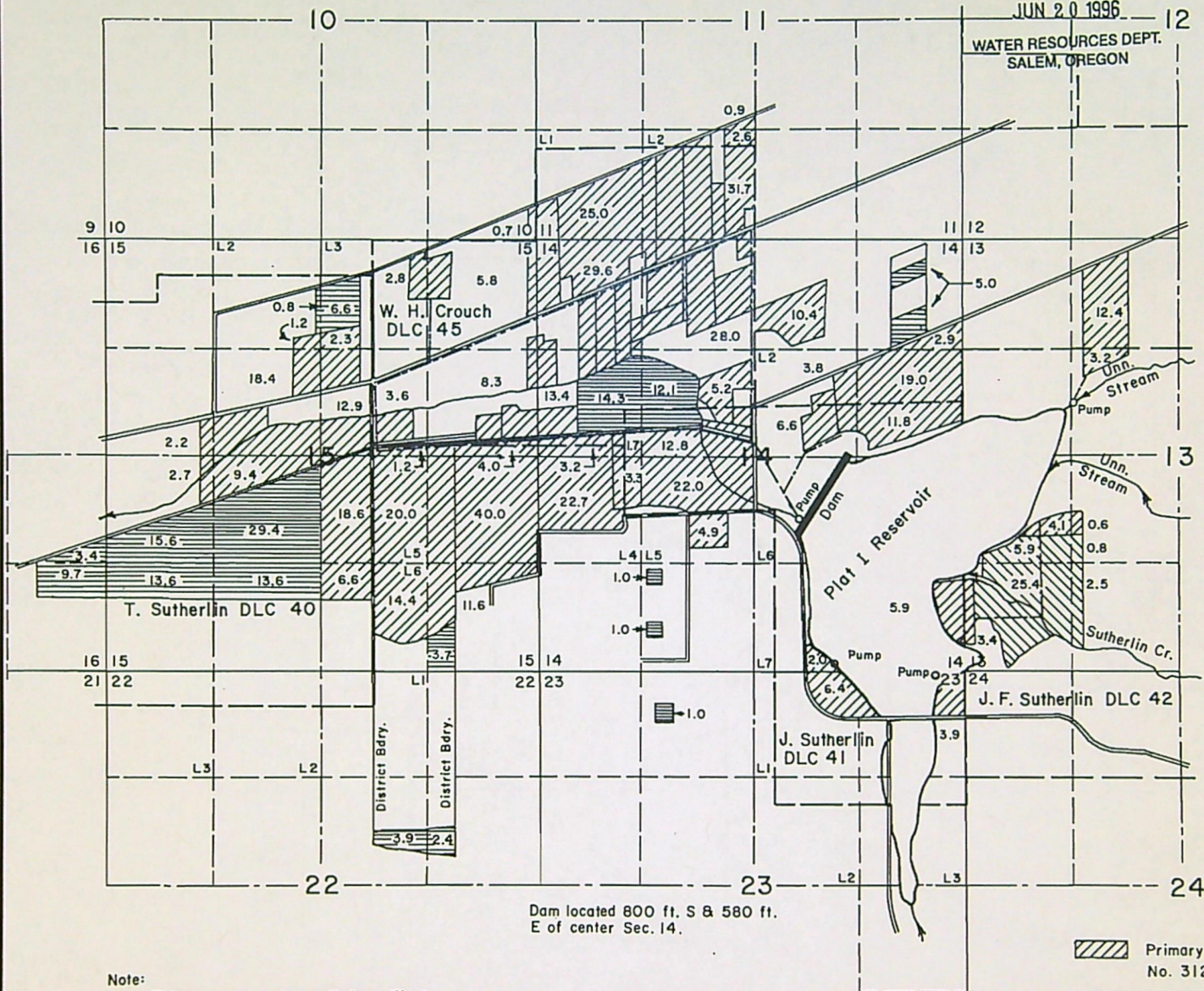


November 30, 1998

RECEIVED

JUN 20 1996

WATER RESOURCES DEPT.
SALEM, OREGON



This map, using the preliminary Final Proof Survey map made for Permit 31273 as a base, has been prepared for and accepted by the Sutherlin Water Control District for showing lands where the right is to be perfected under Permit 31273.


This map shows 524.7 acres supplemental and 137.1 acres primary for Application No. R-74271 & Permit No. 51049.


*The Plat I Reservoir enlargement includes Application No. R-74271 & Permit No. 51049.


FINAL PROOF SURVEY
for
SUTHERLIN WATER CONTROL DISTRICT
Application No's. R-74271 & 70277
Permit No. 51049

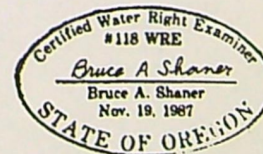
For: Sutherlin Water Control District
P. O. Box 1167
Sutherlin, Oregon 97479

By: Shaner Engineering, Inc.
P. O. Box 1430
Roseburg, Oregon 97470

 Primary, Permit No. 31273

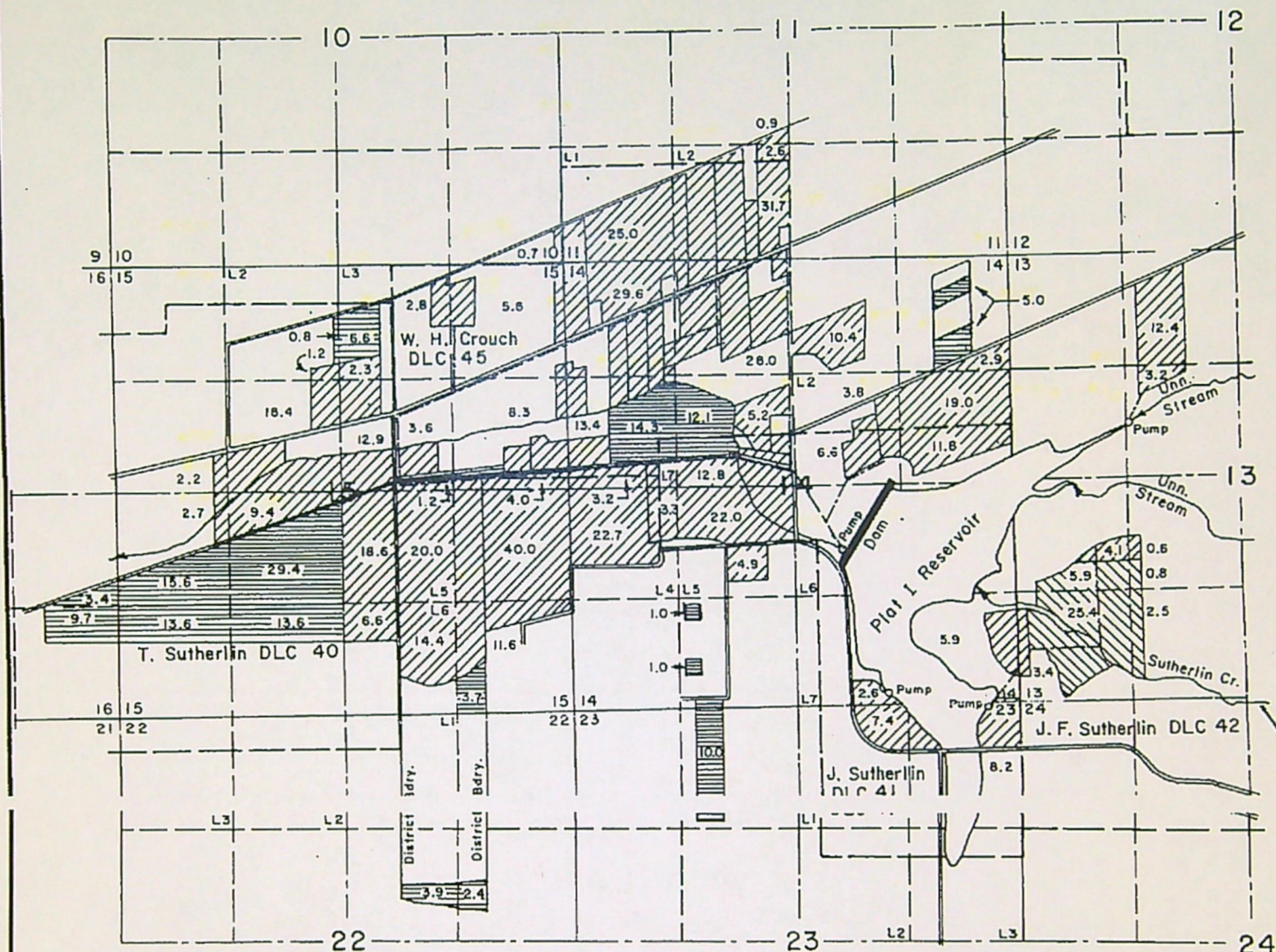
 Supplemental, Permit No. 31273

 *Primary, Permit No. 51049



June 18, 1996

T 25 S, R 5 W, W. M.



Dam located 800 ft. S & 580 ft. E of center Sec. 14

Note:

This map, using the preliminary Final Proof Survey map made for Permit 31273 as a base, has been prepared for and accepted by the Sutherlin Water Control District for showing lands where the right is to be perfected under Permit 31273. These lands are to receive a supplemental supply from Plot 1 Reservoir enlargement*.

Lands within the district not to be included in the right perfected under Permit 31273 are shown as lands to receive a primary supply from Plot 1 Reservoir enlargement*.

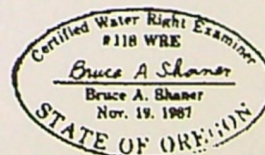
This map shows 530.6 acres supplemental and 146.1 acres primary.

* The Plot 1 Reservoir enlargement includes Permit No's. R-11242 & 51049.

- Primary
- Supplemental
- *Primary

FINAL PROOF SURVEY
for
SUTHERLIN WATER CONTROL DISTRICT
Application No's. R-70276 & 70277
Permit No's. R-11242 & 51049

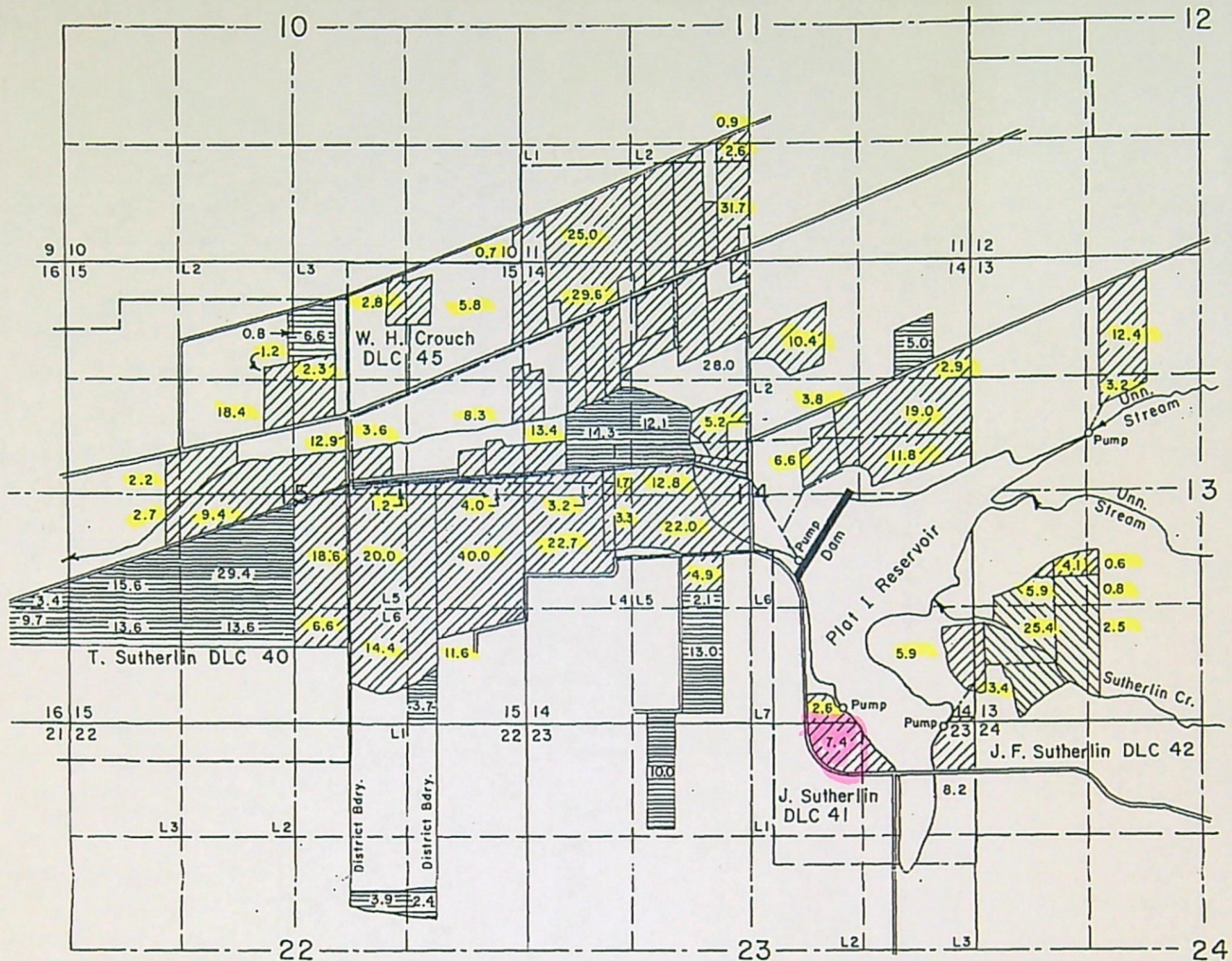
For: Sutherlin Water Control District
P. O. Box 1167
Sutherlin, Oregon 97479
By: Shaner Engineering, Inc.
P. O. Box 1430
Roseburg, Oregon 97470



September 27, 1994

T 25 S, R 5 W, W. M.

JUN 10 1990



Dam located 800 ft. S & 580 ft. E of center Sec. 14

Note:

This map, using the preliminary Final Proof Survey map made for Permit 31273 as a base, has been prepared for and accepted by the Sutherland Water Control District for showing lands where the right is to be perfected under Permit 31273. These lands are to receive a supplemental supply from Plot I Reservoir enlargement.

Lands within the district not to be included in the right perfected under Permit 31273 are shown as lands to receive a primary supply from Plot I Reservoir enlargement.

This map shows 530.6 acres supplemental and 159.2 acres primary.

This is permit number for the original reservoir.

Supplemental
Supplement
Primary

SECTIONS 10, 11, 13, 14, 15, 16, 22 & 23, T 25 S, R 5 W, W. M., DOUGLAS COUNTY, OREGON

Application No. R-70276 & 70277

Permit No. R11242 51049

For: Sutherland Water Control District

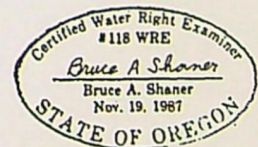
P. O. Box 412

Sutherland, Oregon 97479

By: Shaner Engineering, Inc.

P. O. Box 1430

Roseburg, Oregon 97470



CERTIFICATE NO. 69179

May 31, 1990

Note: See #8 on list of "Beliefs, Contentions and Concerns."

No. 74271

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT (HB - 2153)

THIS CERTIFICATE ISSUED TO

SUTHERLIN WATER CONTROL DISTRICT
PO BOX 1167
SUTHERLIN, OR 97479

confirms the right to store the waters of SUTHERLIN CREEK, A TRIBUTARY OF NORTH UMPQUA RIVER IN AN ENLARGEMENT PLAT I RESERVOIR, ORIGINALLY CONSTRUCTED UNDER PERMIT R-4751, for PRIMARY IRRIGATION OF 137.1 ACRES AND SUPPLEMENTAL IRRIGATION OF 533.7 ACRES.

The right to store and use these waters was perfected under Reservoir Application R-74271. The date of priority is January 1, 1993. The amount of water entitled to be stored and used each year under this right is not more than 450.0 ACRE-FEET.

The reservoir is located as follows:

SW 1/4 NW 1/4
NW 1/4 SW 1/4
SW 1/4 SW 1/4
BOTH AS PROJECTED WITH J. SUTHERLIN DLC 42
SECTION 13
SE 1/4 NE 1/4
SE 1/4
ALL AS PROJECTED WITHIN J. SUTHERLIN DLC 41
SECTION 14
N 1/2 NE 1/4
SE 1/4 NE 1/4
BOTH AS PROJECTED WITHIN J. SUTHERLIN DLC 41
LOT 3 (SE 1/4 NE 1/4)
NE 1/4 SE 1/4
SECTION 23
TOWNSHIP 25 SOUTH, RANGE 5 WEST, W.M.

*Entirety of
the right*

Measurement, recording and reporting conditions:

- A. The water user shall install a meter or other suitable measuring device as approved by the Director. The water user shall maintain the meter or measuring device in good working order, shall keep a complete record of the amount of water used each month and shall submit a report which includes the recorded water use measurements to the Department annually or more frequently as may be required by the Director. Further, the Director may require the water user to report general water use information, including the place and nature of use of water under this right.
- B. The water user shall allow the watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the watermaster shall request access upon reasonable notice.

The operation and maintenance of the reservoir is subject to the following conditions:

1. The structure shall be constructed under the supervision of a registered engineer licensed in Oregon;
2. The structure shall be operated and maintained in accordance with the approved plans and specifications and with the design intent;
3. The outlet gate shall be cycled at least once each year in order to assure smooth operation;
4. The embankment and spillway shall be kept clear of trees, brush and other debris; and
5. The embankment shall be kept free of burrowing animals.

