

Temporary

Name Martin & Betty Howard revocable trust

DESCRIPTION OF WATER RIGHT(S)

Address 116305 NE Ochoco Highway
Prineville Oregon 97541Name of Stream Ochoco CreekTrib. of Crooked riverUse irrigation livestock & domestic County Crook

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# decree Per # Crooked river Cert # 550 PR Date 12/31/1894

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

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

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

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

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

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

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

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

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

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

FEES PAID

Date	Amount	Receipt #
7-16-2021	\$819.20	135767
8-30-2021	\$462.40	136313

FEES REFUNDED

Date	Amount	Receipt #
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Change in PAWDate Filed 7/16/2021Initial notice date 7/20/2021

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 10/25/2021 Vol 121 Page 880

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

Assignments: _____

Irrigation District _____

Agent Martin or Heidi Howard

CWRE _____

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



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

October 25, 2021

MARTIN AND BETTY HOWARD REVOCABLE TRUST
16305 NE OCHOCO HIGHWAY
PRINEVILLE, OR 97754

REFERENCE: District Temporary Transfer Application T-13763

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

The temporary change shall be effective at the beginning of the 2021 irrigation season. The use shall revert to the original authorized place of use at the end of the 2025 irrigation season.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Corey Courchane by telephone at (503) 979-3917 or by e-mail at Corey.A.Courchane@oregon.gov.

Sincerely,

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

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)
Crook County
Martin Or Heidi Howard, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING A TEMPORARY
T-13763, Crook County)	CHANGE IN PLACE OF USE

Authority

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

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

Applicant

MARTIN AND BETTY HOWARD REVOCABLE TRUST
16305 NE OCHOCO HIGHWAY
PRINEVILLE, OR 97754

Findings of Fact

1. On July 6, 2021, MARTIN AND BETTY HOWARD REVOCABLE TRUST filed an application to temporarily change the place of use under Certificate 550 for a period of 5 years. The Department assigned the application number T-13763.
2. Notice of the application for transfer was published on July 20, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On August 6, 2021, the Department contacted the applicant by written correspondence to notify the applicant and the applicant's agent of deficiencies in the application. The copy of the deed did not match the lands appurtenant to Certificate 550, and the acres in Table 2 did not match the map. The Department requested that the deficiencies be resolved by September 7, 2021.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

4. On August 11, 2021, the Department received a revised Table 2 and map. The revised Table 2 included another water right, being Certificate 654. Certificate 654 was cancelled upon the approval of Transfer Application T-8614, and remaining right Certificate 85417 was issued. Therefore, Certificate 85417 is being added to transfer application T-13763.
5. On August 13, 2021, the Department received a copy of the deed for the lands appurtenant to T-13763.
6. On August 24, 2021, the Department notified the applicant by written correspondence that additional fees are required to continue processing T-13763, as Certificate 85417 was added to the application.
7. On August 30, 2021, the Department received the requested additional fees, resolving the deficiencies.
8. The portion of the first right to be temporarily transferred is as follows:

Certificate: 550 in the name of E. S. DOBBS (confirmed by CROOKED RIVER (F) Decree)
Use: IRRIGATION of 4.0 ACRES
Priority Date: 1894
Rate: 0.05 CUBIC FOOT PER SECOND FOR IRRIGATION, THE TOTAL QUANTITY BEING LIMITED TO FOUR ACRE FEET PER ACRE DURING EACH YEAR
Source: OCHOCO CREEK, a tributary of CROOKED RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
Not specified in certificate				

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	17 E	WM	36	SE SW	4.0

9. Temporary Transfer Application T-13763 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	17 E	WM	1	NE NW	2.5
15 S	17 E	WM	1	NW NW	1.5
Total					4.0

Conclusions of Law

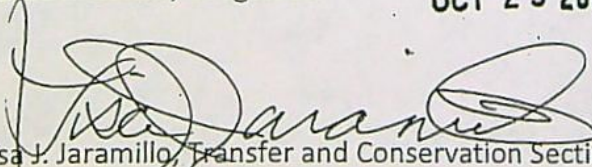
The temporary change in places of use proposed in Temporary Transfer Application T-13763 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in places of use proposed in Temporary Transfer Application T-13763 is approved.
2. The former places of use shall not be irrigated as part of these water rights during the 2021, 2022, 2023, 2024 and 2025 irrigation seasons.
3. The use shall revert to the authorized places of use at the end of the 2025 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 550 and 85417 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 550 and 85417.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The use of the remaining water rights described by Certificates 550 and 85417 shall continue to be in accordance with the terms and conditions of Certificates 550 and 85417.

Dated in Salem, Oregon on

OCT 25 2021


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

Mailing Date:

OCT 26 2021

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

Certificate: 85417 in the name of G.H. RUSSELL (confirmed by CROOKED RIVER Decree)
Use: IRRIGATION of 4.0 ACRES, DOMESTIC, LIVESTOCK USE AND DEVELOPMENT OF 25 HORSEPOWER
Priority Date: 1873
Rate: 0.05 CUBIC FOOT PER SECOND FOR IRRIGATION, THE TOTAL QUANTITY BEING LIMITED TO 4.0 ACRE-FEET PER ACRE DURING EACH YEAR
Source: OCHOCO, VEAZIE and LAWSON CREEKS, tributary to the CROOKED RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
Not specified in certificate				

Authorized Place of Use:

IRRIGATION, DOMESTIC, LIVESTOCK AND POWER DEVELOPMENT					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	17 E	WM	1	NE NW	2.5
15 S	17 E	WM	1	NW NW	1.5
Total					4.0

11. Temporary Transfer Application T-13763 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	17 E	WM	36	SE SW	4.0

Temporary Transfer Review Criteria

12. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
13. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights are present.
14. The proposed changes would prevent the lands from which the water rights are removed during the period of the temporary transfer from receiving water under the transferred rights, as required by ORS 540.523(7).
15. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13763

Transfer Specialist:

Transfer Type: Temporary Transfer

Coley

Applicant: MARTIN AND BETTY HOWARD REVOCABLE TRUST 16305 NE OCHOCO HIGHWAY PRINEVILLE, OR 97754 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A MARTIN OR HEIDI HOWARD 16305 NE OCHOCO HIGHWAY PRINEVILLE, OR 97754 Email: _____ Phone: _____	
Irrigation District: <input type="checkbox"/> N/A Email: _____		CWRE: <input type="checkbox"/> N/A Email: _____	
Affected Local Gov'ts: <input type="checkbox"/> N/A Crook County Planning Department Email: _____		Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____		Receiving Landowner: <input type="checkbox"/> N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	DECREE	CROOKED RIVER	550	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: July 6, 2021	Proposed Action(s): PLACE OF USE	
Fees Pd: 819.20	WM District: 11	ODFW District:
Initial Public Notice: July 20, 2021	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: 8/6/21 Initials: CC	Date: 10/4/21 Initials: SWH	Date: _____ Initials: _____	Date: 10/8/21 Initials: PKS	Date: 10/17/21 Initials: CC	Date: 10/13/21	Date: 10/25/2021

Special Issues: Temp POU - 5yr

Special Order Volume: Vol. 121 Pages 880-83

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING A TEMPORARY
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Total					4.0

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Source: OCHOCO, VEAZIE and LAWSON CREEKS, tributary to the CROOKED RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
Not specified in certificate				

Authorized Place of Use:

IRRIGATION, DOMESTIC, LIVESTOCK AND POWER DEVELOPMENT					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	17 E	WM	1	NE NW	2.5
15 S	17 E	WM	1	NW NW	1.5
Total					4.0

11.)
* Second right To LANDS
Temporary Transfer Review Criteria

- 12 11. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 13 12. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights are present.
- 14 13. The proposed changes would prevent the lands from which the water rights are removed during the period of the temporary transfer from receiving water under the transferred rights, as required by ORS 540.523(7).
- 15 14. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary change in places of use proposed in Temporary Transfer Application T-13763 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in places of use proposed in Temporary Transfer Application T-13763 is approved.
2. The former places of use **shall not** be irrigated as part of these water rights during the 2021, 2022, 2023, 2024 and 2025 irrigation seasons.
3. The use shall revert to the authorized places of use at the end of the 2025 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 550 and 85417 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 550 and 85417.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The use of the remaining water rights described by Certificates 550 and 85417 shall continue to be in accordance with the terms and conditions of Certificates 550 and 85417.

Dated in Salem, Oregon on

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

Mailing Date:

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



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

This temporary transfer application will be returned if Parts 1 through 5
and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

RECEIVED

JUL 06 2021

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: How many water rights are to be transferred? 1 List them here: 550
Please include a separate Part 5 for each water right. (See instructions on page 6) 5
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) Begin Year 2021 End Year 2026
- ☐ ☐ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- ☒ Completed Temporary Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ Current recorded deed for the land from which the authorized place of use is temporarily being moved.
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- ☐ ☒ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use). 541

Please call Sam Van Canegham District 11 Asst Wm if needed 306.34

(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 ☐ Part is incomplete
- ☐ Additional signature(s) required

Other/Explanation

Staff: _____ Phone: _____ Date: ____/____/____

RECEIVED

JUL 06 2021

Part 2 of 5 – Temporary Transfer Application Map Checklist

OWRD

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

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

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

13763

JUL 06 2021

Part 3 of 5 – Fee Worksheet

OWRD

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
2	Number of water rights included in transfer: <u>2x</u> (2a) Subtract 1 from the number in 3a above: <u>1.0</u> (2b) If only one water right this will be 0 Multiply line 2b by \$260.00 and enter " " " " " " " " " " " " " "	2	<u>260.00</u>
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 " " " " " " " " " " " " " " <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 " " " " " " " " " " " " " " If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$200.00, then enter on line 3	3	
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 " " " " " " " " " " " " " " <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>4</u> (4a) <u>8</u> Multiply the number of acres in 4a above by \$2.30 and enter on line 4 " "	4	<u>9.20</u>
5	Add entries on lines 1 through 4 above " " " " " " " " " " Subtotal:	5	<u>819.20</u>
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 " If no box is applicable, enter 0 on line 7 " " " " " " " " " " " " " "	6	
7	Subtract line 6 from line 5 " " " " " " " " " " " " Transfer Fee:	7	<u>819.20</u>

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS					
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00		
	Enter the cfs for the portions of the rights to be transferred (see example below*): <div style="text-align: center;"><u>0.05</u> (2a)</div> Subtract 1.0 from the number in 2a above: <u>0</u> (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » » » » » » » » »				
2		2			
3	Add entries on lines 1 through 2 above » » » » » » » » » » Transfer Fee:	3	<u>200</u>		

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

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

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Part 4 of 5 – Applicant Information and Signature

OWRD

Applicant Information

APPLICANT/BUSINESS NAME <i>Martin & Betty Howard REVOCABLE TRUST</i>		PHONE NO. <i>541-788-9808</i>	ADDITIONAL CONTACT NO.
ADDRESS <i>16305 NE Ochocho Highway</i>		FAX NO.	
CITY <i>Prineville</i>	STATE <i>OR</i>	ZIP <i>97754</i>	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME <i>Martin or Heidi Howard</i>		PHONE NO. <i>541-788-9808</i>	ADDITIONAL CONTACT NO.
ADDRESS <i>same</i>		FAX NO.	
CITY	STATE	ZIP	E-MAIL <i>aunt hoots backe hotmail-com</i>
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application and why:
Transfer existing water rights to 4 acres across highway to water livestock and irrigate the pasture
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

<i>Martin I. Howard</i> Applicant (District) signature	<i>Martin I. Howard</i> Print Name (and Title if applicable)	<i>7-2-21</i> Date
<i>Heidi J. Howard</i> Applicant (District) signature	<i>Heidi J. Howard</i> Print Name (and Title if applicable)	<i>7-2-21</i> Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

13763

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 5503654

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
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		
"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
15	S	17	E 1 NE NW	202		2.5	irrigation	#1	1894	POA	14	S	17	E 36 SE SW	3502		4.0	irrigation	#1	1894		
			NW NW	202		1.5	"	"	"	"	15	17	1	NENW	202		2.5	"	"	1894		
14	17	36	SESW	3502		4.0	"	"	1894	"	"	"	NWNW	202		1.5	"	"	"	1894		
TOTAL ACRES												TOTAL ACRES										

Additional remarks:

8.0

8.0

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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 rows to tables within the form.

Water Right Certificate # 550

Description of Water Delivery System

System capacity: ~ 1 cfs 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. pump to ditch

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)
#1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14 S	17 E	36	SE SW	202	Not designated on certificate
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- ☒ Place of Use (POU) ☐ Appropriation/Well (POA)
☐ Point of Diversion (POD) ☐ Additional Point of Appropriation (APOA)
☐ Additional Point of Diversion (APOD)

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

- ☐ Place of Use (POU) ☐ Point of Appropriation/Well (POA)
☐ Character of Use (USE) ☐ Additional Point of Appropriation (APOA)
☐ Point of Diversion (POD) ☐ Additional Point of Diversion (APOD)

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

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

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☐ 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. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Crook County	ADDRESS 300 NE 3rd st	
CITY Prineville	STATE OR	ZIP 97754

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

13763

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 550

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
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				
"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2	SW NW	500		5.0	POD #6	1901				
15S	17E	1	NE NW	202		2.5	irrigation	#1	1894	POU	17S	17E	36	SE SW	3502		4.0	irrigation	#1	1894				
			NW NW	202		1.5	"	"	"	"														
13763																								
TOTAL ACRES						4.0	TOTAL ACRES						4.0											

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Additional remarks:

Revised 6/2/2021

Applicant switched "From" + "To"

Temporary Transfer Application - Page 8 of 10

TACS

OWRD

Platcard
OK

STATE OF OREGON

WATER DIVISION NO. 2 COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

(For Rights which have been confirmed by the Courts)

This is to Certify, That E. S. DOBES
of Prineville State of Oregon has a right to the use of
the waters of Ochoco Creek, a tributary of Crooked River

for the purpose of the irrigation of ninety acres of land, and domestic and stock
use

and that said right has been confirmed by decree of the Circuit Court of the State of
Oregon for Crook County, and the said decree entered of record at Salem,
in the Order Record of the STATE WATER BOARD of the State of Oregon, in Volume 1, at
page 449 ; that the priority of the right hereby confirmed dates from the year 1894,

that the amount of water to which such right is entitled and hereby confirmed for the
purposes aforesaid, is limited to an amount actually beneficially used for said pur-
poses, and shall not exceed a reasonable amount for domestic and stock use, and
1.13 cubic feet per second for irrigation, the total quantity being limited to four
acre feet per acre during each year. The use hereunder shall conform to any reason-
able rotation system ordered by the proper state officer.

A description of the lands irrigated under such right, and to which the water
hereby confirmed is appurtenant, or, if for other purposes, the place where such water
is put to beneficial use, is as follows:

15 acres in the NE $\frac{1}{4}$ of SE $\frac{1}{4}$; Section Thirty-five (35); 15 acres in the NW $\frac{1}{4}$ of
SW $\frac{1}{4}$; 30 acres in the SW $\frac{1}{4}$ of SW $\frac{1}{4}$; 30 acres in the SE $\frac{1}{4}$ of SW $\frac{1}{4}$; Section Thirty-six
(36); all in Township Fourteen (14) South Range Seventeen (17) East of Willamette
Meridian, in Crook County, Oregon.

~~T = 4.0 acres~~ T = 8.0 acres

$$\frac{1.13}{90.0} = 0.01255(4.0) = 0.05022$$

~~T = 0.05 cfs~~

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

WITNESS the seal and signature of the State
Water Board
affixed this 21st day
of September, 1914.

STATE WATER BOARD

(SEAL OF STATE WATER BOARD)

By JOHN H. LEWIS
State Engineer, President

Attest:

M. F. MERS
Secretary

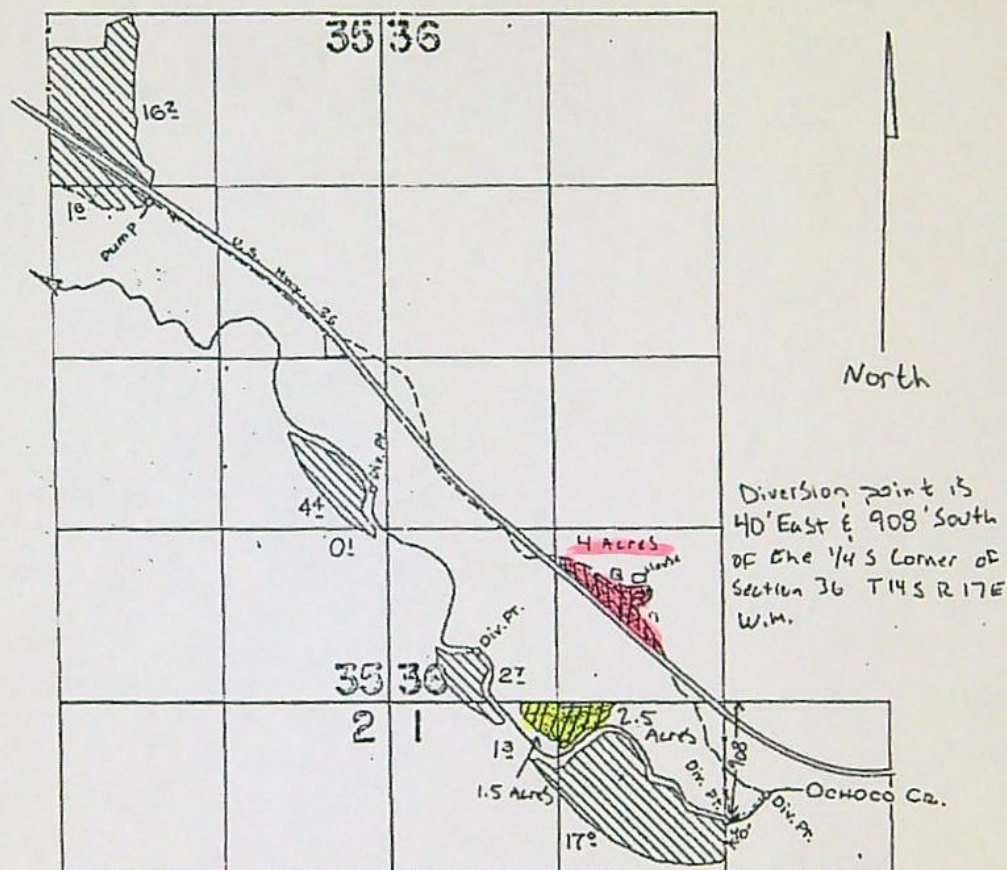
Recorded in State Record of Water Right Certificates, Volume 1, page 550.

"OFF MAP"

JUL 06 2021

T.14815S.R.17E.W.M.

OWRD



- ☒ - water rights to be transferred off. (certificate 654).
- ☒ - water rights to be transferred off. (certificate 550).

Scale

$$1'' = 1320'$$

FINAL PROOF SURVEY
UNDER

RECEIVED

JUN 3 0 2003

Application No. 32445 Permit No. 25622
IN NAME OF

WATER RESOURCES DEPT.
SALEM, OREGON

A. G. SCHNOOR

Surveyed July 12 1963, by J. LAUER.....

13763

P# 25622

Hector Ranch

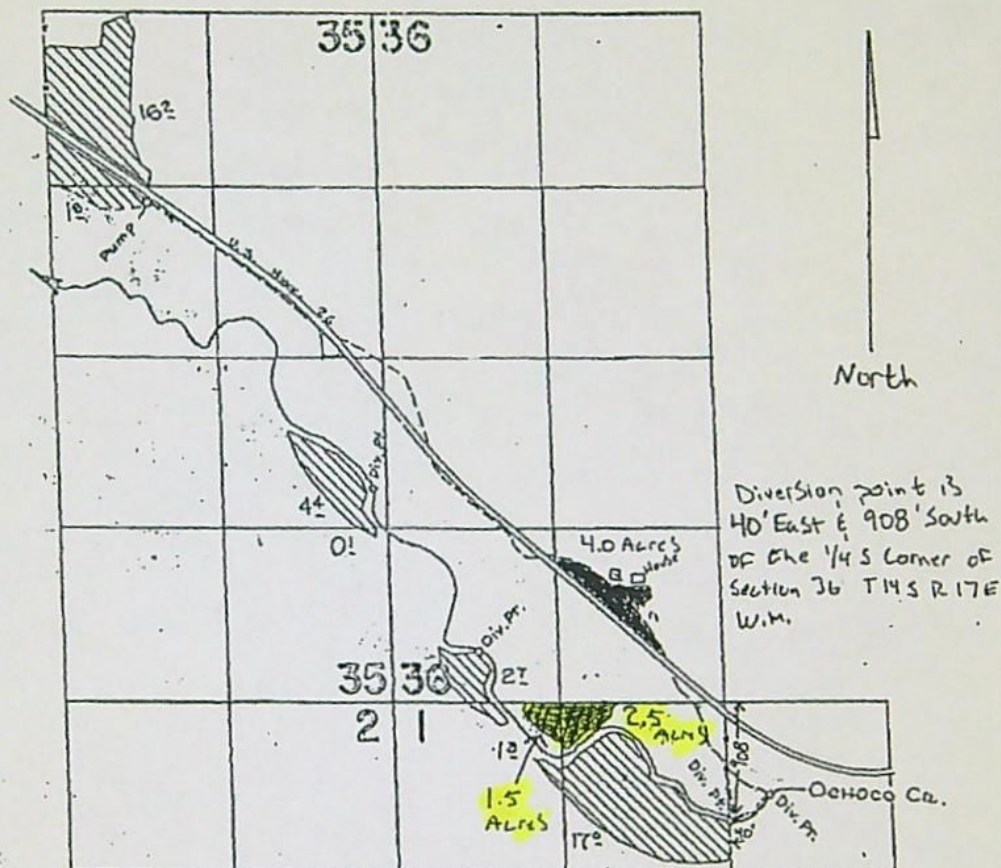
"ON MAP"

RECEIVED

JUL 06 2021

T.14&15S.R.17E.W.M.

OWRD



■ - water rights to be transferred on. (Certificate 550)

■ - water rights to be transferred on. (Certificate 654)

Scale

1" = 1320'

FINAL PROOF SURVEY UNDER

Application No. 32445 Permit No. 25622
IN NAME OF

A. G. SCHNOOR

Surveyed July 12 1963, by T. LAUER

RECEIVED

JUN 30 2003

WATER RESOURCES DEPT.
SALEM, OREGON

13763

T-9489

P# 25622

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 85417

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
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				
"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901				
15	S	17	E 1 NE NW	202	✓	2.5	IR	#1	1873	POU	14	S	17	E 36 SE SW	3502		4.0	IR	#1	1873				
15	S	17	E 1 NW NW	202	✓	1.5	IR	#1	1873	POU														
TOTAL ACRES						4.0							TOTAL ACRES						4.0					

Additional remarks: _____



Oregon

Part 5 of 5 - Water Right Information

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

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 rows to tables within the form.

Water Right Certificate # 85417

Description of Water Delivery System

System capacity: 1 cfs 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. pump to ditch

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)
#1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14 S	17 E	36	SE S W	202	Not designated on certificate
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

☒ Place of Use (POU)

☐ Appropriation/Well (POA)

☐ Point of Diversion (POD)

☐ Additional Point of Appropriation (APOA)

☐ Additional Point of Diversion (APOD)

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

☐ Place of Use (POU)

☐ Point of Appropriation/Well (POA)

☐ Character of Use (USE)

☐ Additional Point of Appropriation (APOA)

☐ Point of Diversion (POD)

☐ Additional Point of Diversion (APOD)

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

☐ Yes

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

☒ No

Complete all of Table 2 to describe the portion of the water right to be changed.

STATE OF OREGON
COUNTY OF CROOK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

G.H. RUSSELL
PRINEVILLE OR 97754

confirms the right to use the waters of the OCHOCO, VEAZIE and LAWSON CREEKS, tributary to the CROOKED RIVER for IRRIGATION OF 13.5 ACRES, DOMESTIC, LIVESTOCK USE AND DEVELOPMENT OF 25 HORSE POWER.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Crook County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 1, at Page 449. The date of priority is 1873.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed a reasonable amount for domestic and stock use and power, and 0.17 CUBIC FOOT PER SECOND for irrigation, the total quantity being limited to 4.0 acre-feet per acre during each year. The use hereunder shall conform to any reasonable rotation system ordered by the proper state officer.

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

DOMESTIC				
Twp	Rng	Mer	Sec	Q-Q
15 S	17 E	WM	1	NE NW
15 S	17 E	WM	1	NW NW

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	17 E	WM	1	NE NW	12.0
15 S	17 E	WM	1	NW NW	1.5

LIVESTOCK				
Twp	Rng	Mer	Sec	Q-Q
15 S	17 E	WM	1	NE NW
15 S	17 E	WM	1	NW NW

POWER DEVELOPMENT				
Twp	Rng	Mer	Sec	Q-Q
15 S	17 E	WM	1	NE NW
15 S	17 E	WM	1	NW NW

This certificate describes that portion of the water right confirmed by Certificate 654, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered April 15, 2004, approving Transfer Application T-8614 and cancelling a portion of the right.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment. The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed MAR 24 2009.