The project will be operated as follows:

1. February 1 or later, close the 4 by 4 gate. The water surface elevation will go to 582.0 feet.
2. February 15 or later, close the inlet gate. The water surface elevation will go to 585.6 feet.
3. March 1 or later, close weir gates. The water surface elevation will go to 588.5 feet.
4. Open weir gates as soon as irrigation drawdown lowers the water surface elevation to 585.6 feet.
5. Open weir gates as soon as irrigation drawdown lowers the water surface elevation to 582.0 feet.
6. Open the 4 by 4 gate as soon as irrigation drawdown lowers the water surface elevation to 576.0 feet, or prior to October 15, whichever comes first.

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

PRIMARY

NE 1/4 NE 1/4	5.0 ACRES
SW 1/4 NW 1/4	14.3 ACRES
SE 1/4 NW 1/4	12.1 ACRES
SE 1/4 SW 1/4	2.0 ACRES

SECTION 14

NW 1/4 NE 1/4	6.6 ACRES
NE 1/4 NW 1/4	0.8 ACRE
NE 1/4 SW 1/4	29.4 ACRES
NW 1/4 SW 1/4	15.6 ACRES
SW 1/4 SW 1/4	13.6 ACRES
SE 1/4 SW 1/4	13.6 ACRES

ALL AS PROJECTED WITHIN T. SUTHERLIN DLC 40

SE 1/4 SE 1/4	3.7 ACRES
---------------	-----------

SECTION 15

NE 1/4 SE 1/4	3.4 ACRES
SE 1/4 SE 1/4	9.7 ACRES

BOTH AS PROJECTED WITHIN T. SUTHERLIN DLC 40

SECTION 16

SW 1/4 NE 1/4	3.9 ACRES
SE 1/4 NE 1/4	2.4 ACRES

SECTION 22

NE 1/4 NW 1/4	1.0 ACRE
---------------	----------

SECTION 23

TOWNSHIP 25 SOUTH, RANGE 5 WEST, W.M.

LOT 4 (SW 1/4 NE 1/4) 1.2 ACRES ✓

LOT 7 (SE 1/4 NE 1/4) 4.0 ACRES ✓

NE 1/4 NW 1/4 1.2 ACRES ✓

SW 1/4 NW 1/4 2.2 ACRES ✓

SE 1/4 NW 1/4 18.4 ACRES ✓

NE 1/4 SW 1/4 9.4 ACRES ✓

NW 1/4 SW 1/4 2.7 ACRES ✓

NW 1/4 SE 1/4 18.6 ACRES ✓

SW 1/4 SE 1/4 6.6 ACRES ✓

ALL AS PROJECTED WITHIN DLC 40

NE 1/4 SE 1/4 40.0 ACRES ✓

LOT 5 (NW 1/4 SE 1/4) 20.0 ACRES ✓

LOT 6 (SW 1/4 SE 1/4) 14.4 ACRES ✓

SE 1/4 SE 1/4 11.6 ACRES ✓

SECTION 15

NE 1/4 NE 1/4 4.9 ACRES ✓

NW 1/4 NE 1/4 6.4 ACRES ✓

BOTH AS PROJECTED WITH J. SUTHERLIN DLC 41

SECTION 23

TOWNSHIP 25 SOUTH, RANGE 5 WEST, W.M.

ORS 498.351 and ORS 509.605 through 509.625 provides that no person shall construct an artificial obstruction across a waterway in which anadromous, game or food fish exist unless that person provides a fishway deemed adequate by the Oregon Department of Fish and Wildlife (ODFW). If the subject pond is in-channel and fish are present, the certificate holder is directed to contact the ODFW Fish Passage Program Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish District office for a determination.

If water is to be diverted from an in-channel pond where fish are present, the certificate holder shall install, maintain and operate fish screening and by-pass devices as required by ORS 498.306 through ORS 498.346 and approved by ODFW. Contact the ODFW Fish Screening Program Coordinator, P.O. Box 59, Portland, OR. 97207. If fish presence is in question, the certificate holder should contact the nearest ODFW Fish District office for a determination.

The storage of water allowed herein is subject to the installation and maintenance of an outlet pipe, or the provision of other means to evacuate water when determined necessary for public safety or to satisfy prior downstream rights as determined by the Water Resources Director.

The right to store and use the water for the above purpose is restricted to beneficial use at the place of use listed above.

WITNESS the signature of the Water Resources Director, affixed AUGUST 17, 2000.

/S/ Richard D. Bailey

Paul R. Cleary

Recorded in State Record of Water Right Certificates numbered 76600.

R-74271.SB

SUPPLEMENTAL

SE 1/4 SE 1/4 0.7 ACRE ✓

SECTION 10

NE 1/4 SW 1/4 0.9 ACRE ✓

SW 1/4 SW 1/4 25.0 ACRES ✓

SE 1/4 SW 1/4 31.7 ACRES ✓

BOTH AS PROJECTED WITHIN CROUCH DLC 45

LOT 2 (SE 1/4 SW 1/4) 2.6 ACRES ✓

SECTION 11

SE SW 1/4 NW 1/4 3.2 ACRES ✓

SE 1/4 NW 1/4 4.0 ACRES ✓

NE 1/4 SW 1/4 1.4 ACRES ✓

NW 1/4 SW 1/4 10.0 ACRES ✓

SW 1/4 SW 1/4 28.8 ACRES ✓

SE 1/4 SW 1/4 2.5 ACRES ✓

ALL AS PROJECTED WITHIN SUTHERLIN DLC 42

NE 1/4 NW 1/4 12.4 ACRES ✓

SECTION 13

NE 1/4 NE 1/4 2.9 ACRES ✓

NW 1/4 NE 1/4 10.4 ACRES ✓

LOT 2 (SW 1/4 NE 1/4) 3.8 ACRES ✓

LOT 1 (SE 1/4 NE 1/4) 19.0 ACRES ✓

SW 1/4 NE 1/4 6.6 ACRES ✓

SE 1/4 NE 1/4 11.8 ACRES ✓

BOTH AS PROJECTED WITHIN J. SUTHERLIN DLC 41

28.0 NE 1/4 NW 1/4 32.0 ACRES ✓

NW 1/4 NW 1/4 29.6 ACRES ✓

SW 1/4 NW 1/4 13.4 ACRES ✓

SE 1/4 NW 1/4 5.2 ACRES ✓

ALL AS PROJECTED WITHIN CROUCH DLC 45

LOT 3 (SW 1/4 NW 1/4) 3.2 ACRES ✓

SW 1/4 NW 1/4 1.7 ACRES ✓

SE 1/4 NW 1/4 12.8 ACRES ✓

NE 1/4 SW 1/4 22.0 ACRES ✓

NW 1/4 SW 1/4 3.3 ACRES ✓

ALL AS PROJECTED WITHIN J. SUTHERLIN DLC 41

LOT 5 (NE 1/4 SW 1/4) 4.9 ACRES ✓

LOT 4 (NW 1/4 SW 1/4) 22.7 ACRES ✓

Map says 2.6 SW 1/4 SE 1/4 2.0 ACRES ✓

SE 1/4 SE 1/4 5.9 ACRES ✓

BOTH AS PROJECTED WITHIN J. SUTHERLIN DLC 41

SECTION 14

NE 1/4 NE 1/4 5.8 ACRES ✓

NW 1/4 NE 1/4 2.8 ACRES ✓

SW 1/4 NE 1/4 3.6 ACRES ✓

SE 1/4 NE 1/4 8.3 ACRES ✓

ALL AS PROJECTED WITH CROUCH DLC 45

NW 1/4 NE 1/4 2.3 ACRES ✓

SW 1/4 NE 1/4 12.9 ACRES ✓

BOTH AS PROJECTED WITHIN T. SUTHERLIN DLC 40

SECTION 15

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-12534, Douglas County	)	PROPOSING APPROVAL FOR
	)	ADDITIONAL POINTS OF
	)	DIVERSION

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SUTHERLIN WATER CONTROL DISTRICT
495 N. STATE STREET
SUTHERLIN, OR 97479

Findings of Fact

1. On December 13, 2016, SUTHERLIN WATER CONTROL DISTRICT filed an application for additional points of appropriation under Certificates 76599 and 76600. The Department assigned the application number T-12534.
2. Notice of the application for transfer was published on December 20, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 22, 2020, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12534 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of February 24, 2020, for the applicant to respond.
4. On March 2, 2020, the applicant requested that the Department proceed with issuance of a Preliminary Determination.

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

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

Certificate: 76599 in the name of SUTHERLIN WATER CONTROL DISTRICT
(perfected under Permit S-31273)

Use: PRIMARY IRRIGATION OF 499.1 ACRES AND SUPPLEMENTAL
IRRIGATION OF 34.6 ACRES

Priority Date: JANUARY 27, 1960

Rate: 6.67 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured
under any other right existing for the same lands, is limited to ONE-
EIGHTIETH of one cubic foot per second per acre, or its equivalent for
each acre irrigated and shall be further limited to a diversion of not to
exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation
season of each year from direct flow and storage. The use of water for
supplemental irrigation is limited to stored water only.

Source: SUTHERLIN CREEK AND PLAT 1 RESERVOIR CONSTRUCTED
UNDER PERMIT R-4751, a tributary of NORTH UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	5 W	WM	14	NW SE	41	POD 1 - 800 FEET SOUTH AND 580 FEET EAST FROM THE C1/4 CORNER OF SECTION 14

Authorized Place of Use:

PRIMARY							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.7
25 S	5 W	WM	11	NE SW		45	0.9
25 S	5 W	WM	11	SW SW		45	25.0
25 S	5 W	WM	11	SE SW	2		2.6
25 S	5 W	WM	11	SE SW		45	31.7
25 S	5 W	WM	13	NE NW			12.4
25 S	5 W	WM	13	SW NW		42	3.2
25 S	5 W	WM	13	SE NW		42	4.0
25 S	5 W	WM	13	NE SW		42	0.6
25 S	5 W	WM	13	NW SW		42	4.1
25 S	5 W	WM	13	SW SW		42	3.4
25 S	5 W	WM	14	NE NE			2.9
25 S	5 W	WM	14	NW NE			10.4
25 S	5 W	WM	14	SW NE	2	41	3.8
25 S	5 W	WM	14	SW NE		41	6.6
25 S	5 W	WM	14	SE NE		41	11.8
25 S	5 W	WM	14	SE NE	1	41	19.0
25 S	5 W	WM	14	NE NW		45	32.0
25 S	5 W	WM	14	NW NW		45	29.6
25 S	5 W	WM	14	SW NW		41	1.7
25 S	5 W	WM	14	SW NW	3	41	3.2
25 S	5 W	WM	14	SW NW		45	13.4
25 S	5 W	WM	14	SE NW		45	5.2
25 S	5 W	WM	14	SE NW		41	12.8
25 S	5 W	WM	14	NE SW	5	41	4.9

PRIMARY							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	14	NE SW		41	22.0
25 S	5 W	WM	14	NW SW			3.3
25 S	5 W	WM	14	NW SW	4	41	22.7
25 S	5 W	WM	14	SW SE		41	2.0
25 S	5 W	WM	14	SE SE		41	5.9
25 S	5 W	WM	15	NE NE		45	5.8
25 S	5 W	WM	15	NW NE		40	2.3
25 S	5 W	WM	15	NW NE		45	2.8
25 S	5 W	WM	15	SW NE	4	40	1.2
25 S	5 W	WM	15	SW NE		45	3.6
25 S	5 W	WM	15	SW NE		40	12.9
25 S	5 W	WM	15	SE NE	7	40	4.0
25 S	5 W	WM	15	SE NE		45	8.3
25 S	5 W	WM	15	NE NW		40	1.2
25 S	5 W	WM	15	SW NW		40	2.2
25 S	5 W	WM	15	SE NW		40	18.4
25 S	5 W	WM	15	NE SW		40	9.4
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NE SE			40.0
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	4.9
25 S	5 W	WM	23	NW NE		41	6.4
						Total	499.1

SUPPLEMENTAL (STORED WATER ONLY)						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	13	NE SW	42	0.8
25 S	5 W	WM	13	NW SW	42	5.9
25 S	5 W	WM	13	SW SW	42	25.4
25 S	5 W	WM	13	SE SW	42	2.5
					Total	34.6

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

Certificate: 76600 in the name of SUTHERLIN WATER CONTROL DISTRICT
(perfected under Reservoir Application R-74271)

Use: PRIMARY IRRIGATION OF 137.1 ACRES AND SUPPLEMENTAL
IRRIGATION OF 533.7 ACRES

Priority Date: JANUARY 1, 1993

Rate: 450.0 ACRE-FEET

Source: SUTHERLIN CREEK, A TRIBUTARY OF NORTH UMPQUA RIVER
IN AN ENLARGEMENT PLAT 1 RESERVOIR, ORIGINALLY
CONSTRUCTED UNDER PERMIT R-4751

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q
25 S	5 W	WM	14	NW SE

Authorized Place of Use:

PRIMARY						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	14	NE NE		5.0
25 S	5 W	WM	14	SW NW		14.3
25 S	5 W	WM	14	SE NW		12.1
25 S	5 W	WM	14	SE SW		2.0
25 S	5 W	WM	15	NW NE	40	6.6
25 S	5 W	WM	15	NE NW	40	0.8
25 S	5 W	WM	15	NE SW	40	29.4
25 S	5 W	WM	15	NW SW	40	15.6
25 S	5 W	WM	15	SW SW	40	13.6
25 S	5 W	WM	15	SE SW	40	13.6
25 S	5 W	WM	15	SE SE		3.7
25 S	5 W	WM	16	NE SE	40	3.4
25 S	5 W	WM	16	SE SE	40	9.7
25 S	5 W	WM	22	SW NE		3.9
25 S	5 W	WM	22	SE NE		2.4
25 S	5 W	WM	23	NE NW		1.0
Total						137.1

SUPPLEMENTAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.7
25 S	5 W	WM	11	NE SW			0.9
25 S	5 W	WM	11	SW SW		45	25.0
25 S	5 W	WM	11	SE SW		45	31.7
25 S	5 W	WM	11	SE SW	2		2.6
25 S	5 W	WM	13	NE NW			12.4
25 S	5 W	WM	13	SW NW		42	3.2
25 S	5 W	WM	13	SE NW		42	4.0
25 S	5 W	WM	13	NE SW		42	1.4
25 S	5 W	WM	13	NW SW		42	10.0
25 S	5 W	WM	13	SW SW		42	28.8
25 S	5 W	WM	13	SE SW		42	2.5
25 S	5 W	WM	14	NE NE			2.9
25 S	5 W	WM	14	NW NE			10.4
25 S	5 W	WM	14	SW NE	2		3.8
25 S	5 W	WM	14	SW NE		41	6.6
25 S	5 W	WM	14	SE NE		41	11.8
25 S	5 W	WM	14	SE NE	1		19.0
25 S	5 W	WM	14	NE NW		45	32.0
25 S	5 W	WM	14	NW NW		45	29.6
25 S	5 W	WM	14	SW NW		45	13.4
25 S	5 W	WM	14	SW NW	3		3.2
25 S	5 W	WM	14	SW NW		41	1.7
25 S	5 W	WM	14	SE NW		41	12.8
25 S	5 W	WM	14	SE NW		45	5.2

SUPPLEMENTAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	14	NE SW	5		4.9
25 S	5 W	WM	14	NE SW		41	22.0
25 S	5 W	WM	14	NW SW		41	3.3
25 S	5 W	WM	14	NW SW	4		22.7
25 S	5 W	WM	14	SW SE		41	2.0
25 S	5 W	WM	14	SE SE		41	5.9
25 S	5 W	WM	15	NE NE		45	5.8
25 S	5 W	WM	15	NW NE		45	2.8
25 S	5 W	WM	15	NW NE		40	2.3
25 S	5 W	WM	15	SW NE		40	12.9
25 S	5 W	WM	15	SW NE	4	40	1.2
25 S	5 W	WM	15	SW NE		45	3.6
25 S	5 W	WM	15	SE NE		45	8.3
25 S	5 W	WM	15	SE NE	7		4.0
25 S	5 W	WM	15	NE NW		40	1.2
25 S	5 W	WM	15	SW NW		40	2.2
25 S	5 W	WM	15	SE NW		40	18.4
25 S	5 W	WM	15	NE SW		40	9.4
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NE SE			40.0
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	4.9
25 S	5 W	WM	23	NW NE		41	6.4
						Total	533.7

7. The Department received information from the applicant that better describes the location of the authorized point of diversion for Certificate 76600 as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	5 W	WM	14	NW SE	41	POD 1 - 800 FEET SOUTH AND 580 FEET EAST FROM THE C1/4 CORNER OF SECTION 14

8. Transfer Application T-12534 proposes additional points of diversion for the rights as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximated distance from original point of diversion in miles (mi.)
25 S	5 W	WM	13	SE NW	42	POD 5 - 753 FEET NORTH AND 1239 FEET WEST FROM THE C1/4 CORNER OF SECTION 13	0.7 mi.
25 S	5 W	WM	14	SW SE	41	POD 2 - 50 FEET NORTH AND 1497 FEET WEST FROM THE SE1/4 CORNER OF SECTION 14	0.4 mi.