William E. Fubri
Phillip C. Ward, Director

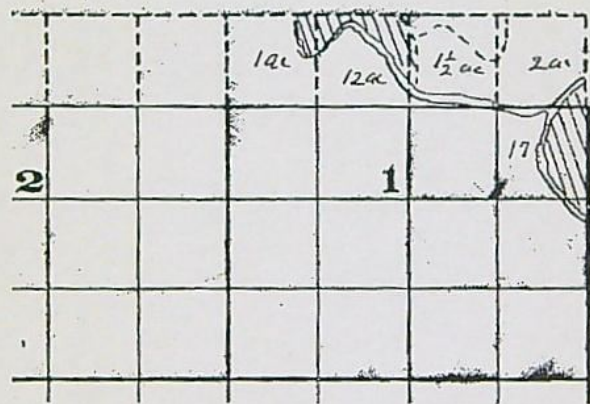
$$\frac{0.17}{13.5} = 0.01259(4.0)$$

$$= 0.05037$$

$$T = 0.05 \text{ cfs}$$

I
2.5
1.5
4.0

Crooked River Degree T15S R17E Sec 1





Oregon

COURCHANE Corey A * WRD

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.Oregon.gov/OWRD

From: HALL Kimberly D * WRD
Sent: Wednesday, September 22, 2021 7:45 AM
To: COURCHANE Corey A * WRD
Subject: RE: Updated Title & Deed - Temporary Transfer #T-13763

Receipt # 136313 - Check # 591

Kimberly Hall

Accounts Receivable Tech III –Administrative Services Division
725 Summer St NE Suite A | Salem OR 97301 | Phone 503-986-0923



OREGON
WATER
RESOURCES
DEPARTMENT

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

From: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Sent: Wednesday, September 22, 2021 7:43 AM
To: HALL Kimberly D * WRD <Kimberly.D.Hall@oregon.gov>
Subject: RE: Updated Title & Deed - Temporary Transfer #T-13763

Kim,

Thank you for the info. What was the receipt #? At least I can update the file so I can proceed.

Thank you,

Corey

From: HALL Kimberly D * WRD <Kimberly.D.Hall@oregon.gov>
Sent: Wednesday, September 22, 2021 7:42 AM
To: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Cc: SMITH Joan M * WRD <Joan.M.Smith@oregon.gov>; GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Subject: RE: Updated Title & Deed - Temporary Transfer #T-13763

Yes, payment came in on 8/30 and I show it was deposited. The receipt should be downstairs with someone.

Kimberly Hall

Accounts Receivable Tech III –Administrative Services Division
725 Summer St NE Suite A | Salem OR 97301 | Phone 503-986-0923



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



From: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Sent: Wednesday, September 22, 2021 6:30 AM
To: HALL Kimberly D * WRD <Kimberly.D.Hall@oregon.gov>
Cc: SMITH Joan M * WRD <Joan.M.Smith@oregon.gov>; GREW Scott A * WRD <Scott.A.Grew@oregon.gov>
Subject: FW: Updated Title & Deed - Temporary Transfer #T-13763

Good morning,

Has anyone seen this payment received? I have not received a receipt in my inbox or any indication the payment was received.

Thank you,

Corey

From: Heidi J Howard <aunthootsback@hotmail.com>
Sent: Tuesday, September 21, 2021 6:24 PM
To: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Cc: VANLANINGHAM Sam J * WRD <Sam.J.Vanlaningham@oregon.gov>
Subject: Re: Updated Title & Deed - Temporary Transfer #T-13763

Good afternoon, Corey:

I received your e-mail and mailed the additional fees Check #591 \$462.40 via Certified Mail to Department of Water Resources on August 26, 2021. It was received and signed for at DWR on August 30, 2021 at 9:06a.m. according to USPS tracking. I sent the check promptly via Certified Mail as I did not want to miss the September 7, 2021 deadline you had mentioned in your e-mail. The check HAS since cleared my father's bank account.

I sent the envelope to your attention with that HIGHLIGHTED on the envelope. I do not know what the fund processing is at your facility, but I would hope that you could track it down and see that the funds were indeed sent AND PROCESSED by DWR.

Please advise as to the outcome of your follow up and outcome of Temporary Transfer Application #T-13763.

Best regards,

Heidi J. Howard

From: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Sent: Tuesday, September 21, 2021 7:19 AM
To: Heidi J Howard <aunthootsback@hotmail.com>
Cc: VANLANINGHAM Sam J * WRD <Sam.J.Vanlaningham@oregon.gov>
Subject: RE: Updated Title & Deed - Temporary Transfer #T-13763

Good morning,

I have not received a response to the additional fees required, that are described below in my response from August 24, 2021. These fees are required pursuant to Oregon Administrative Rule 690-380-3000, and I will not be able to process



Oregon

Kate Brown, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

Application #T-13763 until they are received. Please submit payment to the Oregon Water Resources Department in the amount of \$462.40, with T-13763 identified in the memo section of the check, no later than October 21, 2021. If the Department does not receive the additional fees by October 21, 2021, a Final Order may be issued denying the application as incomplete.

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

Work cell: 503 979-3917 | Fax: 503 986-0901

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

From: COURCHANE Corey A * WRD

Sent: Tuesday, August 24, 2021 8:12 AM

To: Heidi J Howard <aunthootsback@hotmail.com>

Cc: VANLANINGHAM Sam J * WRD <Sam.J.Vanlaningham@oregon.gov>

Subject: RE: Updated Title & Deed - Temporary Transfer #T-13763

Good morning Heidi,

I have received the attached copy of the current deed, thank you. When I received the revisions, I didn't realize that another water right, being Certificate 654, was added. Moving forward, there are a few issues that need to be resolved:

- Certificate 654 is a cancelled water right, so it is not subject to transfer;
- The application was received after July 1, 2021, which is when new fees took affect (Base Fee = \$950.00, 2 water rights involved=\$310.00, and 8.0 acres x \$2.70 = \$21.60). By my calculations, the applicant would actually owe the Department \$1,281.60, which is \$462.40 more than they originally paid; and
- If there is more than one water right involved, each water right must be identified on its own Table 2 (can't combine into 1 table).

These deficiencies would need to be corrected, most importantly the correct fee amount be paid, before I can proceed with this application. Please let me know if you need to discuss further.

Thank you,

Corey

From: Heidi J Howard <aunthootsback@hotmail.com>

Sent: Monday, August 23, 2021 8:05 PM

To: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>; COURCHANE Corey A * WRD

<Corey.A.Courchane@oregon.gov>

Cc: VANLANINGHAM Sam J * WRD <Sam.J.Vanlaningham@oregon.gov>

Subject: Updated Title & Deed - Temporary Transfer #T-13763

Hi, Corey:



I am resending this e-mail as I did not ever receive notice that you had received it and I wanted to make sure that all the paperwork was in order and turned in prior to September 7 as you stated that was the deadline.

Will you please return e-mail me and let me know that you have received this? Thank you in advance!

Best regards,

Heidi J. Howard

From: Heidi J Howard <aunthootsback@hotmail.com>
Sent: Friday, August 13, 2021 7:19 AM
To: Corey.A.Courchane@oregon.gov <Corey.A.Courchane@oregon.gov>
Cc: VANLANINGHAM Sam J WRD <Sam.J.Vanlaningham@oregon.gov>
Subject: Fw: Updated Title & Deed - Temporary Transfer #T-13763

Good morning, Corey:

I have attached a copy of the Title and Deed transferring ownership of said property to Howard Trust as needed to complete application of Temporary Transfer #T-13763.

If there are further questions, please contact me via e-mail or telephone. Thank you for your attention to this matter.

Best regards,
Heidi J. Howard



Oregon

COURCHANE Corey A * WRD

Kate Brown, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Ste A

Salem, OR 97301

Phone: 503-986-0900

Fax: 503-986-0904

www.Oregon.gov/OWRD

From: COURCHANE Corey A * WRD
Sent: Tuesday, August 24, 2021 1:26 PM
To: VANLANINGHAM Sam J * WRD
Subject: RE: Updated Title & Deed - Temporary Transfer #T-13763

Good afternoon Sam,

No worries, it's all good. I didn't mean to send it twice, but since Heidi emailed me for confirmation on the deed, I figured I should copy her as well. I will create a separate table 2 for 85417, based on what you sent last week. Once I receive the additional fees from Heidi, then I will proceed. Thank you for your assistance, believe me it's greatly appreciated.

Corey

From: VANLANINGHAM Sam J * WRD <Sam.J.Vanlaningham@oregon.gov>
Sent: Tuesday, August 24, 2021 12:05 PM
To: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Subject: RE: Updated Title & Deed - Temporary Transfer #T-13763

For real, very sorry Corey! I try to help out those who could use it, financial or otherwise. But obviously I sometimes lack the proper skills. I hope I am not driving you too crazy. If you'd rather I not help people at all, I can do that. OK hope all is well!