Twsp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximated distance from original point of diversion in miles (mi.)
25 S	5 W	WM	23	NE NE	41	POD 3 - 103 FEET SOUTH AND 394 FEET WEST FROM THE NE1/4 CORNER OF SECTION 23	0.5 mi.
25 S	5 W	WM	23	NE NE	41	POD 4 - 1247 FEET SOUTH AND 918 FEET WEST FROM THE NE1/4 CORNER OF SECTION 23	0.7 mi.

9. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new points of diversion to prevent fish from entering the diversions and/or safely transport fish back to the body of water from which the fish were diverted and that the diversions are not currently equipped with an appropriate fish screening and/or by-pass device. The diversions may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-4010(2)]

10. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and water distribution system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12534.
12. The proposed changes would not result in enlargement of the rights.
13. The proposed changes would not result in injury to other water rights.
14. All other application requirements are met.

Determination and Proposed Action

The additional points of diversion proposed in Transfer Application T-12534 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-12534 is approved, the final order will include the following:

1. *The additional points of diversion proposed in Transfer Application T-12534 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 76599 and 76600, and any related decree.*

3. *Water right Certificates 76599 and 76600 are modified. After satisfactory proof of completion has been determined by the Department, superseding water right certificates will be issued when the Department determines it is necessary for record keeping.*
4. *The quantity of water diverted at the new additional points of diversion (POD 2, POD 3, POD 4, and POD 5), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).*
5. *Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*
6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2021**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

Dated in Salem, Oregon on

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-986-0825 or corey.a.courchane@oregon.gov

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free number.

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-12534, Douglas County	)	ADDITIONAL POINTS OF
	)	DIVERSION

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SUTHERLIN WATER CONTROL DISTRICT
495 N. STATE STREET
SUTHERLIN, OR 97479

Findings of Fact

1. On December 13, 2016, SUTHERLIN WATER CONTROL DISTRICT filed an application for additional points of appropriation under Certificates 76599 and 76600. The Department assigned the application number T-12534.
2. Notice of the application for transfer was published on December 20, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 22, 2020, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12534 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of February 24, 2020, for the applicant to respond.
4. On March 2, 2020, the applicant requested that the Department proceed with issuance of a Preliminary Determination.

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

5. On July 15, 2020, the Department issued a Preliminary Determination proposing to approve Transfer T-12534 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on July 21, 2020, and in the News Review newspaper on _____, 2020 pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
6. The first right to be transferred is as follows:

Certificate: 76599 in the name of SUTHERLIN WATER CONTROL DISTRICT (perfected under Permit S-31273)

Use: PRIMARY IRRIGATION OF 499.1 ACRES AND SUPPLEMENTAL IRRIGATION OF 34.6 ACRES

Priority Date: JANUARY 27, 1960

Rate: 6.67 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage. The use of water for supplemental irrigation is limited to stored water only.

Source: SUTHERLIN CREEK AND PLAT 1 RESERVOIR CONSTRUCTED UNDER PERMIT R-4751, a tributary of NORTH UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	5 W	WM	14	NW SE	41	POD 1 - 800 FEET SOUTH AND 580 FEET EAST FROM THE C1/4 CORNER OF SECTION 14

Authorized Place of Use:

PRIMARY							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.7
25 S	5 W	WM	11	NE SW		45	0.9
25 S	5 W	WM	11	SW SW		45	25.0
25 S	5 W	WM	11	SE SW	2		2.6
25 S	5 W	WM	11	SE SW		45	31.7
25 S	5 W	WM	13	NE NW			12.4
25 S	5 W	WM	13	SW NW		42	3.2
25 S	5 W	WM	13	SE NW		42	4.0
25 S	5 W	WM	13	NE SW		42	0.6
25 S	5 W	WM	13	NW SW		42	4.1
25 S	5 W	WM	13	SW SW		42	3.4
25 S	5 W	WM	14	NE NE			2.9
25 S	5 W	WM	14	NW NE			10.4
25 S	5 W	WM	14	SW NE	2	41	3.8
25 S	5 W	WM	14	SW NE		41	6.6
25 S	5 W	WM	14	SE NE		41	11.8
25 S	5 W	WM	14	SE NE	1	41	19.0

PRIMARY							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	14	NE NW		45	32.0
25 S	5 W	WM	14	NW NW		45	29.6
25 S	5 W	WM	14	SW NW		41	1.7
25 S	5 W	WM	14	SW NW	3	41	3.2
25 S	5 W	WM	14	SW NW		45	13.4
25 S	5 W	WM	14	SE NW		45	5.2
25 S	5 W	WM	14	SE NW		41	12.8
25 S	5 W	WM	14	NE SW	5	41	4.9
25 S	5 W	WM	14	NE SW		41	22.0
25 S	5 W	WM	14	NW SW			3.3
25 S	5 W	WM	14	NW SW	4	41	22.7
25 S	5 W	WM	14	SW SE		41	2.0
25 S	5 W	WM	14	SE SE		41	5.9
25 S	5 W	WM	15	NE NE		45	5.8
25 S	5 W	WM	15	NW NE		40	2.3
25 S	5 W	WM	15	NW NE		45	2.8
25 S	5 W	WM	15	SW NE	4	40	1.2
25 S	5 W	WM	15	SW NE		45	3.6
25 S	5 W	WM	15	SW NE		40	12.9
25 S	5 W	WM	15	SE NE	7	40	4.0
25 S	5 W	WM	15	SE NE		45	8.3
25 S	5 W	WM	15	NE NW		40	1.2
25 S	5 W	WM	15	SW NW		40	2.2
25 S	5 W	WM	15	SE NW		40	18.4
25 S	5 W	WM	15	NE SW		40	9.4
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NE SE			40.0
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	4.9
25 S	5 W	WM	23	NW NE		41	6.4
						Total	499.1

SUPPLEMENTAL (STORED WATER ONLY)						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	13	NE SW	42	0.8
25 S	5 W	WM	13	NW SW	42	5.9
25 S	5 W	WM	13	SW SW	42	25.4
25 S	5 W	WM	13	SE SW	42	2.5
					Total	34.6

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

Certificate: 76600 in the name of SUTHERLIN WATER CONTROL DISTRICT
(perfected under Reservoir Application R-74271)
Use: PRIMARY IRRIGATION OF 137.1 ACRES AND SUPPLEMENTAL
IRRIGATION OF 533.7 ACRES
Priority Date: JANUARY 1, 1993
Rate: 450.0 ACRE-FEET
Source: SUTHERLIN CREEK, A TRIBUTARY OF NORTH UMPQUA RIVER
IN AN ENLARGEMENT PLAT 1 RESERVOIR, ORIGINALLY
CONSTRUCTED UNDER PERMIT R-4751

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q
25 S	5 W	WM	14	NW SE

Authorized Place of Use:

PRIMARY						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	14	NE NE		5.0
25 S	5 W	WM	14	SW NW		14.3
25 S	5 W	WM	14	SE NW		12.1
25 S	5 W	WM	14	SE SW		2.0
25 S	5 W	WM	15	NW NE	40	6.6
25 S	5 W	WM	15	NE NW	40	0.8
25 S	5 W	WM	15	NE SW	40	29.4
25 S	5 W	WM	15	NW SW	40	15.6
25 S	5 W	WM	15	SW SW	40	13.6
25 S	5 W	WM	15	SE SW	40	13.6
25 S	5 W	WM	15	SE SE		3.7
25 S	5 W	WM	16	NE SE	40	3.4
25 S	5 W	WM	16	SE SE	40	9.7
25 S	5 W	WM	22	SW NE		3.9
25 S	5 W	WM	22	SE NE		2.4
25 S	5 W	WM	23	NE NW		1.0
Total						137.1

SUPPLEMENTAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.7
25 S	5 W	WM	11	NE SW			0.9
25 S	5 W	WM	11	SW SW		45	25.0
25 S	5 W	WM	11	SE SW		45	31.7
25 S	5 W	WM	11	SE SW	2		2.6
25 S	5 W	WM	13	NE NW			12.4
25 S	5 W	WM	13	SW NW		42	3.2
25 S	5 W	WM	13	SE NW		42	4.0
25 S	5 W	WM	13	NE SW		42	1.4
25 S	5 W	WM	13	NW SW		42	10.0
25 S	5 W	WM	13	SW SW		42	28.8
25 S	5 W	WM	13	SE SW		42	2.5

SUPPLEMENTAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	14	NE NE			2.9
25 S	5 W	WM	14	NW NE			10.4
25 S	5 W	WM	14	SW NE	2		3.8
25 S	5 W	WM	14	SW NE		41	6.6
25 S	5 W	WM	14	SE NE		41	11.8
25 S	5 W	WM	14	SE NE	1		19.0
25 S	5 W	WM	14	NE NW		45	32.0
25 S	5 W	WM	14	NW NW		45	29.6
25 S	5 W	WM	14	SW NW		45	13.4
25 S	5 W	WM	14	SW NW	3		3.2
25 S	5 W	WM	14	SW NW		41	1.7
25 S	5 W	WM	14	SE NW		41	12.8
25 S	5 W	WM	14	SE NW		45	5.2
25 S	5 W	WM	14	NE SW	5		4.9
25 S	5 W	WM	14	NE SW		41	22.0
25 S	5 W	WM	14	NW SW		41	3.3
25 S	5 W	WM	14	NW SW	4		22.7
25 S	5 W	WM	14	SW SE		41	2.0
25 S	5 W	WM	14	SE SE		41	5.9
25 S	5 W	WM	15	NE NE		45	5.8
25 S	5 W	WM	15	NW NE		45	2.8
25 S	5 W	WM	15	NW NE		40	2.3
25 S	5 W	WM	15	SW NE		40	12.9
25 S	5 W	WM	15	SW NE	4	40	1.2
25 S	5 W	WM	15	SW NE		45	3.6
25 S	5 W	WM	15	SE NE		45	8.3
25 S	5 W	WM	15	SE NE	7		4.0
25 S	5 W	WM	15	NE NW		40	1.2
25 S	5 W	WM	15	SW NW		40	2.2
25 S	5 W	WM	15	SE NW		40	18.4
25 S	5 W	WM	15	NE SW		40	9.4
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NE SE			40.0
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	4.9
25 S	5 W	WM	23	NW NE		41	6.4
						Total	533.7

8. The Department received information from the applicant that better describes the location of the authorized point of diversion for Certificate 76600 as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	5 W	WM	14	NW SE	41	POD 1 - 800 FEET SOUTH AND 580 FEET EAST FROM THE C1/4 CORNER OF SECTION 14

9. Transfer Application T-12534 proposes additional points of diversion for the rights as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximated distance from original point of diversion in miles (mi.)
25 S	5 W	WM	13	SE NW	42	POD 5 - 753 FEET NORTH AND 1239 FEET WEST FROM THE C1/4 CORNER OF SECTION 13	0.7 mi.
25 S	5 W	WM	14	SW SE	41	POD 2 - 50 FEET NORTH AND 1497 FEET WEST FROM THE SE1/4 CORNER OF SECTION 14	0.4 mi.
25 S	5 W	WM	23	NE NE	41	POD 3 - 103 FEET SOUTH AND 394 FEET WEST FROM THE NE1/4 CORNER OF SECTION 23	0.5 mi.
25 S	5 W	WM	23	NE NE	41	POD 4 - 1247 FEET SOUTH AND 918 FEET WEST FROM THE NE1/4 CORNER OF SECTION 23	0.7 mi.

10. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new points of diversion to prevent fish from entering the diversions and/or safely transport fish back to the body of water from which the fish were diverted and that the diversions are not currently equipped with an appropriate fish screening and/or by-pass device. The diversions may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-4010(2)]

11. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
12. A pump, pipeline, and water distribution system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12534.
13. The proposed changes would not result in enlargement of the rights.
14. The proposed changes would not result in injury to other water rights.
15. All other application requirements are met.

Conclusions of Law

The additional points of diversion proposed in Transfer Application T-12534 ~~appear to be~~ consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional points of diversion proposed in Transfer Application T-12534 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 76599 and 76600, and any related decree.
3. Water right Certificates 76599 and 76600 are modified. After satisfactory proof of completion has been determined by the Department, superseding water right certificates will be issued when the Department determines it is necessary for record keeping.
4. The quantity of water diverted at the new additional points of diversion (POD 2, POD 3, POD 4, and POD 5), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).
5. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.
6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2021**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

Dated in Salem, Oregon on

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing date: _____

PHILLIPS Stacy H * WRD

From: Lydia Allen <lallen@nrtoday.com>
Sent: Wednesday, September 02, 2020 2:29 PM
To: PHILLIPS Stacy H * WRD
Subject: Re: Legal Notice for T-12534
Attachments: Scan+2+Sep+2020+14_26.pdf

Hi Stacy,

I have been having problems with the post office not delivering for me. Sorry you had to wait so long. I have attached another copy and will send it out in today's mail.

Lydia Allen
The News-Review
lallen@nrtoday.com
541-957-4233
Legal and Obituary Account Manager

From: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Date: Wednesday, September 2, 2020 at 7:55 AM
To: Lydia Allen <lallen@nrtoday.com>
Subject: RE: Legal Notice for T-12534

Good Morning Lydia,

It's been a few weeks since I was told affidavits had been mailed out. I still have not received one for legal notice T-12534 that was run in July. I have the invoice but I cannot pay it until I receive the affidavit of publication. Can you please get one sent to me soon?

Thanks,

Stacy H. Phillips

Restoration Program Technician
725 Summer Street NE, Suite A, Salem, OR 97301 | Office: 503-986-0898
Email: stacy.h.phillips@oregon.gov



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From: Lydia Allen <lallen@nrtoday.com>
Sent: Wednesday, August 12, 2020 10:36 AM
To: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Subject: Re: Legal Notice for T-12534

Good Morning Stacy,

Affidavits were mailed the last two days.
Have a wonderful day!

Lydia Allen
The News-Review
llallen@nrtoday.com
541-957-4233
Legal and Obituary Account Manager

From: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Date: Wednesday, August 12, 2020 at 10:09 AM
To: Lydia Allen <llallen@nrtoday.com>
Subject: RE: Legal Notice for T-12534

Good Morning Lydia,

We recently received the invoice for this notice, thank you. However, we still have not yet received the affidavit of publication. Without it, I am not authorized to pay the invoice for the amount owed. Could you please send us the affidavit of publication for notice T-12534 at your soonest convenience?

Thanks,

Stacy H. Phillips
Restoration Program Technician
725 Summer Street NE, Suite A, Salem, OR 97301 | Office: 503-986-0898
Email: stacy.h.phillips@oregon.gov



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From: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Sent: Friday, July 17, 2020 9:46 AM
To: Lydia Allen <llallen@nrtoday.com>
Subject: Re: Legal Notice for T-12534

Hi Lydia,

Thank you for making those corrections. Everything looks good to me, please publish as is.

Thanks,

Stacy H. Phillips
Restoration Program Technician
Oregon Water Resources Department

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From: Lydia Allen <llallen@nrtoday.com>
Sent: Friday, July 17, 2020 9:43:27 AM
To: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Subject: Re: Legal Notice for T-12534

Revised

Notice of Preliminary Determination for
Water Right Transfer T-12534

T-12534 filed by Sutherlin Water Control District, 495 N State Street, Sutherlin, OR 97479, proposes additional points of appropriation under Certificates 76599 and 76600. Certificate 76599 allows the use of 6.67 cubic feet per second from Sutherlin Creek and Plat 1 Reservoir in Sec. 14, T25S, R5W, WM for primary irrigation in Sects. 10, 11, 13, 14, 15, and 23, T25S, R5W, WM, and supplemental irrigation in Sec. 13, T25S, R5W, WM. Certificate 76600 allows the use of 450.0 acre-feet from Sutherlin Creek and Plat 1 Reservoir in Sec. 14, T25S, R5W, WM for primary irrigation in Sects. 14, 15, 16, 22, and 23, T25S, R5W, WM, and supplemental irrigation in Sects. 10, 11, 13, 14, 15, and 23, T25S, R5W, WM. The applicant proposes additional points of diversion in Sects. 13, 14, and 23, T25S, R5W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000. IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. Mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 07/28/2020. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

#6464 Pub. Dates: July 21, 28, 2020

Lydia Allen
The News-Review
llallen@nrtoday.com
541-957-4233
Legal and Obituary Account Manager

From: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Date: Friday, July 17, 2020 at 9:41 AM
To: Lydia Allen <llallen@nrtoday.com>
Subject: Re: Legal Notice for T-12534

Good Morning Lydia,

Thank you for the proof and confirmation of price. I did notice in the last paragraph where it states the last date of publication as 6/27/2020. Could you please update that date to accurately reflect the actual last date of publication, which appears to be 7/28/2020?

Please send me a revised proof to approve once the changes are made.