Sam

Sam VanLaningham
Assistant Watermaster
District 11 - Deschutes River Basin

Oregon Water Resources Department
231 Scalehouse Loop, STE 103
Direct: 541-306-3487
sam.j.vanlaningham@oregon.gov

From: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Sent: Tuesday, August 24, 2021 8:12 AM
To: Heidi J Howard <aunthootsback@hotmail.com>
Cc: VANLANINGHAM Sam J * WRD <Sam.J.Vanlaningham@oregon.gov>
Subject: RE: Updated Title & Deed - Temporary Transfer #T-13763

Good morning Heidi,



I have received the attached copy of the current deed, thank you. When I received the revisions, I didn't realize that another water right, being Certificate 654, was added. Moving forward, there are a few issues that need to be resolved:

- Certificate 654 is a cancelled water right, so it is not subject to transfer;
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- If there is more than one water right involved, each water right must be identified on its own Table 2 (can't combine into 1 table).

These deficiencies would need to be corrected, most importantly the correct fee amount be paid, before I can proceed with this application. Please let me know if you need to discuss further.

Thank you,

Corey

From: Heidi J Howard <aunthootsback@hotmail.com>
Sent: Monday, August 23, 2021 8:05 PM
To: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>; COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Cc: VANLANINGHAM Sam J * WRD <Sam.J.Vanlaningham@oregon.gov>
Subject: Updated Title & Deed - Temporary Transfer #T-13763

Hi, Corey:

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Will you please return e-mail me and let me know that you have received this? Thank you in advance!

Best regards,

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Sent: Friday, August 13, 2021 7:19 AM
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Cc: VANLANINGHAM Sam J WRD <Sam.J.Vanlaningham@oregon.gov>
Subject: Fw: Updated Title & Deed - Temporary Transfer #T-13763

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If there are further questions, please contact me via e-mail or telephone. Thank you for your attention to this matter.

Best regards,
Heidi J. Howard

COURCHANE Corey A * WRD

From: COURCHANE Corey A * WRD
Sent: Tuesday, August 24, 2021 8:12 AM
To: Heidi J Howard
Cc: VANLANINGHAM Sam J * WRD
Subject: RE: Updated Title & Deed - Temporary Transfer #T-13763
Attachments: fee_schedule.pdf

Good morning Heidi,

I have received the attached copy of the current deed, thank you. When I received the revisions, I didn't realize that another water right, being Certificate 654, was added. Moving forward, there are a few issues that need to be resolved:

- Certificate 654 is a cancelled water right, so it is not subject to transfer;
- The application was received after July 1, 2021, which is when new fees took affect (Base Fee = \$950.00, 2 water rights involved=\$310.00, and 8.0 acres x \$2.70 = \$21.60). By my calculations, the applicant would actually owe the Department \$1,281.60, which is \$462.40 more than they originally paid; and
- If there is more than one water right involved, each water right must be identified on its own Table 2 (can't combine into 1 table).

These deficiencies would need to be corrected, most importantly the correct fee amount be paid, before I can proceed with this application. Please let me know if you need to discuss further.

Thank you,

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Sent: Monday, August 23, 2021 8:05 PM
To: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>; COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Cc: VANLANINGHAM Sam J * WRD <Sam.J.Vanlaningham@oregon.gov>
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Heidi J. Howard

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Cc: VANLANINGHAM Sam J WRD <Sam.J.Vanlaningham@oregon.gov>
Subject: Fw: Updated Title & Deed - Temporary Transfer #T-13763

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If there are further questions, please contact me via e-mail or telephone. Thank you for your attention to this matter.

Best regards,
Heidi J. Howard

COURCHANE Corey A * WRD

From: Heidi J Howard <aunthootsback@hotmail.com>
Sent: Monday, August 23, 2021 8:05 PM
To: COURCHANE Corey A * WRD; COURCHANE Corey A * WRD
Cc: VANLANINGHAM Sam J * WRD
Subject: Updated Title & Deed - Temporary Transfer #T-13763
Attachments: Change.pdf

Hi, Corey:

I am resending this e-mail as I did not ever receive notice that you had received it and I wanted to make sure that all the paperwork was in order and turned in prior to September 7 as you stated that was the deadline.

Will you please return e-mail me and let me know that you have received this? Thank you in advance!

Best regards,

Heidi J. Howard

From: Heidi J Howard <aunthootsback@hotmail.com>
Sent: Friday, August 13, 2021 7:19 AM
To: Corey.A.Courchane@oregon.gov <Corey.A.Courchane@oregon.gov>
Cc: VANLANINGHAM Sam J WRD <Sam.J.Vanlaningham@oregon.gov>
Subject: Fw: Updated Title & Deed - Temporary Transfer #T-13763

Good morning, Corey:

I have attached a copy of the Title and Deed transferring ownership of said property to Howard Trust as needed to complete application of Temporary Transfer #T-13763.

If there are further questions, please contact me via e-mail or telephone. Thank you for your attention to this matter.


Best regards,
Heidi J. Howard

Recording requested by and when
recorded return to:

Martin Howard
16305 NE Ochoco Hwy
Prineville, OR 97754

Unless a change is requested,
all tax statements shall be sent to:
Martin Howard, Trustee
16305 NE Ochoco Hwy
Prineville, OR 97754

Crook County Official Records	2020-301968
DEED-D	08/07/2020 01:55:02 PM
Pgs=5	\$114.00
\$25.00 \$2.00 \$11.00 \$10.00 \$61.00	
\$5.00	
I, Cheryl Seely, County Clerk for Crook County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Cheryl Seely - County Clerk	



COPY

BARGAIN AND SALE DEED

The true consideration for this transfer is to change vesting.

Peggy Morgan and John Morgan, as tenants by the entirety; Schnoor Land and Trust, LLC, an Oregon limited liability company; Martin Howard as Sole Trustee of the Howard Revocable Trust U/T/A dated September 12, 2013; and Martin Howard as Trustee of the Betty J. Howard Disclaimer Trust established pursuant to the Howard Revocable Trust U/T/A dated September 12, 2013 as their interests appear of record, Grantors, hereby convey to Martin Howard as Sole Trustee of the Howard Revocable Trust U/T/A dated September 12, 2013 and Martin Howard as Trustee of the Betty J. Howard Disclaimer Trust established pursuant to the Howard Revocable Trust U/T/A dated September 12, 2013, as cotenants and both with an undivided one-half interest, Grantees, the real property located in Crook County, Oregon, described as follows:

Parcel 3, Partition Plat No. 2019-18, according to the official plat thereof recorded November 20, 2019, as Document No. 296733, in the office of the County Clerk for Crook County, Oregon.

SUBJECT TO the right of way known and surveyed as an access road to Parcel 2, Partition Plat No. 2019-18, according to the official plat thereof recorded November 20, 2019, as Document No. 296733, in the office of the County Clerk for Crook County, Oregon, as described in the Memorandum of Contract by Dorothy M. Schnoor, transferor, and Edward P. Miller and Juanita J. Miller, transferee, dated August 31, 1982, and recorded in the official records of Crook County on September 8, 1982, as Document No. 66169.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND

Recording requested by and when
recorded return to:

Martin Howard
16305 NE Ochoco Hwy.
Prineville, OR 97754

Unless a change is requested,
all tax statements shall be sent to:
Martin Howard, Trustee
16305 NE Ochoco Hwy
Prineville, OR 97754

BARGAIN AND SALE DEED

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REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 24 day of July, 2020.

Schnoor Land and Trust, LLC

By:

John Schnoor
John Schnoor, Member

By:

Peggy Morgan
Peggy Morgan, Member

John Schnoor
John Schnoor

Peggy Morgan
Peggy Morgan

John Morgan
John Morgan

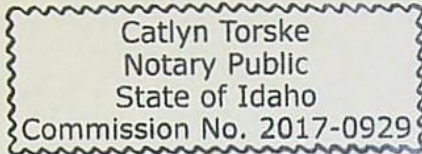
Martin Howard
Martin Howard, Sole Trustee, Howard Revocable Trust, U/T/A dated September 12, 2013

Martin Howard
Martin Howard, Trustee, Betty J. Howard Disclaimer Trust established pursuant to the Howard Revocable Trust, U/T/A dated September 12, 2013

[notary blocks on following page]

State of Idaho)
) ss.
County of Ada)

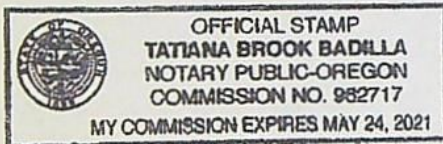
On this 24TH day of July, 2020, before me personally appeared John Schnoor, Member of Schnoor Land and Trust, LLC, and acknowledged that he is authorized to execute the foregoing instrument on behalf of the Company.



Catlyn Torske
Notary Public for Idaho
My Comm. Expires: 11/13/2023

State of Oregon)
) ss.
County of Crook)

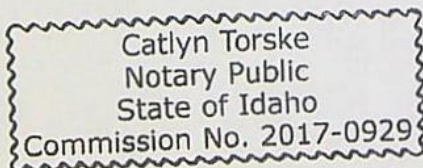
On this 28th day of July, 2020, before me personally appeared Peggy Morgan, Member of Schnoor Land and Trust, LLC, and acknowledged that she is authorized to execute the foregoing instrument on behalf of the Company.



Tatiana Brook Badilla
Notary Public for Oregon

State of Idaho)
) ss.
County of Ada)

On this 24TH day of July, 2020, before me personally John Schnoor and acknowledged the foregoing instrument to be his voluntary act and deed.



Catlyn Torske
Notary Public for Idaho
My Comm. Expires: 11/13/2023

[additional notary blocks on following page]

State of Oregon)
) ss.
County of Crook)

On this 28 day of July, 2020, before me personally Peggy Morgan and acknowledged the foregoing instrument to be her voluntary act and deed.

Tatiana Brook Badilla
Notary Public for Oregon



State of Oregon)
) ss.
County of Crook)

On this 30th day of July, 2020, before me personally appeared Martin Howard, as Sole Trustee of the Howard Revocable Trust, U/T/A dated September 12, 2013, and acknowledged that he is authorized to execute the foregoing instrument on behalf of the Trust.

Tatiana Brook Badilla
Notary Public for Oregon



State of Oregon)
) ss.
County of Crook)

On this 30 day of July, 2020, before me personally appeared Martin Howard, as Trustee of the Betty J. Howard Disclaimer Trust, established pursuant to the Howard Revocable Trust, U/T/A dated September 12, 2013, and acknowledged that he is authorized to execute the foregoing instrument on behalf of the Trust.

Tatiana Brook Badilla
Notary Public for Oregon



JURAT PAGE TO BE ATTACHED TO THE FOLLOWING DOCUMENT:
Bargain And Sale Deed

State of OR
County of crook

This instrument was acknowledged before me on 7/28/2020 by

John Morgan

Tatiana Brook Badilla
Notary Public - State of Oregon

My Commission Expires: 5-24-21



COURCHANE Corey A * WRD

From: VANLANINGHAM Sam J * WRD
Sent: Wednesday, August 11, 2021 9:42 AM
To: COURCHANE Corey A * WRD
Cc: GIFFIN Jeremy T * WRD; Heidi J Howard
Subject: RE: Martin and Betty Howard Revocable Trust, T-13763
Attachments: howard_temp_t_edited_2021.pdf

OK everybody – I fixed page 8 and colored the maps to indicate the desired transfer. Oh boy I hope I am correct now. The whole purpose is to get the most senior lands to the 4 acres around the house.

Let me know what else I can do. Thanks again for emailing first.

Sam

Sam VanLaningham
Assistant Watermaster
District 11 - Deschutes River Basin

Oregon Water Resources Department
231 Scalehouse Loop, STE 103
Direct: 541-306-3487
sam.j.vanlaningham@oregon.gov

From: VANLANINGHAM Sam J * WRD
Sent: Wednesday, August 11, 2021 9:11 AM
To: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Cc: GIFFIN Jeremy T * WRD <Jeremy.T.Giffin@oregon.gov>; Heidi J Howard <aunthootsback@hotmail.com>
Subject: RE: Martin and Betty Howard Revocable Trust, T-13763

OK hold on! Jeremy says I am likely mistaken about cert 654 being moved to where 550 resides. So it's a swap. I will send a clarifying email in a second. SORRY.

Sam

Sam VanLaningham
Assistant Watermaster

District 11 - Deschutes River Basin

Oregon Water Resources Department
231 Scalehouse Loop, STE 103
Direct: 541-306-3487
sam.j.vanlaningham@oregon.gov

From: VANLANINGHAM Sam J * WRD
Sent: Wednesday, August 11, 2021 9:08 AM
To: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Cc: GIFFIN Jeremy T * WRD <Jeremy.T.Giffin@oregon.gov>; Heidi J Howard <aunthootsback@hotmail.com>
Subject: RE: Martin and Betty Howard Revocable Trust, T-13763

Hi Corey (cc Jeremy and applicant) – Sorry for delay.

The FROM lands are as page 8 of temp transfer document indicate. The map, however is wrong. I attach a map indicating the proper intention. Is this enough info? Thanks so much for contacting us directly. Heidi plans to send the deed info asap. Let me know what I need to do.

Take care, Sam

Sam VanLaningham
Assistant Watermaster
District 11 - Deschutes River Basin

Oregon Water Resources Department
231 Scalehouse Loop, STE 103
Direct: 541-306-3487
sam.j.vanlaningham@oregon.gov

From: GIFFIN Jeremy T * WRD <Jeremy.T.Giffin@oregon.gov>
Sent: Friday, August 06, 2021 10:06 AM
To: VANLANINGHAM Sam J * WRD <Sam.J.Vanlaningham@oregon.gov>
Subject: FW: Martin and Betty Howard Revocable Trust, T-13763

From: COURCHANE Corey A * WRD <Corey.A.Courchane@oregon.gov>
Sent: Friday, August 06, 2021 9:11 AM
To: aunthootsback@hotmail.com
Cc: GIFFIN Jeremy T * WRD <Jeremy.T.Giffin@oregon.gov>
Subject: Martin and Betty Howard Revocable Trust, T-13763

Good morning,

I have completed my review of Temporary Transfer Application T-13763, and everything looks good but I need to verify one item. Table 2 "FROM" lands identifies 2.5 acres in NE NW, and 1.5 acres in NW NW of Section 1, T15S, 17E, WM, and the "TO" lands identifies 4.0 acres in SE SW of Section 36, T14S, R17E, WM. However the map shows the opposite, being 4.0 acres in SE SW of Section 36 coming "OFF", and 2.5 acres in NE NW, and 1.5 acres in NW NW of Section 1 coming "ON". Also, Certificate 550 does not authorize irrigation originating in Section 1, T15S, 17E, WM.

It appears that the "FROM" and "TO" lands in Table 2 are switched. I believe the application should indicate the 4.0 acres in Section 36 are the "FROM" lands, and 2.5 acres in NE NW, and 1.5 acres in NW NW of Section 1 are the "TO" lands. Please let me know as soon as you can if this is correct, as this is how I will proceed with the application. Please let me know if I may be of further assistance.

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

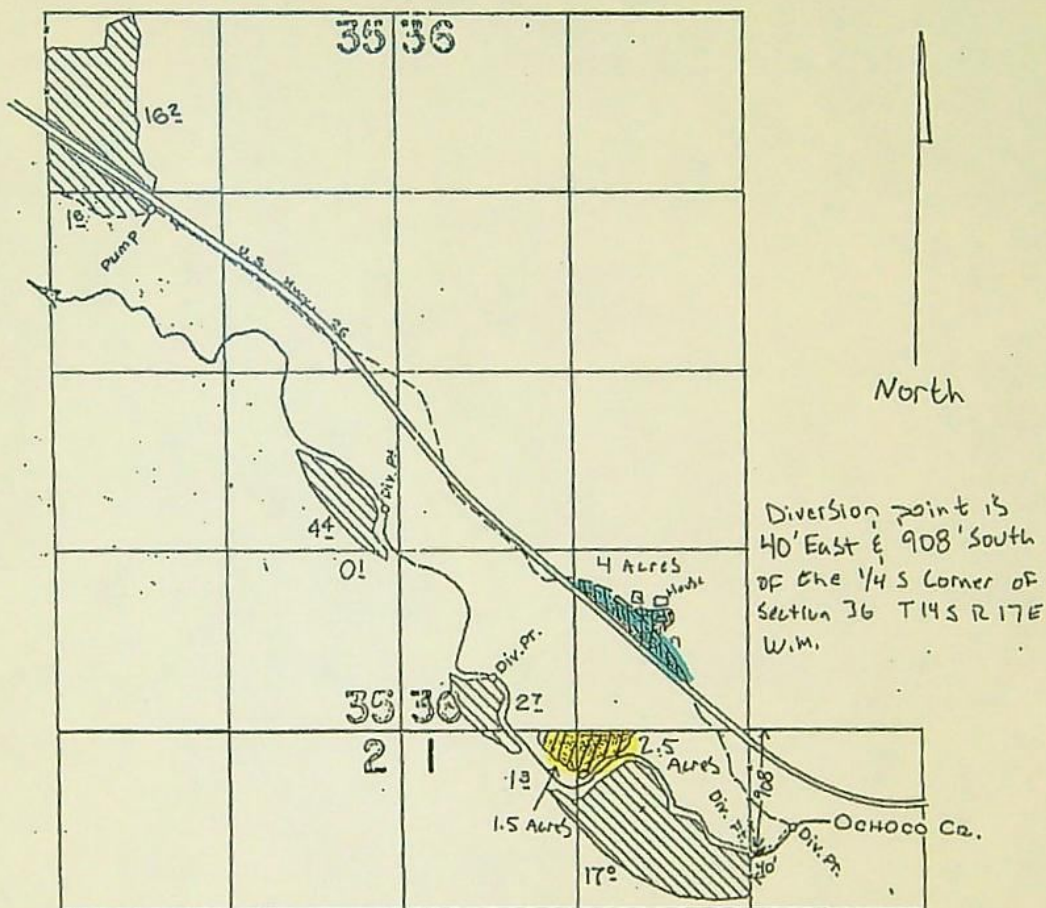
Work cell: 503 979-3917 | Fax: 503 986-0901

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

Miller Ranch

"OFF MAP"

T.14S R.17E W.M.