Thanks,

Stacy H. Phillips
Restoration Program Technician

Oregon Water Resources Department

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From: Lydia Allen <lallen@nrtoday.com>
Sent: Friday, July 17, 2020 9:36:24 AM
To: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Subject: Re: Legal Notice for T-12534

AD#52294
\$200.98

Notice of Preliminary Determination for
Water Right Transfer T-12534

T-12534 filed by Sutherlin Water Control District, 495 N State Street, Sutherlin, OR 97479, proposes additional points of appropriation under Certificates 76599 and 76600. Certificate 76599 allows the use of 6.67 cubic feet per second from Sutherlin Creek and Plat 1 Reservoir in Sec. 14, T25S, R5W, WM for primary irrigation in Sects. 10, 11, 13, 14, 15, and 23, T25S, R5W, WM, and supplemental irrigation in Sec. 13, T25S, R5W, WM. Certificate 76600 allows the use of 450.0 acre-feet from Sutherlin Creek and Plat 1 Reservoir in Sec. 14, T25S, R5W, WM for primary irrigation in Sects. 14, 15, 16, 22, and 23, T25S, R5W, WM, and supplemental irrigation in Sects. 10, 11, 13, 14, 15, and 23, T25S, R5W, WM. The applicant proposes additional points of diversion in Sects. 13, 14, and 23, T25S, R5W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000. IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. Mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 06/27/2020. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

#6464 Pub. Dates: July 21, 28, 2020

Lydia Allen
The News-Review
lallen@nrtoday.com
541-957-4233
Legal and Obituary Account Manager

From: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Date: Thursday, July 16, 2020 at 2:02 PM
To: Lydia Allen <lallen@nrtoday.com>
Subject: RE: Legal Notice for T-12534

Hey Lydia,

We are now ready to move forward with publishing the attached legal notice. The notice should appear once a week for 2 weeks.

Please fill in the area on the notice where it reads "the last date of publication" this should be the last actual date of publication. Please advise me of publication dates.

Please send an affidavit of publication after the last date of print. Please invoice us for the exact quoted amount of \$200.98 as we discussed.

Our address is:
Attention: TACS-PN
Oregon Department of Water Resources
725 Summer St. N.E. Suite A
Salem, OR. 97301

Thank you,

Stacy H. Phillips

Restoration Program Technician
725 Summer Street NE, Suite A, Salem, OR 97301 | Office: 503-986-0898
Email: stacy.h.phillips@oregon.gov



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From: Lydia Allen <llallen@nrtoday.com>
Sent: Thursday, June 18, 2020 9:28 AM
To: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Subject: Re: Legal Notice for T-12534

Will do .

From: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Date: Thursday, June 18, 2020 at 8:36 AM
To: Lydia Allen <llallen@nrtoday.com>
Subject: RE: Legal Notice for T-12534

Good Morning Lydia,

Thank you for the quote and proof. Please place this notice on hold until I email you back with approval to publish.

Thanks,

Stacy H. Phillips

Restoration Program Technician
725 Summer Street NE, Suite A, Salem, OR 97301 | Office: 503-986-0898
Email: stacy.h.phillips@oregon.gov



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From: Lydia Allen <llallen@nrtoday.com>
Sent: Wednesday, June 17, 2020 3:58 PM
To: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Subject: Re: Legal Notice for T-12534

Hi Stacy,
Let me know if this is approved.

AD#51503

\$200.98

Notice of Preliminary Determination for
Water Right Transfer T-12534

T-12534 filed by Sutherlin Water Control District, 495 N State Street, Sutherlin, OR 97479, proposes additional points of appropriation under Certificates 76599 and 76600. Certificate 76599 allows the use of 6.67 cubic feet per second from Sutherlin Creek and Plat 1 Reservoir in Sec. 14, T25S, R5W, WM for primary irrigation in Sects. 10, 11, 13, 14, 15, and 23, T25S, R5W, WM, and supplemental irrigation in Sec. 13, T25S, R5W, WM. Certificate 76600 allows the use of 450.0 acre-feet from Sutherlin Creek and Plat 1 Reservoir in Sec. 14, T25S, R5W, WM for primary irrigation in Sects. 14, 15, 16, 22, and 23, T25S, R5W, WM, and supplemental irrigation in Sects. 10, 11, 13, 14, 15, and 23, T25S, R5W, WM. The applicant proposes additional points of diversion in Sects. 13, 14, and 23, T25S, R5W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000. IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. Mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 06/27/2020. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

#6416 Pub. Dates: June 20, 27, 2020

Lydia Allen
The News-Review
lallen@nrtoday.com
541-957-4233
Legal and Obituary Account Manager

From: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Date: Wednesday, June 17, 2020 at 11:18 AM
To: Lydia Allen <lallen@nrtoday.com>, Cindy Smith <csmith@nrtoday.com>
Subject: Legal Notice for T-12534

Hello,

I need a quote to run the attached legal notice T-12534 once a week for two consecutive weeks in the Roseburg New Review paper. I need the quote to be good for 90 days with affidavit at invoice. Please do not publish until you hear back from me.

Thanks,

Stacy H. Phillips
Restoration Program Technician
725 Summer Street NE, Suite A, Salem, OR 97301 | Office: 503-986-0898
Email: stacy.h.phillips@oregon.gov



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 15, 2020

SUTHERLIN WATER CONTROL
DISTRICT 495 N. STATE STREET
SUTHERLIN, OR 97479

SUBJECT: Water Right Transfer Application T-12534

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12534. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

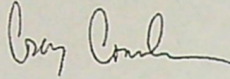
If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

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

IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above.

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 986-0825, if I may be of assistance.

Sincerely,

A handwritten signature in dark ink, appearing to read "Corey Courchane", with a stylized, flowing script.

Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: T-12534
Susan M. Douthit, District 15 Watermaster (*via e-mail*)
Nathan R. Reed, Agent for the applicant (*via e-mail*)

encs

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-12534, Douglas County	)	PROPOSING APPROVAL FOR
	)	ADDITIONAL POINTS OF
	)	DIVERSION

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SUTHERLIN WATER CONTROL DISTRICT
495 N. STATE STREET
SUTHERLIN, OR 97479

Findings of Fact

1. On December 13, 2016, SUTHERLIN WATER CONTROL DISTRICT filed an application for additional points of appropriation under Certificates 76599 and 76600. The Department assigned the application number T-12534.
2. Notice of the application for transfer was published on December 20, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On January 22, 2020, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-12534 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of February 24, 2020, for the applicant to respond.
4. On March 2, 2020, the applicant requested that the Department proceed with issuance of a Preliminary Determination.

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

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

Certificate: 76599 in the name of SUTHERLIN WATER CONTROL DISTRICT
(perfected under Permit S-31273)

Use: PRIMARY IRRIGATION OF 499.1 ACRES AND SUPPLEMENTAL
IRRIGATION OF 34.6 ACRES

Priority Date: JANUARY 27, 1960

Rate: 6.67 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured
under any other right existing for the same lands, is limited to ONE-
EIGHTIETH of one cubic foot per second per acre, or its equivalent for
each acre irrigated and shall be further limited to a diversion of not to
exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation
season of each year from direct flow and storage. The use of water for
supplemental irrigation is limited to stored water only.

Source: SUTHERLIN CREEK AND PLAT 1 RESERVOIR CONSTRUCTED
UNDER PERMIT R-4751, a tributary of NORTH UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	5 W	WM	14	NW SE	41	POD 1 - 800 FEET SOUTH AND 580 FEET EAST FROM THE C1/4 CORNER OF SECTION 14

Authorized Place of Use:

PRIMARY							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.7
25 S	5 W	WM	11	NE SW		45	0.9
25 S	5 W	WM	11	SW SW		45	25.0
25 S	5 W	WM	11	SE SW	2		2.6
25 S	5 W	WM	11	SE SW		45	31.7
25 S	5 W	WM	13	NE NW			12.4
25 S	5 W	WM	13	SW NW		42	3.2
25 S	5 W	WM	13	SE NW		42	4.0
25 S	5 W	WM	13	NE SW		42	0.6
25 S	5 W	WM	13	NW SW		42	4.1
25 S	5 W	WM	13	SW SW		42	3.4
25 S	5 W	WM	14	NE NE			2.9
25 S	5 W	WM	14	NW NE			10.4
25 S	5 W	WM	14	SW NE	2	41	3.8
25 S	5 W	WM	14	SW NE		41	6.6
25 S	5 W	WM	14	SE NE		41	11.8
25 S	5 W	WM	14	SE NE	1	41	19.0
25 S	5 W	WM	14	NE NW		45	32.0
25 S	5 W	WM	14	NW NW		45	29.6
25 S	5 W	WM	14	SW NW		41	1.7
25 S	5 W	WM	14	SW NW	3	41	3.2
25 S	5 W	WM	14	SW NW		45	13.4
25 S	5 W	WM	14	SE NW		45	5.2
25 S	5 W	WM	14	SE NW		41	12.8
25 S	5 W	WM	14	NE SW	5	41	4.9

PRIMARY							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	14	NE SW		41	22.0
25 S	5 W	WM	14	NW SW			3.3
25 S	5 W	WM	14	NW SW	4	41	22.7
25 S	5 W	WM	14	SW SE		41	2.0
25 S	5 W	WM	14	SE SE		41	5.9
25 S	5 W	WM	15	NE NE		45	5.8
25 S	5 W	WM	15	NW NE		40	2.3
25 S	5 W	WM	15	NW NE		45	2.8
25 S	5 W	WM	15	SW NE	4	40	1.2
25 S	5 W	WM	15	SW NE		45	3.6
25 S	5 W	WM	15	SW NE		40	12.9
25 S	5 W	WM	15	SE NE	7	40	4.0
25 S	5 W	WM	15	SE NE		45	8.3
25 S	5 W	WM	15	NE NW		40	1.2
25 S	5 W	WM	15	SW NW		40	2.2
25 S	5 W	WM	15	SE NW		40	18.4
25 S	5 W	WM	15	NE SW		40	9.4
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NE SE			40.0
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	4.9
25 S	5 W	WM	23	NW NE		41	6.4
						Total	499.1

SUPPLEMENTAL (STORED WATER ONLY)						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	13	NE SW	42	0.8
25 S	5 W	WM	13	NW SW	42	5.9
25 S	5 W	WM	13	SW SW	42	25.4
25 S	5 W	WM	13	SE SW	42	2.5
					Total	34.6

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

Certificate: 76600 in the name of SUTHERLIN WATER CONTROL DISTRICT
(perfected under Reservoir Application R-74271)

Use: PRIMARY IRRIGATION OF 137.1 ACRES AND SUPPLEMENTAL
IRRIGATION OF 533.7 ACRES

Priority Date: JANUARY 1, 1993

Rate: 450.0 ACRE-FEET

Source: SUTHERLIN CREEK, A TRIBUTARY OF NORTH UMPQUA RIVER
IN AN ENLARGEMENT PLAT 1 RESERVOIR, ORIGINALLY
CONSTRUCTED UNDER PERMIT R-4751

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q
25 S	5 W	WM	14	NW SE

Authorized Place of Use:

PRIMARY						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	14	NE NE		5.0
25 S	5 W	WM	14	SW NW		14.3
25 S	5 W	WM	14	SE NW		12.1
25 S	5 W	WM	14	SE SW		2.0
25 S	5 W	WM	15	NW NE	40	6.6
25 S	5 W	WM	15	NE NW	40	0.8
25 S	5 W	WM	15	NE SW	40	29.4
25 S	5 W	WM	15	NW SW	40	15.6
25 S	5 W	WM	15	SW SW	40	13.6
25 S	5 W	WM	15	SE SW	40	13.6
25 S	5 W	WM	15	SE SE		3.7
25 S	5 W	WM	16	NE SE	40	3.4
25 S	5 W	WM	16	SE SE	40	9.7
25 S	5 W	WM	22	SW NE		3.9
25 S	5 W	WM	22	SE NE		2.4
25 S	5 W	WM	23	NE NW		1.0
Total						137.1

SUPPLEMENTAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.7
25 S	5 W	WM	11	NE SW			0.9
25 S	5 W	WM	11	SW SW		45	25.0
25 S	5 W	WM	11	SE SW		45	31.7
25 S	5 W	WM	11	SE SW	2		2.6
25 S	5 W	WM	13	NE NW			12.4
25 S	5 W	WM	13	SW NW		42	3.2
25 S	5 W	WM	13	SE NW		42	4.0
25 S	5 W	WM	13	NE SW		42	1.4
25 S	5 W	WM	13	NW SW		42	10.0
25 S	5 W	WM	13	SW SW		42	28.8
25 S	5 W	WM	13	SE SW		42	2.5
25 S	5 W	WM	14	NE NE			2.9
25 S	5 W	WM	14	NW NE			10.4
25 S	5 W	WM	14	SW NE	2		3.8
25 S	5 W	WM	14	SW NE		41	6.6
25 S	5 W	WM	14	SE NE		41	11.8
25 S	5 W	WM	14	SE NE	1		19.0
25 S	5 W	WM	14	NE NW		45	32.0
25 S	5 W	WM	14	NW NW		45	29.6
25 S	5 W	WM	14	SW NW		45	13.4
25 S	5 W	WM	14	SW NW	3		3.2
25 S	5 W	WM	14	SW NW		41	1.7
25 S	5 W	WM	14	SE NW		41	12.8
25 S	5 W	WM	14	SE NW		45	5.2

SUPPLEMENTAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	14	NE SW	5		4.9
25 S	5 W	WM	14	NE SW		41	22.0
25 S	5 W	WM	14	NW SW		41	3.3
25 S	5 W	WM	14	NW SW	4		22.7
25 S	5 W	WM	14	SW SE		41	2.0
25 S	5 W	WM	14	SE SE		41	5.9
25 S	5 W	WM	15	NE NE		45	5.8
25 S	5 W	WM	15	NW NE		45	2.8
25 S	5 W	WM	15	NW NE		40	2.3
25 S	5 W	WM	15	SW NE		40	12.9
25 S	5 W	WM	15	SW NE	4	40	1.2
25 S	5 W	WM	15	SW NE		45	3.6
25 S	5 W	WM	15	SE NE		45	8.3
25 S	5 W	WM	15	SE NE	7		4.0
25 S	5 W	WM	15	NE NW		40	1.2
25 S	5 W	WM	15	SW NW		40	2.2
25 S	5 W	WM	15	SE NW		40	18.4
25 S	5 W	WM	15	NE SW		40	9.4
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NE SE			40.0
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	4.9
25 S	5 W	WM	23	NW NE		41	6.4
Total							533.7

7. The Department received information from the applicant that better describes the location of the authorized point of diversion for Certificate 76600 as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	5 W	WM	14	NW SE	41	POD 1 - 800 FEET SOUTH AND 580 FEET EAST FROM THE C1/4 CORNER OF SECTION 14

8. Transfer Application T-12534 proposes additional points of diversion for the rights as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximated distance from original point of diversion in miles (mi.)
25 S	5 W	WM	13	SE NW	42	POD 5 - 753 FEET NORTH AND 1239 FEET WEST FROM THE C1/4 CORNER OF SECTION 13	0.7 mi.
25 S	5 W	WM	14	SW SE	41	POD 2 - 50 FEET NORTH AND 1497 FEET WEST FROM THE SE1/4 CORNER OF SECTION 14	0.4 mi.

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximated distance from original point of diversion in miles (mi.)
25 S	5 W	WM	23	NE NE	41	POD 3 - 103 FEET SOUTH AND 394 FEET WEST FROM THE NE1/4 CORNER OF SECTION 23	0.5 mi.
25 S	5 W	WM	23	NE NE	41	POD 4 - 1247 FEET SOUTH AND 918 FEET WEST FROM THE NE1/4 CORNER OF SECTION 23	0.7 mi.

9. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new points of diversion to prevent fish from entering the diversions and/or safely transport fish back to the body of water from which the fish were diverted and that the diversions are not currently equipped with an appropriate fish screening and/or by-pass device. The diversions may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-4010(2)]

10. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and water distribution system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12534.
12. The proposed changes would not result in enlargement of the rights.
13. The proposed changes would not result in injury to other water rights.
14. All other application requirements are met.

Determination and Proposed Action

The additional points of diversion proposed in Transfer Application T-12534 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

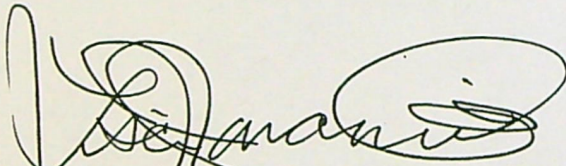
If Transfer Application T-12534 is approved, the final order will include the following:

- 1. The additional points of diversion proposed in Transfer Application T-12534 are approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 76599 and 76600, and any related decree.*

3. *Water right Certificates 76599 and 76600 are modified. After satisfactory proof of completion has been determined by the Department, superseding water right certificates will be issued when the Department determines it is necessary for record keeping.*
4. *The quantity of water diverted at the new additional points of diversion (POD 2, POD 3, POD 4, and POD 5), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).*
5. *Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*
6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2021**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

Dated in Salem, Oregon on

JUL 15 2020



Lisa J. Jaramila, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-986-0825 or corey.a.courchane@oregon.gov

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty servicemembers have a right to stay these proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 503-584-3571, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free number.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **132940**

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

INVOICE # _____

RECEIVED FROM: Irrigation Operating Fund
BY: Sutherlin Water Control

APPLICATION _____
PERMIT _____
TRANSFER T-12534

CASH: ☐ CHECK: # 1612 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 241.18

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 241.18

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	\$ _____		

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: **132940**

DATED: 6-30-2020 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Attached is a check for \$241.18 (PCA #46118) for Newspaper Notice for Transfer T-12534 made out to Oregon Water Resources Department (or WRD)

• "for T-12534 NOTICE" written on front of check

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

Caseworker: cc

RECEIVED
JUN 30 2020
OWRD



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

June 18, 2020

SUTHERLIN WATER CONTROL DISTRICT
495 N. STATE STREET
SUTHERLIN, OR 97479

SUBJECT: Water Right Transfer Application T-12534

Your water right transfer is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing...

At this time you need to:

1. submit a check for \$241.18 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write "for T-12534 NOTICE" on the front of your check,** and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than July 20, 2020.**

What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the News Review newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision.

If we do not receive payment for newspaper notice by July 20, 2020, a Preliminary Determination may be issued denying the application as incomplete.

X-----
Attached is a check for \$241.18 (PCA #46118) for Newspaper Notice for Transfer T-12534 made out to Oregon Water Resources Department (or WRD)

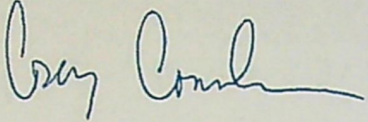
- **"for T-12534 NOTICE" written on front of check**

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

Caseworker: cc

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 986-0825, if I may be of assistance.

Sincerely,

A handwritten signature in blue ink, appearing to read "Corey Courchane", with a long horizontal flourish extending to the right.

Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: T-12534
Susan M. Douthit, District 15 Watermaster (*via e-mail*)
Nathan R. Reed, Agent for the applicant (*via e-mail*)

Affidavit of Publication

The News-Review
OF DOUGLAS COUNTY

Roseburg, Oregon

ISSUED DAILY EXCEPT MONDAY

STATE OF OREGON
COUNTY OF DOUGLAS } ss.

I, BRENDA FISCHER, being first duly sworn, depose and say that I am the CHIEF FINANCIAL OFFICER, of The News-Review, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at Roseburg in the aforesaid county and state; that the _____

#6464 Legal Notice of Water Right Transfer T-12534 a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for 2 successive and consecutive weeks in the following issue:

July 21, 28, 2020

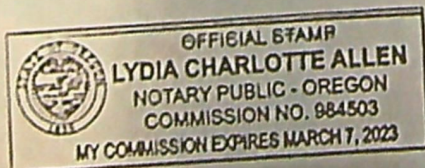
The fee actually charged by such newspaper for such publication is \$200.98

Brenda Fischer

Subscribed and sworn to before me this 2nd day of September, 2020.

Lydia Charlotte Allen

Notary Public of Oregon



Notice of Preliminary Determination for Water Right Transfer T-12534 T-12534 filed by Sutherlin Water Control District, 495 N State Street, Sutherlin, OR 97479, proposes additional points of appropriation under Certificates 76599 and 76600. Certificate 76599 allows the use of 6.67 cubic feet per second from Sutherlin Creek and Plat 1 Reservoir in Sec. 14, T25S, R5W, WM for primary irrigation in Sects. 10, 11, 13, 14, 15, and 23, T25S, R5W, WM, and supplemental irrigation in Sec. 13, T25S, R5W, WM. Certificate 76600 allows the use of 450.0 acre-feet from Sutherlin Creek and Plat 1 Reservoir in Sec. 14, T25S, R5W, WM for primary irrigation in Sects. 14, 15, 16, 22, and 23, T25S, R5W, WM,

and supplemental irrigation in Sects. 10, 11, 13, 14, 15, and 23, T25S, R5W, WM. The applicant proposes additional points of diversion in Sects. 13, 14, and 23, T25S, R5W, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000. IMPORTANT: Due to COVID-19, the Department's office is closed to walk-in services. The Department encourages the submission of protests by U.S. Mail. Please consider mailing early to ensure the Department receives the protest by the deadline specified above. Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 07/28/2020. Call (503) 986-0815 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

#6464 Pub. Dates: July 21, 28, 2020

Received by OWRD

SEP 02 2020

Salem, OR

COURCHANE Corey A * WRD

From: PHILLIPS Stacy H * WRD
Sent: Thursday, June 18, 2020 8:39 AM
To: STARNES Patrick K * WRD
Cc: COURCHANE Corey A * WRD
Subject: RE: Newspaper Estimate for Transfer Application T-12534

Good Morning Corey,

The quote came in for this notice. Total cost will be \$241.18.

Thanks,

Stacy H. Phillips

Restoration Program Technician

725 Summer Street NE, Suite A, Salem, OR 97301 | Office: 503-986-0898

Email: stacy.h.phillips@oregon.gov



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

From: STARNES Patrick K * WRD <Patrick.K.Starnes@oregon.gov>
Sent: Wednesday, June 17, 2020 10:44 AM
To: PHILLIPS Stacy H * WRD <Stacy.H.Phillips@oregon.gov>
Cc: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Subject: Newspaper Estimate for Transfer Application T-12534

Hi Stacy –

Corey will need a quote for the attached TRANSFER Application notice to run in the (Roseburg) News Review. Run time is two weeks.

Thanks!

Kelly

Kelly Starnes, Transfer Program Analyst
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Telephone: 503-986-0886 Fax: 503-986-0903
E-mail: patrick.k.starnes@oregon.gov

Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

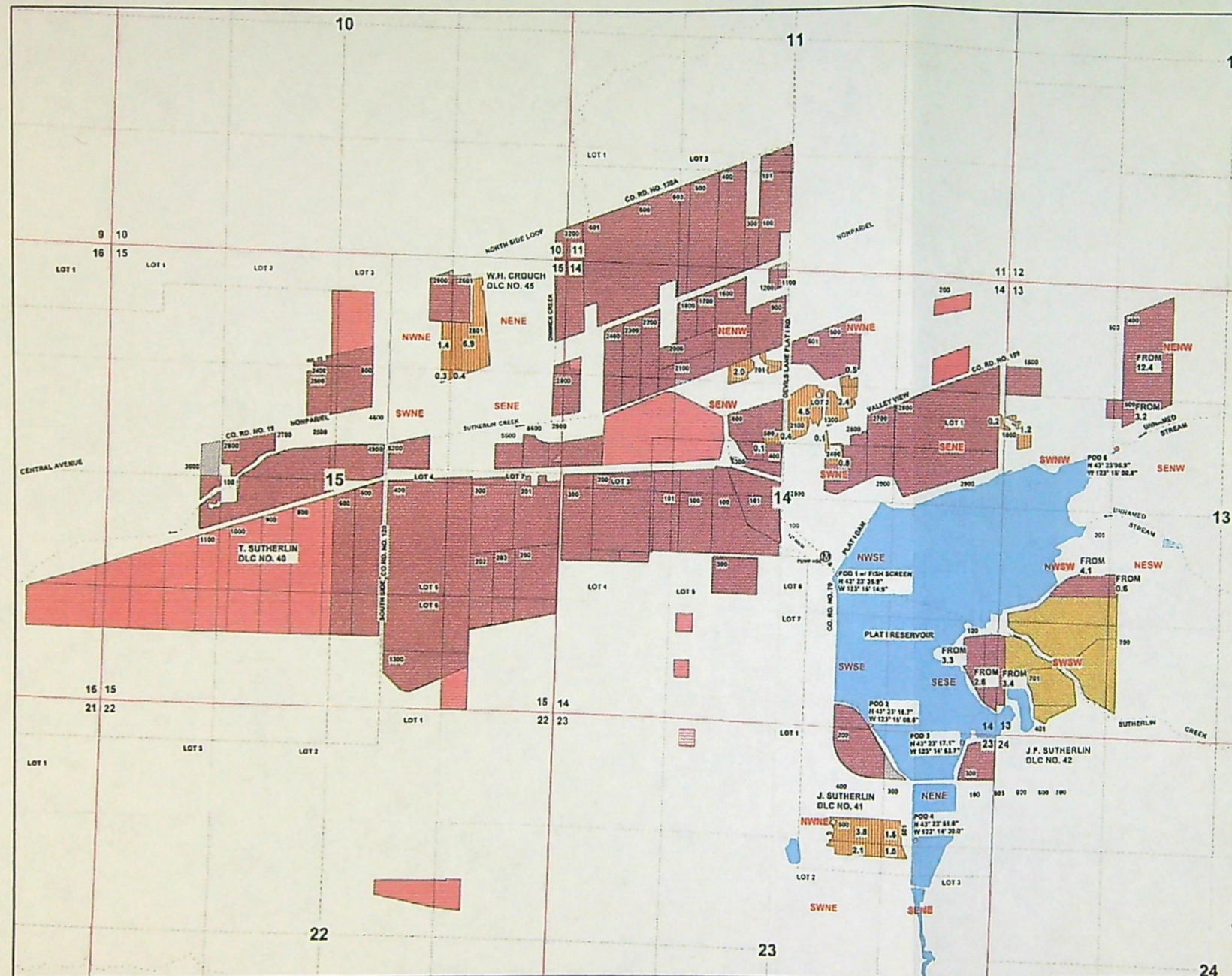
COURCHANE Corey A * WRD

From: Nathan R. Reed <nrreed@co.douglas.or.us>
Sent: Friday, April 10, 2020 9:27 AM
To: COURCHANE Corey A * WRD
Cc: Blair Nash (suthwcd@qwestoffice.net); DOUTHIT Susan M * WRD
Subject: Sutherlin Water Control District T 12534
Attachments: TDT Map w stamp 041020.pdf

Corey,

Attached is the amended map as requested of the highlighted area provided in your previous email.

Nathan R. Reed, P.E., CWRE
Hydrologist/Hydroelectric Manager
Natural Resources Division
Douglas County Public Works
1036 SE Douglas Ave, Room 306
Roseburg, OR 97470
Tel: 541.440.4344
Fax: 541.440.6264
nrreed@co.douglas.or.us



DISTRICT TEMPORARY TRANSFER APPLICATION MAP

FOR: SUTHERLIN WATER CONTROL DISTRICT

BY: NATHAN R. REED, PE, CWRE

T25S, R5W, W.M.

CERTIFICATE NO. 76599

CERTIFICATE NO. 76600



SCALE: 1" = 1320'

EXISTING

POD 1: 800 FEET SOUTH AND 580 FEET EAST FROM C1/4 COR SEC 14
AS PROJECTED WITHIN J. SUTHERLIN DLC 41.

PROPOSED

POD 4: 1247 FEET SOUTH AND 918 FEET WEST FROM NE1/4 COR SEC 23
AS PROJECTED WITHIN J. SUTHERLIN DLC 41.

Legend

	POD & APODs		Section
	Meter		Quarter
	Stream		Sixteenth
	Reservoir/Pond		Parcels
	Pipeline		Cert 76599 primary, 1/27/1960
	Flow Arrow		Cert 76599 suppl, 1/27/1960
	Gov Lot		Cert 76600 Pri/Sup, 1/1/1993
	DLC		Temp Dist. Tmsfr To

Received by OWRD

APR 10 2020

Salem, OR

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

MAP PREPARED BY:
NATHAN R. REED, PE, CWRE
157 W. BODIE ST.
ROSEBURG, OR 97471

MAP PREPARED FOR:
SUTHERLIN WATER CONTROL DIST.
495 N. STATE ST.
SUTHERLIN, OR 97479

COURCHANE Corey A * WRD

From: COURCHANE Corey A * WRD
Sent: Thursday, April 09, 2020 8:40 AM
To: suthwcd@qwestoffice.net; nreed68@hotmail.com
Cc: DOUTHIT Susan M * WRD
Subject: Sutherlin Water Control District, T-12534
Attachments: T-12534.pdf

Good morning,

Attached is a copy of the application map. After receiving the file back from peer review, a minor deficiency was discovered, being the portion highlighted in orange in NE NE of Section 14. Certificate 76599 does not authorize supplemental irrigation from stored water only, as the map indicates. The color and hachuring should identify primary irrigation for this location. In order to proceed, and to keep the record clean, a revised map is needed. Please submit a revised map correctly identifying primary irrigation on the 2.9 acres in NE NE of Section 14, T25S, R5W, WM, and not supplemental irrigation. The Preliminary Determination will not be issued until a new map is received.

Thank you,

Corey Courchane

**COREY A COURCHANE | TRANSFER SPECIALIST
TRANSFER AND CONSERVATION SECTION**

Water Resources Department | 725 Summer St. NE, Suite A | Salem, Oregon 97301

Ph: 503 986-0825 | Fax: 503 986-0901

Email: corey.a.courchane@oregon.gov | Web: <http://www.oregon.gov/OWRD>



495 N. State Street
Sutherlin, Oregon 97479
(541) 459-5450
Fax (541) 459-5450
Email suthwcd@qwestoffice.net

January 28, 2020

Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301

RECEIVED

MAR 02 2020

OWRD

Attention: Corey Courchane, Transfer Specialist

Reference: Water Right Transfer Application, T-12534

Dear Mr. Courchane:

This letter is a response to the request required contained in the cover letter dated January 22, 2020; regarding the draft Preliminary Determination of T-12534.

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.

Page 3 of 7, Authorized Place of Use, Primary table: first row; the Township is 25 not 22.

Page 5 of 7, Item 7; reads as singular case when there are four additional Points of Diversion

2. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the News Review as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

The News Review is the preferred paper having general circulation in the area where the water rights are currently located.

The District will get prior approval of the fish screen(s) by the Oregon Department of Fish and Wildlife (ODFW) prior to the diversion of water at the Additional Points of Diversion.

Sincerely,

Blair Nash
District Manger



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

January 22, 2020

SUTHERLIN WATER CONTROL DISTRICT
495 N. STATE STREET
SUTHERLIN, OR 97479

Reference: Water Right Transfer Application T-12534

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-12534. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing...

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.
2. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the News Review as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

Conditions to your water right...

This transfer will require installation of a fish screen at the new diversion point **prior to diversion of water. You may not divert water prior to installation and approval of the fish screen by the Oregon Department of Fish and Wildlife (ODFW).** You may wish to contact the ODFW staff person listed on the enclosed contact sheet for more information about the screen and to determine a reasonable timeline.

Please note the proposed date by which all conditions must be met: October 1, 2021. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of diversion, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

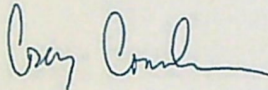
Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable).

If we do not receive the items listed above by February 24, 2020, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 986-0825, if I may be of assistance.

Sincerely,



Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-12534
Susan M. Douthit, District 15 Watermaster (*via e-mail*)
Nathan R. Reed, Agent for the applicant (*via e-mail*)

encs

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

In the Matter of Transfer Application
T-12534, Douglas County

)
)
)
)
)
)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL FOR
ADDITIONAL POINTS OF
DIVERSION

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

SUTHERLIN WATER CONTROL DISTRICT
495 N. STATE STREET
SUTHERLIN, OR 97479

Findings of Fact

1. On December 13, 2016, SUTHERLIN WATER CONTROL DISTRICT filed an application for additional points of appropriation under Certificates 76599 and 76600. The Department assigned the application number T-12534.
2. Notice of the application for transfer was published on December 20, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The first right to be transferred is as follows:

Certificate:	76599 in the name of SUTHERLIN WATER CONTROL DISTRICT (perfected under Permit S-31273)
Use:	PRIMARY IRRIGATION OF 499.1 ACRES AND SUPPLEMENTAL IRRIGATION OF 34.6 ACRES
Priority Date:	JANUARY 27, 1960
Rate:	6.67 CUBIC FEET PER SECOND
Limit/Duty:	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE- EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year from direct flow and storage. The use of water for supplemental irrigation is limited to stored water only.