Water rights to be transferred OFF. (Certificate 654).

Water rights to be transferred OFF. (Certificate 550).

Scale

1" = 1320'

FINAL PROOF SURVEY
UNDER

RECEIVED

JUN 30 2003

Application No. 32445... Permit No. 25622...
IN NAME OF

WATER RESOURCES DEPT.
SALEM, OREGON

A. G. SCHNOOR

Surveyed July 12 1963, by J. LAUER

T-9489

P# 25622

"~~OFF~~ MAP"
ON

35 36

162

10

pump

U.S. Highway 36

44

01

Div. Pt.

4 Acres

3

27

2.5 Acres

1.5 Acres

13

17

Div. Pt.

Div. Pt.

OCHOCO CR.

North

Diversion point
40' East & 908' S
of the 1/4 S Corner
of Section 36 T14S R
W.M.

- Water rights to be transferred ^{off} (Lent Fibre 550).

Scale

$$1'' = 1320'$$

FINAL PROOF SURVEY
UNDER

RECEIVED

JUN 3 0 2003

Application No. 32445 Permit No. 25622
IN NAME OF

WATER RESOURCES DEPT.
SALEM, OREGON

A. G. SCHNOOR

Surveyed July 12 1963, by J. L. LAVERNE.....

T-9489

P# 25622
1901-0



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 14, 2021

RECEIVED

AUG 30 2021

MARTIN AND BETTY HOWARD REVOCABLE TRUST
16305 NE OCHOCO HIGHWAY
PRINEVILLE, OR 97754

OWRD

Reference: Application T- 13763

On July 6, 2021, we received your water right Transfer application. The application was accompanied by \$819.20. Our receipt number 135767 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.

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

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

If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #11 (via email)
Crook County Planning
Martin Or Heidi Howard, Agent

Enclosure

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 136313

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

INVOICE #

RECEIVED FROM: Martin I. Howard
BY: Pafter 2 Ranch

APPLICATION
PERMIT
TRANSFER T-13763

CASH: ☐ CHECK: # 591 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 462.40

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 46110
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 \$ RECORD FEE \$
0203 GROUND WATER \$ 0204 \$
0205 TRANSFER \$ 462.40
WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ LICENSE FEE \$
LANDOWNER'S PERMIT 0219 \$
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: 136313

DATE: 8.30.2021 BY: Mandy Coad

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 136313

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SALEM, OR 97301-4172
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RECEIPT: 136313

DATE: 8.30.2021 BY: Mandy Coad

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

RECEIVED

AUG 30 2021

OWRD

Additional fees for

Temporary Transfer of Water Rights

T-13763

If you have any questions please contact
me via email at : aunthootsback@hotmail.com
or by phone at (541) 788-9808

Best regards,

Heidi Howard

COURCHANE Corey A * WRD

From: Heidi J Howard <aunthootsback@hotmail.com>
Sent: Friday, August 13, 2021 7:20 AM
To: COURCHANE Corey A * WRD
Cc: VANLANINGHAM Sam J * WRD
Subject: Fw: Updated Title & Deed - Temporary Transfer #T-13763
Attachments: Change.pdf

Good morning, Corey:

I have attached a copy of the Title and Deed transferring ownership of said property to Howard Trust as needed to complete applicatiion of Temporary Transfer #T-13763.

If there are further questions, please contact me via e-mail or telephone. Thank you for your attention to this matter.

Best regards,
Heidi J. Howard

Recording requested by and when
recorded return to:

Martin Howard
16305 NE Ochoco Hwy
Prineville, OR 97754

Unless a change is requested,
all tax statements shall be sent to:
Martin Howard, Trustee
16305 NE Ochoco Hwy
Prineville, OR 97754

Crook County Official Records	2020-301968
DEED-D	08/07/2020 01:55:02 PM
Pgs=5	\$114.00
\$25.00 \$2.00 \$11.00 \$10.00 \$61.00	
\$5.00	
I, Cheryl Seely, County Clerk for Crook County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Cheryl Seely - County Clerk	



COPY

Received by OWRD

AUG 13 2021

Salem, OR

BARGAIN AND SALE DEED

The true consideration for this transfer is to change vesting.

Peggy Morgan and John Morgan, as tenants by the entirety; Schnoor Land and Trust, LLC, an Oregon limited liability company; Martin Howard as Sole Trustee of the Howard Revocable Trust U/T/A dated September 12, 2013; and Martin Howard as Trustee of the Betty J. Howard Disclaimer Trust established pursuant to the Howard Revocable Trust U/T/A dated September 12, 2013 as their interests appear of record, Grantors, hereby convey to Martin Howard as Sole Trustee of the Howard Revocable Trust U/T/A dated September 12, 2013 and Martin Howard as Trustee of the Betty J. Howard Disclaimer Trust established pursuant to the Howard Revocable Trust U/T/A dated September 12, 2013, as cotenants and both with an undivided one-half interest, Grantees, the real property located in Crook County, Oregon, described as follows:

Parcel 3, Partition Plat No. 2019-18, according to the official plat thereof recorded November 20, 2019, as Document No. 296733, in the office of the County Clerk for Crook County, Oregon.

SUBJECT TO the right of way known and surveyed as an access road to Parcel 2, Partition Plat No. 2019-18, according to the official plat thereof recorded November 20, 2019, as Document No. 296733, in the office of the County Clerk for Crook County, Oregon, as described in the Memorandum of Contract by Dorothy M. Schnoor, transferor, and Edward P. Miller and Juanita J. Miller, transferee, dated August 31, 1982, and recorded in the official records of Crook County on September 8, 1982, as Document No. 66169.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND

Recording requested by and when
recorded return to:

Martin Howard
16305 NE Ochoco Hwy
Prineville, OR 97754

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Prineville, OR 97754

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REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 24 day of July, 2020.

Received by OWRD

Schnoor Land and Trust, LLC

AUG 13 2021

Salem, OR

By:

John Schnoor
John Schnoor, Member

By:

Peggy Morgan
Peggy Morgan, Member

John Schnoor
John Schnoor

Peggy Morgan
Peggy Morgan

John Morgan
John Morgan

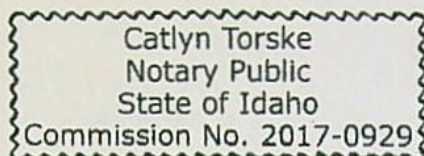
Martin Howard
Martin Howard, Sole Trustee, Howard Revocable Trust, U/T/A dated September 12, 2013

Martin Howard
Martin Howard, Trustee, Betty J. Howard Disclaimer Trust established pursuant to the Howard Revocable Trust, U/T/A dated September 12, 2013

[notary blocks on following page]

State of Idaho)
) ss.
County of Ada)

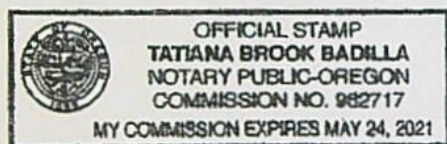
On this 24TH day of July, 2020, before me personally appeared John Schnoor, Member of Schnoor Land and Trust, LLC, and acknowledged that he is authorized to execute the foregoing instrument on behalf of the Company.



Catlyn Torske
Notary Public for Idaho
My Comm. Expires: 11/13/2023

State of Oregon)
) ss.
County of Crook)

On this 28TH day of July, 2020, before me personally appeared Peggy Morgan, Member of Schnoor Land and Trust, LLC, and acknowledged that she is authorized to execute the foregoing instrument on behalf of the Company.



Tatiana Brook Badilla
Notary Public for Oregon

State of Idaho)
) ss.
County of Ada)

On this 24TH day of July, 2020, before me personally John Schnoor and acknowledged the foregoing instrument to be his voluntary act and deed.