Source: SUTHERLIN CREEK AND PLAT 1 RESERVOIR CONSTRUCTED
UNDER PERMIT R-4751, a tributary of NORTH UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	5 W	WM	14	NW SE	41	POD 1 - 800 FEET SOUTH AND 580 FEET EAST FROM THE C1/4 CORNER OF SECTION 14

Authorized Place of Use:

PRIMARY							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.7
25 S	5 W	WM	11	NE SW		45	0.9
25 S	5 W	WM	11	SW SW		45	25.0
25 S	5 W	WM	11	SE SW	2		2.6
25 S	5 W	WM	11	SE SW		45	31.7
25 S	5 W	WM	13	NE NW			12.4
25 S	5 W	WM	13	SW NW		42	3.2
25 S	5 W	WM	13	SE NW		42	4.0
25 S	5 W	WM	13	NE SW		42	0.6
25 S	5 W	WM	13	NW SW		42	4.1
25 S	5 W	WM	13	SW SW		42	3.4
25 S	5 W	WM	14	NE NE			2.9
25 S	5 W	WM	14	NW NE			10.4
25 S	5 W	WM	14	SW NE	2	41	3.8
25 S	5 W	WM	14	SW NE		41	6.6
25 S	5 W	WM	14	SE NE		41	11.8
25 S	5 W	WM	14	SE NE	1	41	19.0
25 S	5 W	WM	14	NE NW		45	32.0
25 S	5 W	WM	14	NW NW		45	29.6
25 S	5 W	WM	14	SW NW		41	1.7
25 S	5 W	WM	14	SW NW	3	41	3.2
25 S	5 W	WM	14	SW NW		45	13.4
25 S	5 W	WM	14	SE NW		45	5.2
25 S	5 W	WM	14	SE NW		41	12.8
25 S	5 W	WM	14	NE SW	5	41	4.9
25 S	5 W	WM	14	NE SW		41	22.0
25 S	5 W	WM	14	NW SW			3.3
25 S	5 W	WM	14	NW SW	4	41	22.7
25 S	5 W	WM	14	SW SE		41	2.0
25 S	5 W	WM	14	SE SE		41	5.9
25 S	5 W	WM	15	NE NE		45	5.8
25 S	5 W	WM	15	NW NE		40	2.3
25 S	5 W	WM	15	NW NE		45	2.8
25 S	5 W	WM	15	SW NE	4	40	1.2
25 S	5 W	WM	15	SW NE		45	3.6
25 S	5 W	WM	15	SW NE		40	12.9
25 S	5 W	WM	15	SE NE	7	40	4.0
25 S	5 W	WM	15	SE NE		45	8.3
25 S	5 W	WM	15	NE NW		40	1.2
25 S	5 W	WM	15	SW NW		40	2.2
25 S	5 W	WM	15	SE NW		40	18.4
25 S	5 W	WM	15	NE SW		40	9.4

PRIMARY							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NE SE			40.0
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	4.9
25 S	5 W	WM	23	NW NE		41	6.4
						Total	499.1

SUPPLEMENTAL (STORED WATER ONLY)						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	13	NE SW	42	0.8
25 S	5 W	WM	13	NW SW	42	5.9
25 S	5 W	WM	13	SW SW	42	25.4
25 S	5 W	WM	13	SE SW	42	2.5
					Total	34.6

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

Certificate: 76600 in the name of SUTHERLIN WATER CONTROL DISTRICT
(perfected under Reservoir Application R-74271)

Use: PRIMARY IRRIGATION OF 137.1 ACRES AND SUPPLEMENTAL
IRRIGATION OF 533.7 ACRES

Priority Date: JANUARY 1, 1993

Rate: 450.0 ACRE-FEET

Source: SUTHERLIN CREEK, A TRIBUTARY OF NORTH UMPQUA RIVER
IN AN ENLARGEMENT PLAT 1 RESERVOIR, ORIGINALLY
CONSTRUCTED UNDER PERMIT R-4751

The dam is located as follows:

Twp	Rng	Mer	Sec	Q-Q
25 S	5 W	WM	14	NW SE

Authorized Place of Use:

PRIMARY						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
22 S	5 W	WM	14	NE NE		5.0
25 S	5 W	WM	14	SW NW		14.3
25 S	5 W	WM	14	SE NW		12.1
25 S	5 W	WM	14	SE SW		2.0
25 S	5 W	WM	15	NW NE	40	6.6
25 S	5 W	WM	15	NE NW	40	0.8
25 S	5 W	WM	15	NE SW	40	29.4
25 S	5 W	WM	15	NW SW	40	15.6
25 S	5 W	WM	15	SW SW	40	13.6
25 S	5 W	WM	15	SE SW	40	13.6
25 S	5 W	WM	15	SE SE		3.7

PRIMARY						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
25 S	5 W	WM	16	NE SE	40	3.4
25 S	5 W	WM	16	SE SE	40	9.7
25 S	5 W	WM	22	SW NE		3.9
25 S	5 W	WM	22	SE NE		2.4
25 S	5 W	WM	23	NE NW		1.0
					Total	137.1

SUPPLEMENTAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.7
25 S	5 W	WM	11	NE SW			0.9
25 S	5 W	WM	11	SW SW		45	25.0
25 S	5 W	WM	11	SE SW		45	31.7
25 S	5 W	WM	11	SE SW	2		2.6
25 S	5 W	WM	13	NE NW			12.4
25 S	5 W	WM	13	SW NW		42	3.2
25 S	5 W	WM	13	SE NW		42	4.0
25 S	5 W	WM	13	NE SW		42	1.4
25 S	5 W	WM	13	NW SW		42	10.0
25 S	5 W	WM	13	SW SW		42	28.8
25 S	5 W	WM	13	SE SW		42	2.5
25 S	5 W	WM	14	NE NE			2.9
25 S	5 W	WM	14	NW NE			10.4
25 S	5 W	WM	14	SW NE	2		3.8
25 S	5 W	WM	14	SW NE		41	6.6
25 S	5 W	WM	14	SE NE		41	11.8
25 S	5 W	WM	14	SE NE	1		19.0
25 S	5 W	WM	14	NE NW		45	32.0
25 S	5 W	WM	14	NW NW		45	29.6
25 S	5 W	WM	14	SW NW		45	13.4
25 S	5 W	WM	14	SW NW	3		3.2
25 S	5 W	WM	14	SW NW		41	1.7
25 S	5 W	WM	14	SE NW		41	12.8
25 S	5 W	WM	14	SE NW		45	5.2
25 S	5 W	WM	14	NE SW	5		4.9
25 S	5 W	WM	14	NE SW		41	22.0
25 S	5 W	WM	14	NW SW		41	3.3
25 S	5 W	WM	14	NW SW	4		22.7
25 S	5 W	WM	14	SW SE		41	2.0
25 S	5 W	WM	14	SE SE		41	5.9
25 S	5 W	WM	15	NE NE		45	5.8
25 S	5 W	WM	15	NW NE		45	2.8
25 S	5 W	WM	15	NW NE		40	2.3
25 S	5 W	WM	15	SW NE		40	12.9
25 S	5 W	WM	15	SW NE	4	40	1.2
25 S	5 W	WM	15	SW NE		45	3.6
25 S	5 W	WM	15	SE NE		45	8.3
25 S	5 W	WM	15	SE NE	7		4.0
25 S	5 W	WM	15	NE NW		40	1.2
25 S	5 W	WM	15	SW NW		40	2.2
25 S	5 W	WM	15	SE NW		40	18.4

SUPPLEMENTAL							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	15	NE SW		40	9.4
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NE SE			40.0
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	4.9
25 S	5 W	WM	23	NW NE		41	6.4
Total							533.7

5. The Department received information from the applicant that better describes the location of the authorized point of diversion for Certificate 76600 as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
25 S	5 W	WM	14	NW SE	41	POD 1 - 800 FEET SOUTH AND 580 FEET EAST FROM THE C1/4 CORNER OF SECTION 14

6. Transfer Application T-12534 proposes additional points of diversion for the rights as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances	Approximated distance from original point of diversion in miles (mi.)
25 S	5 W	WM	13	SE NW	42	POD 5 - 753 FEET NORTH AND 1239 FEET WEST FROM THE C1/4 CORNER OF SECTION 13	0.7 mi.
25 S	5 W	WM	14	SW SE	41	POD 2 - 50 FEET NORTH AND 1497 FEET WEST FROM THE SE1/4 CORNER OF SECTION 14	0.4 mi.
25 S	5 W	WM	23	NE NE	41	POD 3 - 103 FEET SOUTH AND 394 FEET WEST FROM THE NE1/4 CORNER OF SECTION 23	0.5 mi.
25 S	5 W	WM	23	NE NE	41	POD 4 - 1247 FEET SOUTH AND 918 FEET WEST FROM THE NE1/4 CORNER OF SECTION 23	0.7 mi.

7. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-4010(2)]

8. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and water distribution system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12534.
10. The proposed changes would not result in enlargement of the rights.
11. The proposed changes would not result in injury to other water rights.
12. All other application requirements are met.

Determination and Proposed Action

The additional points of diversion proposed in Transfer Application T-12534 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-12534 is approved, the final order will include the following:

1. *The additional points of diversion proposed in Transfer Application T-12534 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 76599 and 76600, and any related decree.*
3. *Water right Certificates 76599 and 76600 are modified. After satisfactory proof of completion has been determined by the Department, superseding water right certificates will be issued when the Department determines it is necessary for record keeping.*
4. *The quantity of water diverted at the new additional points of diversion (POD 2, POD 3, POD 4, and POD 5), together with that diverted at the original point of diversion (POD 1), shall not exceed the quantity of water lawfully available at the original point of diversion (POD 1).*
5. *Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*

6. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2021**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

Dated in Salem, Oregon on

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Corey Courchane. If you have questions about the information in this document, you may reach me at 503-986-0825 or corey.a.courchane@oregon.gov

COURCHANE Corey A * WRD

From: DOUTHIT Susan M * WRD
Sent: Tuesday, May 21, 2019 8:28 AM
Cc: Nathan R. Reed (nrreed@co.douglas.or.us); Blair Nash (suthwcd@qwestoffice.net) (suthwcd@qwestoffice.net); STARNES Patrick K * WRD
Subject: RE: T-13173

I think this addendum would cut this permanent transfer lose.
I'd recommend getting the statement in so that we don't find ourselves in the same place next year.
~S

From: REECE Ann L * WRD
Sent: Monday, May 20, 2019 10:22 AM
To: Nathan Reed (nrreed68@hotmail.com) <nrreed68@hotmail.com>; Blair Nash (suthwcd@qwestoffice.net) <suthwcd@qwestoffice.net>
Cc: STARNES Patrick K * WRD <Patrick.K.Starnes@oregon.gov>; DOUTHIT Susan M * WRD <Susan.M.Douthit@oregon.gov>; JARAMILLO Lisa J * WRD <Lisa.J.Jaramillo@oregon.gov>
Subject: RE: T-13173

Nathan,

RE: our phone conversation this morning.

The permanent transfer T-12534 is for an additional POD, and does not involve place of use changes, so the POU corrections listed below for temporary transfer T-13173 won't be needed for T-12534.

However, it may be helpful to send in a statement of addendum to accompany the T-12534 application indicating the additional POD request is for USE of the stored water on the authorized place of use (the use of stored water is included on 76600) , and that it is NOT an additional POD for the STORAGE of water from Sutherlin Creek in the enlargement of Plat 1 reservoir. (In other words, the district is NOT requesting to modify the POD authorized for storage.)

Ann

Best regards,

Ann Reece

DISTRICT TRANSFER ADVISOR

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0858

email: Ann.L.Reece@oregon.gov Web: <https://www.oregon.gov/OWRD/>

District Transfer home page: <https://www.oregon.gov/OWRD/programs/WaterRights/Transfers/DistTransfer/Pages/default.aspx>



Please Note: Under Oregon Law, messages to and from this e-mail address may be available to the public.

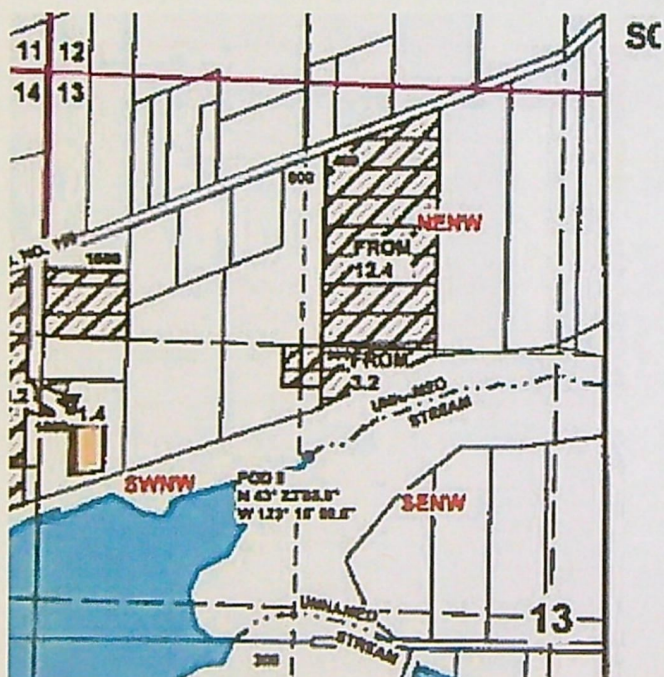
From: REECE Ann L * WRD
 Sent: Thursday, May 16, 2019 11:06 AM
 To: Nathan Reed (nreed68@hotmail.com) <nreed68@hotmail.com>
 Subject: T-13173

Nathan,

I have reviewed T-13173, and have identified 3 items that need clarification. They are noted with bullets below. Give me a call if we need to discuss.

- The 1.4 SWNW shows 1.2 on table.

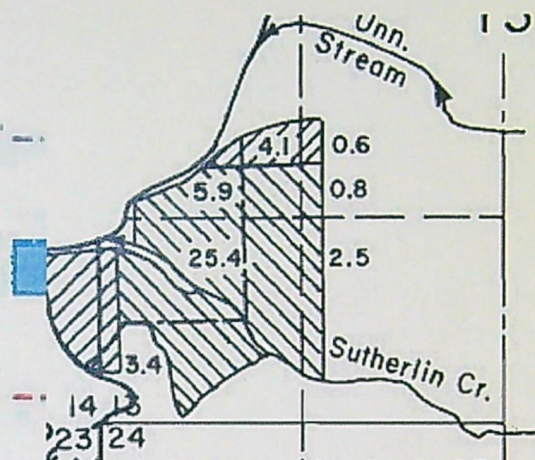
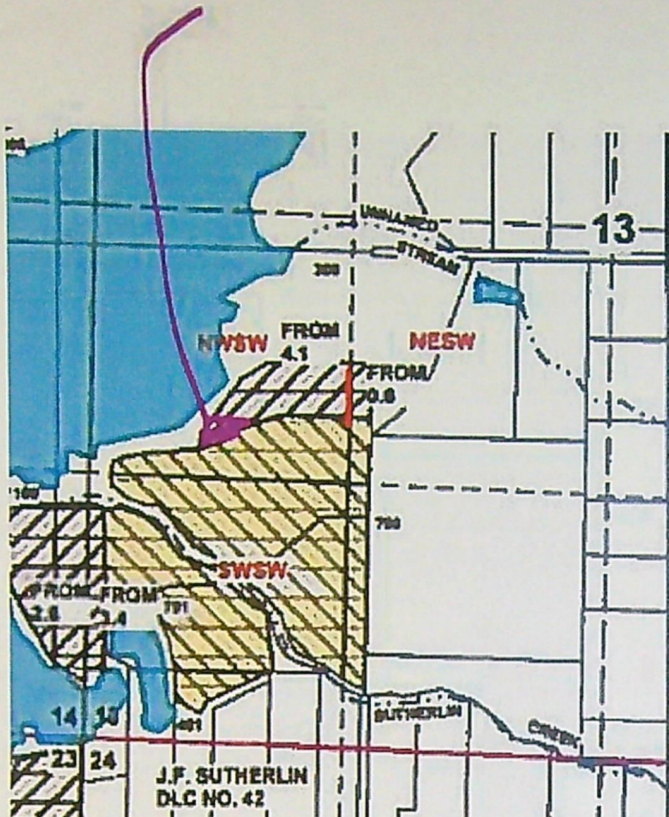
						NE					
1	1/27/1960	IRR	25 S	5 W	13	SW NW	42		1800	1.2	LYNNE RALLS
4	1/27/1960	IRR	25 S	5 W	23	NW	41		500	2.8	JAMES ALLEN



- The fuchsia colored portion is coded for C. 76599 on the final proof map. The 4.1 acres on FP for 76599 (P) and 76600 (S) does not include the fuchsia colored portion.

Transfer Application Map:

Final Proof Map:



- The ON lands in 25S 5W 23 will become layered with primary irrigation under Certificate 973 (for irrigation from Banks Creek and Smith Canyon – Priority dates 1915, and 1911. [note: in WRIS look at permit maps for POU] We will need a statement signed by landowner that C. 973 will not be exercised on these layered lands.

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	TR-S-00	DLC Gov't Lot	Acres
CERT 973 OR	J.F. LUSE CO	E-1315	E-20	973	1/12/1911	NC	ID	25 00S-05 00W-13 SWSW	3.4	8 2500	
					3/30/1911	NC	ID	25 00S-05 00W-13 SWSW	3.4	31 7500	
							ID	25 00S-05 00W-14 SESE	ok	40 0000	
					1/12/1911	NC	ID	25 00S-05 00W-23 SWSW	1.5	40 0000	
							ID	25 00S-05 00W-23 NWSW	3.8	19 0000	
							ID	25 00S-05 00W-23 SESE	1.0	39 0000	
							ID	25 00S-05 00W-23 SWSW	2.1	6 7000	

↑
overlap

Best regards,

Ann Reece

DISTRICT TRANSFER ADVISOR

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0858

email: Ann.L.Reece@oregon.gov Web: <https://www.oregon.gov/OWRD/>

District Transfer home page: <https://www.oregon.gov/OWRD/programs/WaterRights/Transfers/DistTransfer/Pages/default.aspx>

STARNES Patrick K * WRD

From: JARAMILLO Lisa J * WRD
Sent: Wednesday, June 05, 2019 12:06 PM
To: STARNES Patrick K * WRD
Subject: We can move on T-12534 (Sutherlin Water Control Dist) -- FW: FYI... Transfer application on a combination primary storage and secondary use in a single WR (HB 2153/2376)

Follow Up Flag: Follow up
Flag Status: Completed

Hi Kelly,

This was one of the last things I did before I went on vacation..... I discussed whether we could move on these Sutherlin Water Control District right that have both the storage and use components on a single right. I spoke with both Dwight and Racquel on this issue and they were both comfortable with it.

See my email below that went to AMG.

Let me know if you have any questions,
Lisa

LISA J. JARAMILLO | TRANSFER & CONSERVATION SECTION MANAGER
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0880



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

From: JARAMILLO Lisa J * WRD
Sent: Thursday, May 16, 2019 3:30 PM
To: BATEMAN Brenda O * WRD <Brenda.O.Bateman@oregon.gov>; BYLER Thomas M * WRD <Thomas.M.Byler@oregon.gov>; FRENCH Dwight W * WRD <Dwight.W.French@oregon.gov>; GALL Ivan K * WRD <Ivan.K.Gall@oregon.gov>; PAUL Thomas J * WRD <Thomas.J.Paul@oregon.gov>; RANCIER Racquel R * WRD <Racquel.R.Rancier@oregon.gov>; RANSTROM-SMITH Jennifer M * WRD <Jennifer.M.Ranstrom-Smith@oregon.gov>; SNYDER Lisa J * WRD <Lisa.J.Snyder@oregon.gov>; WOODCOCK Douglas E * WRD <Douglas.E.Woodcock@oregon.gov>
Subject: FYI... Transfer application on a combination primary storage and secondary use in a single WR (HB 2153/2376)

Good morning all,

TACS currently has two pending Transfer Applications on file from Sutherlin Water Control District that involve a single "R" water right that has both a storage portion and a "secondary" use portion in the same "R" water right. Certificate 76600 was issued under HB 2153 and allows both: **1)** the storage of Sutherlin Creek in Plat 1 Reservoir originally constructed under Permit R-4751; **and 2)** the "secondary" use of that stored water for primary irrigation and supplemental irrigation.

Consistent with our policy, we will not be making any changes to the storage portion of this right. We will only make changes to the "secondary" irrigation/supplemental irrigation use portion of the right.

I just wanted to give you all a heads up on this in case you get any questions about it.

More detail is provided below for those that are interested:

- **District Temporary Transfer Application T-13173** – proposes to temporarily change the point of diversion (POD) for:
 - The "secondary" use portion only of Certificate 76600; and a
 - A portion of the place of use for "secondary" irrigation right Certificate 76599* (allows the use of live flow and stored water for irrigation and supplemental irrigation.)

**NOTE: Certificate 76599 contains a scrivener's error in that it notes it was originally applied for as Application R-33577. It should identify Application S-33577. Based upon review, it is clear that Certificate 76599 is not a storage right. It is a "secondary" irrigation right for the use of live flow and water stored from a reservoir constructed under Permit R-4751.*

- **Regular Permanent Transfer Application T-12534** – proposes to permanently add a point of diversion (APOD) for:
 - The "secondary" use portion only of Certificate 76600; and
 - Certificate 76599* (allows the use of live flow and stored water for irrigation and supplemental irrigation.)

Please let me know if you have any questions.

Thank you,
Lisa

LISA J. JARAMILLO | TRANSFER & CONSERVATION SECTION MANAGER

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0880



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

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: T-12534

Date of review: 1/13/17

A. Please check box if you believe there is a potential for injury to an instream water right.

☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on _____ [stream], tributary to _____, because _____.
(Please attach any available supporting information.)

Note: This will prompt WRD to make a determination whether the transfer will injure an instream water right. (OWRD makes the determination of injury to a water right, while ODFW's role is to raise concerns, and to evaluate proposed mitigation and net benefit to the resource if OWRD consents to injury of an instream water right.)

B. Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.525 or 540.532:

☐ **1. Screen Maintain**

[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

Condition: The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☒ **2. Screen Now**

[Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Condition: Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

*Please return all 3 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1266*

☐ **3. Screen 2 Year**

[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: _____

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost-share funds become available to assist in the construction of a fish screen. If cost-share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost-share funding.

Condition: By October 1, 20__ [Within two years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user may withdraw water at the new point of diversion without a screen until October 1, 20__. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **4. Screen Future**

[Use this option if fish are not currently present, but might possibly be at some future time.]

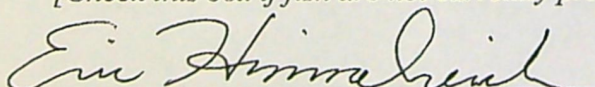
Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

Condition: The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **5. No Screen Needed**

[Check this box if fish are not currently present, and are not expected in the future.]


Signature

(541) 464-2184
Phone

Eric Himmelreich
Printed Name

Habitat Biologist
Title

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer #: T-12534

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☒ Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. **Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.**

ODFW staff name: Rich Kilbane

Address: 1495 E. Gregory Road

City/State/Zip: Central Point, OR 97502

Phone: (541) 826-8774

- ☒ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: Eric Himmelreich

Address: 4192 N. Umpqua Hwy

City/State/Zip: Roseburg, OR 97470

Phone: (541) 464-2184



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-12534

Review Due Date: _____

Applicant Name: SWCD

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

Reviewer(s): Susan Douthit

Date of Review: Dec. 27, 2016

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: Regulated for senior rights infrequently.
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-_____

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

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

☐ *at each new point of diversion/appropriation.*

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

Watermaster name: _____

District: _____

Address: _____

City/State/Zip: _____

Phone: _____

Email: _____

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

Approval of an Alternate Measurement Device

T-_____

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

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

Watermaster signature

District

Date

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

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



Oregon

Kate Brown, Governor

Water Resources Department

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

December 15, 2016

SUTHERLIN WATER CONTROL DISTRICT
495 STATE ST
SUTHERLIN, OR 97479

Reference: Application T- 12534

On December 13, 2016, we received your water right Transfer application. The application was accompanied by \$1450.00. Our receipt number 122111 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. A review form will also be sent to Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water from the new point of diversion until a final order approving the transfer application has been issued by the Department.

In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

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

Cc: Watermaster Dist. #15 (*via email*)
Nathan Reed, Agent
Ann Reece

Enclosure



Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before January 19, 2017. Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time.

Transfer	T 12534
Water Right	Cert:76599 , Cert:76600 CR
County/Basin	Douglas / Umpqua(16)
Applicant Name	SUTHERLIN WATER CONTROL DISTRICT 495 STATE ST SUTHERLIN, OR 97479
Proposed Change	ADDITIONAL POINT OF DIVERSION
Sources/TRSQ40Q160	PLAT 1 RESERVOIR > NORTH UMPQUA RIVER / 25.00S 5.00W 14 NWSE SUTHERLIN CREEK > NORTH UMPQUA RIVER / 25.00S 5.00W 14 NWSE SUTHERLIN CREEK > NORTH UMPQUA RIVER / 25.00S 5.00W 14 NWSE
Use/Quantity	PRIMARY AND SUPPLEMENTAL IRRIGATION / 6.670 CFS IRRIGATION / CFS STORAGE / 450.000 AF
Priority Date	01/27/1960, 01/01/1993

Regular Permanent Water Right Transfer Application Checklist

Checked by Jeffrey Date 13-Dec-16

(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? _____

☒ 2. Are fees included and correct? Fee paid: _____
If not, the correct fee would be: _____, so the amount missing is: _____

Certs & acres involved:

76599

Changes: POD

cfs involved: 6.71

Source: Res

► If a Substitution (see Page 5 of application)

Base fee for 1 well (POA)		\$725.00
Number of additional wells =	_____	x \$350.00 =
Total =		

► If a Government Action POD change (see: Page 5): NO CHARGE

► If any other type of "regular permanent" transfer:

Base fee for one water right, one change and first cfs =		\$1,000.00
# of additional water rights beyond the first (see Part 4 of application) =	_____	x \$450.00 =
Additional fee for groundwater staff review if any number of changes to well location(s), additional well(s) or change from SW diversion point to a well =		\$350.00
1 or 2 additional TYPEs of change* (see Page 5 of application) =	_____	x \$800.00 =
If <u>Place of Use</u> or <u>Character of Use</u> change and transfer involves more than 1 cfs (based on primary acres x rate), # cfs or fraction above the first cfs =	_____	x \$300.00 =
HINT: Total cfs on WR (÷) total # acres on WR (x) # acres involved in transfer = # cfs involved in transfer		
Sub-total =		<u>1000</u>
If a letter from ODFW endorsing this as a "fish-friendly" transfer is included, multiply sub-total by 0.50 =		
Total = sub-total minus 50% "fish-friendly" reduction, if applicable =		

- only on right being changed

*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type
POU is counted as one type
[USE or (Supplemental to Primary)] are counted as one type

Refund \$450

☒ 3. Page 3 of application: Have all the applicants listed at the top of the page signed?
If no, whose signature is missing? _____

☒ 4. Are all listed certificates or permits shown by WRIS as non-cancelled?
If no, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.

☒ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☐ N/A ☐ Form D needed from _____ (district)

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application and assign it a numbered transfer folder. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 122111

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

INVOICE # _____

RECEIVED FROM: <u>Irrigation Operating Fund, Sutherlin Water Control.</u>	APPLICATION
BY: _____	PERMIT
CASH: <input type="checkbox"/> CHECK: # <u>1530</u> OTHER: (IDENTIFY) _____	TRANSFER <u>T-12534</u>
TOTAL REC'D \$ <u>1450.00</u>	

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 RECORD FEE \$
0205 TRANSFER	\$ <u>1450.00</u>	
WELL CONSTRUCTION		
0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219 LICENSE FEE \$
LANDOWNER'S PERMIT		0220 LICENSE FEE \$
OTHER (IDENTIFY) _____		

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD #
0210 MONITORING WELLS	\$	CARD #
OTHER (IDENTIFY) _____		

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)	\$
0231 HYDRO LICENSE FEE (FW/WRD)	\$
HYDRO APPLICATION	\$

TREASURY OTHER / RDX

FUND _____ TITLE _____	
OBJ. CODE _____ VENDOR # _____	
DESCRIPTION _____	\$

RECEIPT: 122111

DATED: 12-13-16 BY: Felicia B.

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Umpqua Bank Checkin

RECEIVED BY OWRD
DEC 13 2016
SALEM, OR

IRRIGATION OPERATING FUND
Oregon Water Resources Dept
2.5200 - MATERIAL & SERVICES: 2.520 Water Right Transfers

12/8/2016

1,450.00

1530

1,450.00



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

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

DEC 13 2016

- ☐ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: 76599 & 76600**
Please include a separate Part 5 for each water right. (See instructions on page 6)

SALEM, OR

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.

(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: ____/____/____

DEC 13 2016

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

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

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

Part 3 of 5 – Fee Worksheet

1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (*for C12345, 1.25 cfs ÷ 100 ac*); then multiply by the number of acres to be transferred to get the transfer cfs (*x 45 ac = 0.56 cfs*).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (*For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs*)
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each “on the ground” acre included in the transfer. (*In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0*).

TACS

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DEC 13 2016

SALEM, OR

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Sutherlin Water Control District			PHONE NO. 541-459-5450	ADDITIONAL CONTACT NO. NA
ADDRESS 495 N. State Street			FAX NO. 541-459-5450	
CITY Sutherlin	STATE OR	ZIP 97479	E-MAIL suthwcd@qwestoffice.net	
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 Nathan R. Reed			PHONE NO. 541-784-7191	ADDITIONAL CONTACT NO. NA
ADDRESS 1113 SE Cass Ave			FAX NO. NA	
CITY Roseburg	STATE OR	ZIP 97470	E-MAIL nreed68@hotmail.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: Requesting four additional Points of Diversion at Plat I Reservoir to serve customers within the district.

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.

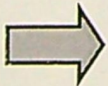
RECEIVED BY OWRD

DEC 13 2016

SALEM, OR

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: News Review.

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



Blair Nash Blair Nash Manager 12-7-16
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.

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			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

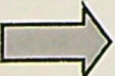
Describe any special ownership circumstances here: _____

- ☒ 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 Sutherlin Water Control District	ADDRESS 495 N. State Street	
CITY Sutherlin	STATE OR	ZIP 97479

- ☐ 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	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 Douglas County	ADDRESS 1036 SE Douglas Ave	
CITY Roeburg	STATE OR	ZIP 97470

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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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.

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 6 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.

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.

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

CERTIFICATE # 76599

Description of Water Delivery System

System capacity: 6.67 cubic feet per second (cfs) OR

 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **Waters are drawn from Plat I reservoir through a fish screened intake to a pump house containing three centrifugal pumps (25 Hp and two 50 Hp). The water is pumped through a totalizing flow meter to a distribution system of 1271 LF of 12 inch asbestos cement (AC) mainline, splitting north and west through 7800 LF 10 inch AC, continuing with 2494 LF of 8 inch and 2176 LF of 6 inch AC pipe.**

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	NA	25 S	5 W	14	NW SE	41	800 ft South & 580 ft East fr. C1/4 Section 14
POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	14	SW SE	41	50 ft North & 1497 ft West fr. SE1/4 Corner Section 14
POD 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	23	NE NE	41	103 ft South & 394 ft West fr. NE1/4 Corner Section 23
POD 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	23	NE NE	41	1247 ft South & 918 ft West fr. NE1/4 Corner Section 23
POD 5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	13	SE NW	42	753 ft North & 1239 ft West fr. C1/4 Section 13

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

- | | |
|--|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input checked="" 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 # 76599

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			
TOTAL ACRES:												TOTAL ACRES:											

Additional remarks: See Attached Sheet.

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 76600.

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 # _____;
Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

- ☐ 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

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

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 # 76600

Description of Water Delivery System

System capacity: 6.67 cubic feet per second (cfs) OR

 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **Waters are drawn from Plat I reservoir through a fish screened intake to a pump house containing three centrifugal pumps (25 Hp and two 50 Hp). The water is pumped through a totalizing flow meter to a distribution system of 1271 LF of 12 inch asbestos cement (AC) mainline, splitting north and west through 7800 LF 10 inch AC, continuing with 2494 LF of 8 inch and 2176 LF of 6 inch AC pipe.**

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	NA	25 S	5 W	14	NW	SE	41	800 ft South & 580 ft East fr. C1/4 Section 14
POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	14	SW	SE	41	50 ft North & 1497 ft West fr. SE1/4 Corner Section 14
POD 3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	23	NE	NE	41	103 ft South & 394 ft West fr. NE1/4 Corner Section 23
POD 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	23	NE	NE	41	1247 ft South & 918 ft West fr. NE1/4 Corner Section 23
POD 5	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	NA	25 S	5 W	13	SE	NW	42	753 ft North & 1239 ft West fr. C1/4 Section 13

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 76600

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.
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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		
TOTAL ACRES:												TOTAL ACRES:										

Additional remarks: See Attached Sheet.

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 76599.

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 # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

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Identify the primary certificate to be cancelled. Certificate # _____

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

- ☐ 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

Table 2: Certificate No. 76599

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	13	NE SW		42	0.80
25 S	5 W	WM	13	NW SW		42	5.90
25 S	5 W	WM	13	SW SW		42	25.40
25 S	5 W	WM	13	SE SW		42	2.50
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE			0.70
25 S	5 W	WM	11	NE SW		45	0.90
25 S	5 W	WM	11	SW SW		45	25.00
25 S	5 W	WM	11	SE SW	2		2.60
25 S	5 W	WM	11	SE SW		45	31.70
25 S	5 W	WM	13	NE NW			12.40
25 S	5 W	WM	13	SW NW		42	3.20
25 S	5 W	WM	13	SE NW		42	4.00
25 S	5 W	WM	13	NE SW		42	0.60
25 S	5 W	WM	13	NW SW		42	4.10
25 S	5 W	WM	13	SW SW		42	3.40
25 S	5 W	WM	14	NE NE			2.90
25 S	5 W	WM	14	NW NE			10.40
25 S	5 W	WM	14	SW NE	2	41	3.80
25 S	5 W	WM	14	SW NE		41	6.60
25 S	5 W	WM	14	SE NE		41	11.80
25 S	5 W	WM	14	SE NE	1	41	19.00
25 S	5 W	WM	14	NE NW		45	32.00
25 S	5 W	WM	14	NW NW		45	29.60
25 S	5 W	WM	14	SW NW		41	1.70
25 S	5 W	WM	14	SW NW	3	41	3.20
25 S	5 W	WM	14	SW NW		45	13.40
25 S	5 W	WM	14	SE NW		45	5.20
25 S	5 W	WM	14	SE NW		41	12.80
25 S	5 W	WM	14	NE SW	5	41	4.90
25 S	5 W	WM	14	NE SW		41	22.00
25 S	5 W	WM	14	NW SW			3.30
25 S	5 W	WM	14	NW SW	4	41	22.70
25 S	5 W	WM	14	SW SE			2.00
25 S	5 W	WM	14	SE SE		41	5.90
25 S	5 W	WM	15	NE NE		45	5.80
25 S	5 W	WM	15	NW NE		40	2.30
25 S	5 W	WM	15	NW NE		45	2.80
25 S	5 W	WM	15	SW NE	4	40	1.20
25 S	5 W	WM	15	SW NE		45	3.60
25 S	5 W	WM	15	SW NE		40	12.90
25 S	5 W	WM	15	SE NE	7	40	4.00
25 S	5 W	WM	15	SE NE		45	8.30
25 S	5 W	WM	15	NE NW		40	1.20
25 S	5 W	WM	15	SW NW		40	2.20
25 S	5 W	WM	15	SE NW		40	18.40
25 S	5 W	WM	15	NE SW		40	9.40
25 S	5 W	WM	15	NW SW		40	2.70
25 S	5 W	WM	15	NE SE		40	40.00
25 S	5 W	WM	15	NW SE			18.60

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Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	15	NW SE	5		20.00
25 S	5 W	WM	15	SW SE		40	6.60
25 S	5 W	WM	15	SW SE	6		14.40
25 S	5 W	WM	15	SE SE			11.60
25 S	5 W	WM	23	NE NE		41	4.90
25 S	5 W	WM	23	NW NE		41	6.40

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Table 2: Certificate No. 76600

Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	14	NE NE			5.00
25 S	5 W	WM	14	SW NW			14.3
25 S	5 W	WM	14	SE NW			12.1
25 S	5 W	WM	14	SE SW			2.00
25 S	5 W	WM	15	NW NE		40	6.6
25 S	5 W	WM	15	NE NW		40	0.8
25 S	5 W	WM	15	NE SW		40	29.4
25 S	5 W	WM	15	NW SW		40	15.6
25 S	5 W	WM	15	SW SW		40	13.6
25 S	5 W	WM	15	SE SW		40	13.6
25 S	5 W	WM	16	NE SE		40	3.4
25 S	5 W	WM	16	SE SE		40	9.7
25 S	5 W	WM	22	SW NE			3.9
25 S	5 W	WM	22	SE NE			2.4
25 S	5 W	WM	23	NE NW			1.0
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	10	SE SE		45	0.7
25 S	5 W	WM	11	NE SW		45	0.9
25 S	5 W	WM	11	SW SW		45	25.0
25 S	5 W	WM	11	SE SW		45	31.7
25 S	5 W	WM	11	SE SW	2		2.6
25 S	5 W	WM	13	SW NW		42	3.2
25 S	5 W	WM	13	SE NW		42	4.0
25 S	5 W	WM	13	NE SW		42	1.4
25 S	5 W	WM	13	NW SW		42	10.0
25 S	5 W	WM	13	SW SW		42	28.8
25 S	5 W	WM	13	SE SW		42	2.5
25 S	5 W	WM	13	NE NW			12.4
25 S	5 W	WM	14	NE NE			2.9
25 S	5 W	WM	14	NW NE			10.4
25 S	5 W	WM	14	SW NE	2		3.8
25 S	5 W	WM	14	SE NE	1		19.0
25 S	5 W	WM	14	SW NE		41	6.6
25 S	5 W	WM	14	SE NE		41	11.8
25 S	5 W	WM	14	NE NW		45	32.0
25 S	5 W	WM	14	NW NW		45	29.6
25 S	5 W	WM	14	SW NW		45	13.4
25 S	5 W	WM	14	SE NW		45	5.2
25 S	5 W	WM	14	SW NW	3		3.2
25 S	5 W	WM	14	SW NW		41	1.7
25 S	5 W	WM	14	SE NW		41	12.8
25 S	5 W	WM	14	NE SW		41	22.0
25 S	5 W	WM	14	NW SW		41	3.3
25 S	5 W	WM	14	NE SW	5		4.9
25 S	5 W	WM	14	NW SW	4		22.7
25 S	5 W	WM	14	SW SE		41	2.0
25 S	5 W	WM	14	SE SE		41	5.9
25 S	5 W	WM	15	NE NE		45	5.8
25 S	5 W	WM	15	NW NE		45	2.8
25 S	5 W	WM	15	SW NE		45	3.6

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Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
25 S	5 W	WM	15	SE NE		45	8.3
25 S	5 W	WM	15	NW NE		40	2.3
25 S	5 W	WM	15	SW NE		40	12.9
25 S	5 W	WM	15	SW NE	4		1.2
25 S	5 W	WM	15	SE NE	7		4.0
25 S	5 W	WM	15	NE NW		40	1.2
25 S	5 W	WM	15	SW NW		40	2.2
25 S	5 W	WM	15	SE NW		40	18.4
25 S	5 W	WM	15	NE SW		40	9.4
25 S	5 W	WM	15	NW SW		40	2.7
25 S	5 W	WM	15	NW SE		40	18.6
25 S	5 W	WM	15	SW SE		40	6.6
25 S	5 W	WM	15	NE SE			40.0
25 S	5 W	WM	15	NW SE	5		20.0
25 S	5 W	WM	15	SW SE	6		14.4
25 S	5 W	WM	15	SE SE			11.6
25 S	5 W	WM	23	NE NE		41	3.9
25 S	5 W	WM	23	NW NE		41	6.4

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TRANSFER APPLICATION MAP

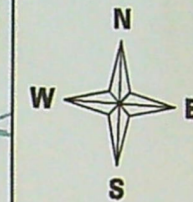
FOR: SUTHERLIN WATER CONTROL DISTRICT

BY: NATHAN R. REED, P.E., CWRE

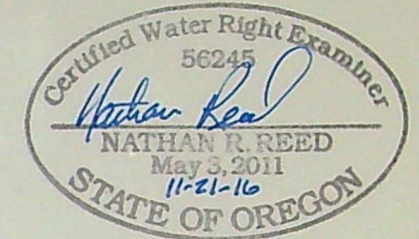
T25S, R5W, W.M.

CERTIFICATE NO. 76599

CERTIFICATE NO. 76600



SCALE: 1" = 1320'



Expires Dec. 31, 2016

EXISTING

POD 1: 800 FEET SOUTH AND 580 FEET EAST FROM C1/4 COR SEC 14 AS PROJECTED WITHIN J. SUTHERLIN DLC 41.

PROPOSED

POD 2: 50 FEET NORTH AND 1497 FEET WEST FROM SE1/4 COR SEC 14

POD 3: 103 FEET SOUTH AND 394 FEET WEST FROM NE1/4 COR SEC 23

POD 4: 1247 FEET SOUTH AND 918 FEET WEST FROM NE1/4 COR SEC 23 ALL AS PROJECTED WITHIN J. SUTHERLIN DLC 41.

POD 5: 753 FEET NORTH AND 1239 FEET WEST FROM C1/4 COR SEC 13 AS PROJECTED WITHIN J.F. SUTHERLIN DLC 42.

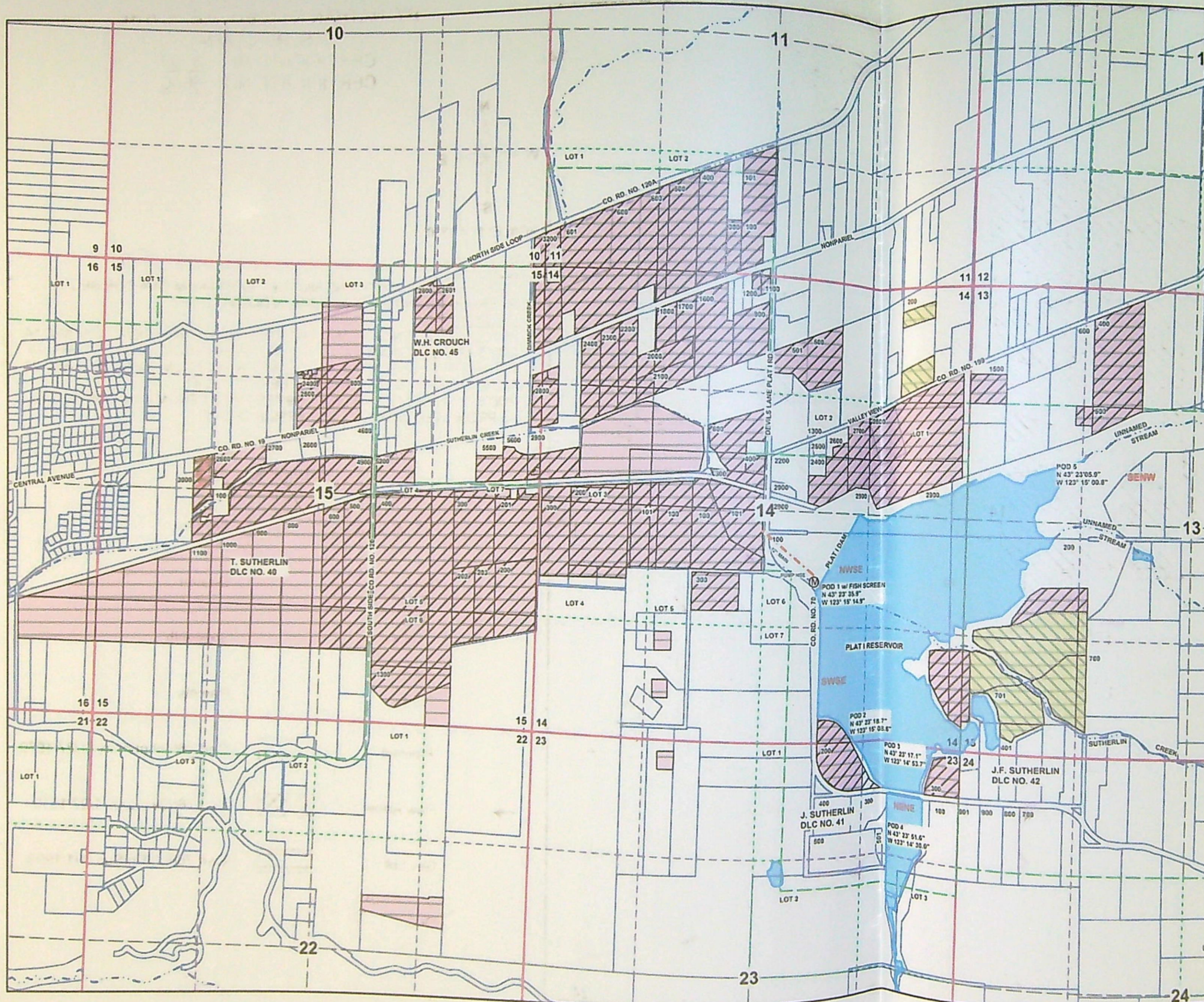
Legend

	POD & APODs		Section
	Meter		Quarter
	Stream		Sixteenth
	Pond		Parcels
	Pipeline		Cert 76599 primary, 1/27/1960
	Flow Arrow		Cert 76599 suppl, 1/27/1960
	Gov Lot		Cert 76600 Pri/Sup, 1/1/1993
	DLC		

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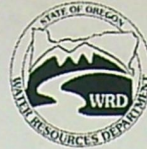
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

1 12534

MAP PREPARED BY:
NATHAN R. REED, P.E., CWRE
1113 SE CASS AV
ROSEBURG, OR 97470

MAP PREPARED FOR:
SUTHERLIN WATER CONTROL DIST.
495 N. STATE ST.
SUTHERLIN, OR 97479

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

NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

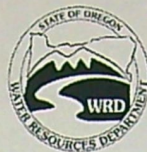
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SALEM, OR

T 12534

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(s): Sutherlin Water Control District (Blair Nash)

Mailing Address: 495 N. State Street

City: Sutherlin

State: OR

Zip Code: 97479

Daytime Phone: 541-459-5450

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>25S</u>	<u>5W</u>	<u>14</u>	<u>NWSE</u>	_____	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
<u>25S</u>	<u>5W</u>	<u>14</u>	<u>SWSE</u>	_____	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
<u>25S</u>	<u>5W</u>	<u>23 A</u>	<u>NENE</u>	_____	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
<u>25S</u>	<u>5W</u>	<u>23 A</u>	<u>NENE</u>	_____	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____

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

Douglas and Sutherlin

A. T25S, R5W, S13, SENW, Diverted, Conveyed and used.

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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) Plat I Reservoir

Estimated quantity of water needed: 6.67 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

Requesting transfer to authorize (four) additional points of diversion to certificates 76599 and 76600 out of Plat I Reservoir for Sutherlin Water Control District use.

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. →

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): 3.8.050
- ☐ 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
	RECEIVED BY OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	DEC 13 2016	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	SALEM, OR	<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.

<u>R 39403 R 39763 R 3995</u> <u>R 39331 R 39531 R 39835</u> <u>R 39347 R 40051 R 39843</u>	DOUGLAS COUNTY PLANNING DEPARTMENT ROOM 106, JUSTICE BUILDING DOUGLAS COUNTY COURTHOUSE ROSEBURG, OR 97470
---	---

Name: THOMAS MCINTOSH Title: DP

Signature: [Signature] Phone: 541-440-4289 Date: 11-18-16

Government Entity: PLANNING

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: _____

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
County of DOUGLAS) ss

I, BLAIR NASH, in my capacity as DISTRICT MANAGER,
mailing address 495 N. STATE STREET, SUTHERLIN, OR 97479
telephone number (541)459-5450, 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 # 76599 AND 76600; **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)

OR

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

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(continues on reverse side)

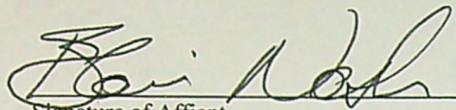
1 12534

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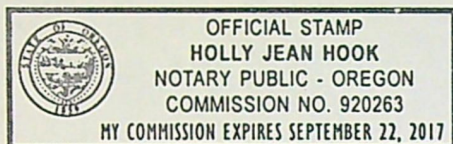
3. The water right was used for: (e.g., crops, pasture, etc.): DISTRICT WATER USERS

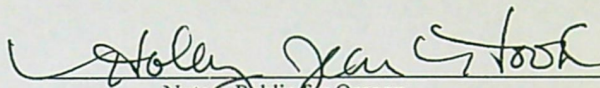
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.


Signature of Affiant

11-18-16
Date

Signed and sworn to (or affirmed) before me this 18th day of November, 2016.




Notary Public for Oregon

My Commission Expires: 9/22/2017

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 checked="" 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 type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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DOUGLAS

ELECTRIC COOPERATIVE

A Touchstone Energy Cooperative

1981 N.E. Stephens, P.O. Box 1327, Roseburg, OR 97470
541-673-6616 www.douglaselectric.com

Account Number: 29587000

Statement Date 10/14/2016 Due Date 11/05/2016

Your Electric Bill Information

Amount Of Previous Bill	3,963.60
Payment 10/03/2016	3,963.60 CR
Balance Forward	0.00
Current Charges	1,858.70
Total Amount Due	\$1,858.70

Page 1 of 2

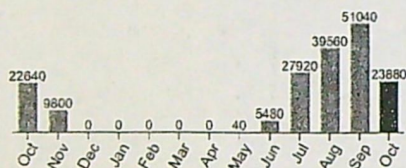
1497 1 AV 0.373
SUTHERLIN WATER CONTROL
495 N STATE ST
SUTHERLIN OR 97479-9100

5 1497
C-5 P-9



Service Address: PLAT I RD Service Desc: IRRIGATION
Map Location: 3H3-56-M Rate: Irrigation

Meter	From	To	Days	Begin Rdg	End Rdg	Usage	Multiplier	Code
90103	09/04/2016	10/04/2016	30	14422	15019	23880	40.00	



Monthly Usage

Detail of Electric Charges

Detail Of Charges

KWH Charge	23,880 kWh x 0.0775	1,850.70
100 Watt HPS Light - 1 Light(s)		8.00
KW Demand	60.4 kW	0.00
Total This Meter		1,858.70

Period	Days	Avg kWh
This Month	30	796
Last Month	31	1646
Last Year	30	755

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T 12534

DOUGLAS

ELECTRIC COOPERATIVE

A Touchstone Energy Cooperative

1981 N.E. Stephens, P.O. Box 1327, Roseburg, OR 97470
541-673-6616 www.douglaselectric.com

Account Number: 29587000

Statement Date 09/14/2016 Due Date 10/05/2016

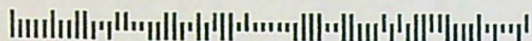
Your Electric Bill Information

Amount Of Previous Bill	3,648.90
Payment 08/29/2016	3,648.90 CR
Balance Forward	0.00
Current Charges	3,963.60
Total Amount Due	\$3,963.60

Page 1 of 2

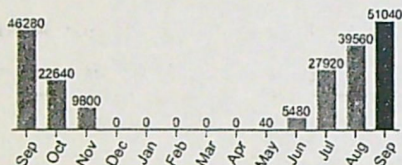
1504 1 AV 0.373
SUTHERLIN WATER CONTROL
495 N STATE ST
SUTHERLIN OR 97479-9100

5 1504
C-5 P-9



Service Address: PLAT I RD Service Desc: IRRIGATION
Map Location: 3H3-56-M Rate: Irrigation

Meter	From	To	Days	Begin Rdg	End Rdg	Usage	Multiplier	Code
90103	08/04/2016	09/04/2016	31	13146	14422	51040	40.00	



Monthly Usage

Period	Days	Avg kWh
This Month	31	1646
Last Month	31	1276
Last Year	31	1493

Detail of Electric Charges

Detail Of Charges

KWH Charge	51,040 kWh x 0.0775	3,955.60
100 Watt HPS Light - 1 Light(s)		8.00
KW Demand	75.2 kW	0.00
Total This Meter		3,963.60

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T 12534

DOUGLAS

ELECTRIC COOPERATIVE

A Touchstone Energy® Cooperative

1981 N.E. Stephens, P.O. Box 1327, Roseburg, OR 97470
541-673-6616 www.douglaselectric.com

Account Number: 29587000

Statement Date 08/15/2016 Due Date 09/05/2016

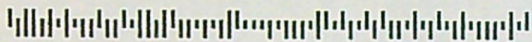
Your Electric Bill Information

Amount Of Previous Bill	2,746.80
Payment 08/01/2016	2,746.80 CR
Balance Forward	0.00
Current Charges	3,648.90
Total Amount Due	\$3,648.90

Page 1 of 2

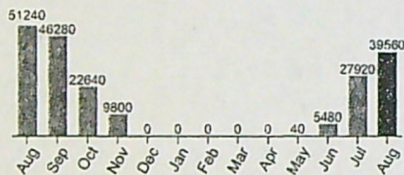
1492 1 AV 0.373
SUTHERLIN WATER CONTROL
495 N STATE ST
SUTHERLIN OR 97479-9100

5 1492
C-5 P-9



Service Address: PLAT I RD Service Desc: IRRIGATION
Map Location: 3H3-56-M Rate: Irrigation

Meter	From	To	Days	Begin Rdg	End Rdg	Usage	Multiplier	Code
90103	07/04/2016	08/04/2016	31	12157	13146	39560	40.00	



Monthly Usage

Detail of Electric Charges

Detail Of Charges

KWH Charge	39,560 kWh x 0.0775	3,065.90
100 Watt HPS Light - 1 Light(s)		8.00
Horsepower Charge		575.00
KW Demand	70.8 kW	0.00
Total This Meter		3,648.90

Period	Days	Avg kWh
This Month	31	1276
Last Month	30	931
Last Year	31	1653

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SALEM, OR

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