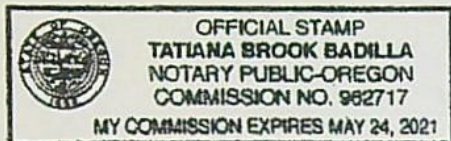


Catlyn Torske
Notary Public for Idaho
My Comm. Expires: 11/13/2023

[additional notary blocks on following page]

State of Oregon)
) ss.
County of Crook)

On this 28 day of July, 2020, before me personally Peggy Morgan and acknowledged the foregoing instrument to be her voluntary act and deed.



Tatiana Badilla
Notary Public for Oregon

Received by OWRD

State of Oregon)
) ss.
County of Crook)

AUG 13 2021

Salem, OR

On this 30th day of July, 2020, before me personally appeared Martin Howard, as Sole Trustee of the Howard Revocable Trust, U/T/A dated September 12, 2013, and acknowledged that he is authorized to execute the foregoing instrument on behalf of the Trust.



Tatiana Badilla
Notary Public for Oregon

State of Oregon)
) ss.
County of Crook)

On this 30 day of July, 2020, before me personally appeared Martin Howard, as Trustee of the Betty J. Howard Disclaimer Trust, established pursuant to the Howard Revocable Trust, U/T/A dated September 12, 2013, and acknowledged that he is authorized to execute the foregoing instrument on behalf of the Trust.



Tatiana Badilla
Notary Public for Oregon

JURAT PAGE TO BE ATTACHED TO THE FOLLOWING DOCUMENT:
Bargain And Sale Deed

State of OR
County of crook

This instrument was acknowledged before me on 7/28/2020 by
John Morgan

Tatiana Brook Badilla
Notary Public - State of Oregon

My Commission Expires: 5-24-21





Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 14, 2021

MARTIN AND BETTY HOWARD REVOCABLE TRUST
16305 NE OCHOCO HIGHWAY
PRINEVILLE, OR 97754

Reference: Application T- 13763

On July 6, 2021, we received your water right Transfer application. The application was accompanied by \$819.20. Our receipt number 135767 is enclosed.

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

If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #11 (via email)
Crook County Planning
Martin Or Heidi Howard, Agent

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **135767**

INVOICE # _____

RECEIVED FROM: Martin L. Howard

BY: Boffer & Ranch

APPLICATION _____

PERMIT _____

TRANSFER 1-13763

CASH: ☐

CHECK: # ☒ 581

OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 819.20

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____

0244 Muni Water Mgmt. Plan _____

0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____

0203 GROUND WATER \$ _____

0205 TRANSFER \$ 819.20

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____

LANDOWNER'S PERMIT \$ _____

OTHER (IDENTIFY) _____

EXAM FEE

\$ _____

\$ _____

\$ 819.20

EXAM FEE

\$ _____

RECORD FEE

0202 \$ _____

0204 \$ _____

LICENSE FEE

0219 \$ _____

0220 \$ _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____

0210 MONITORING WELLS \$ _____

OTHER (IDENTIFY) _____

CARD# _____

CARD# _____

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: **135767**

DATED: 7-6-2001

BY: Mindy Carlson



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

RECEIVED
JUL 06 2021

OWRD

RECEIVED

JUL 06 2021

Part 2 of 5 – Temporary Transfer Application Map Checklist

OWRD

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

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

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

13763

JUL 06 2021

Part 3 of 5 – Fee Worksheet

QWRD

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
2	Number of water rights included in transfer: <u>1</u> (2a) Subtract 1 from the number in 3a above: <u>0</u> (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » »	2	
3	Do you propose to change the place of use for a non-irrigation use? <input checked="" type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$200.00, then enter on line 3	3	
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input checked="" type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>4</u> (4a) Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »	4	9.20
5	Add entries on lines 1 through 4 above » » » » » » » » » » Subtotal:	5	819.20
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 »	6	
7	If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » »	7	819.20
7	Subtract line 6 from line 5 » » » » » » » » » » » » Transfer Fee:	7	819.20

[illegible]

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

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

13763

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JUL 06 2021

OWRD

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME <i>Martin & Betty Howard REVOCABLE TRUST</i>			PHONE NO. <i>541-788-9808</i>	ADDITIONAL CONTACT NO.
ADDRESS <i>16305 NE Ochoco Highway</i>			FAX NO.	
CITY <i>Prineville</i>	STATE <i>OR</i>	ZIP <i>97754</i>	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME <i>Martin or Heidi Howard</i>			PHONE NO. <i>541-788-9808</i>	ADDITIONAL CONTACT NO.
ADDRESS <i>same</i>			FAX NO.	
CITY	STATE	ZIP	E-MAIL <i>aunthootsback@hotmail.com</i>	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application and why:
Transfer existing water rights to 4 acres across highway to water livestock and irrigate the pasture
 If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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

<i>Martin I. Howard</i> Applicant (District) signature	<i>Martin I. Howard</i> Print Name (and Title if applicable)	<i>7-2-21</i> Date
<i>Heidi J. Howard</i> Applicant (District) signature	<i>Heidi J. Howard</i> Print Name (and Title if applicable)	<i>7-2-21</i> Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No

If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

13763

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JUL 06 2021

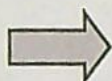
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☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Crook County	ADDRESS 300 NE 3rd st	
CITY Prineville	STATE OR	ZIP 97754

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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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 rows to tables within the form.

Water Right Certificate # 550

Description of Water Delivery System

System capacity: ~ 1 cfs 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. Pump to ditch

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)
#1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14 S	17 E	36	SE SW	202	Not designated on certificate
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- ☒ Place of Use (POU)
 ☐ Appropriation/Well (POA)
☐ Point of Diversion (POD)
 ☐ Additional Point of Appropriation (APOA)
☐ Additional Point of Diversion (APOD)

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

- ☐ Place of Use (POU)
 ☐ Point of Appropriation/Well (POA)
☐ Character of Use (USE)
 ☐ Additional Point of Appropriation (APOA)
☐ Point of Diversion (POD)
 ☐ Additional Point of Diversion (APOD)

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 550

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.									
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
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	
"	"	"	" " " "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901	
15S	17E	1	NE NW	202		2.5	irrigation	#1	1894	POU	17S	17E	36	SE SW	3502		4.0	irrigation	#1	1894	
			NW NW	202		1.5	"	"	"	"											
TOTAL ACRES						4.0							TOTAL ACRES						4.0		

Additional remarks:

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Water Right Certificate # 550

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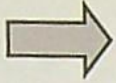
For Place of Use Changes

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

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

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Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- ☐ Well log(s) 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 below for any well that does not have a well log. For a *proposed well(s) 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

13763

Klamath Basin/County Drought Transfer Applications

Table 4. Klamath Basin/County Well Information (DROUGHT TRANSFER APPLICATIONS ONLY)

Is there currently a flowmeter installed on each of the POAs listed in Table 1 of this application? ☐ Yes ☐ No*

**Please note that watermaster staff will visit the well to confirm flowmeter presence. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements.*

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

OWNER'S WELL NAME OR NUMBER.	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FLOWMETER LOCATION

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STATE OF OREGON

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COUNTY OF CROOK

ORDER APPROVING TEMPORARY CHANGES IN PLACE OF USE

Pursuant to ORS 540.523, after notice was given and no objections were filed, and finding that no injury to existing water rights would result, this order approves, as conditioned or limited herein, TEMPORARY TRANSFER 9489 submitted by

SCHNOOR LAND & TRUST LLC
MARTIN & BETTY JEAN HOWARD
16305 NE OCHOCO HIGHWAY
PRINEVILLE, OREGON 97754

The FIRST right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for CROOK County as evidenced by a portion of Certificate 550. The decree is recorded in the Order Record of the Water Resources Director in Volume 1, at Page 449. The date of priority is 1894.

The right allows the use of OCHOCO CREEK, a tributary of the CROOKED RIVER, for IRRIGATION of 4.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.05 cubic foot per second, the total quantity being limited to four acre feet per

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2).

Pursuant to ORS 536.075 and OAR 137-004-080 and OAR 690-01-005, you may either petition for judicial review or petition the Director for reconsideration of this order.

T-9489.BW

Page 1 of 4 Special Order Volume 59, Page 335

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acre during each year, if available at the authorized point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 1, T 14 S R 17 E, W.M.; 40 FEET EAST AND 908 FEET SOUTH FROM THE SOUTH $\frac{1}{4}$ CORNER, SECTION 36; or its equivalent in case of rotation, measured at the point of diversion from the source.

The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.0 ACRES
SECTION 36
TOWNSHIP 14 SOUTH, RANGE 17 EAST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

The SECOND right to be modified was confirmed by decree of the Circuit Court of the State of Oregon for CROOK County as evidenced by a portion of Certificate 654. The decree is recorded in the Order Record of the Water Resources Director in Volume 1, at Page 449. The dates of priority are 1873 and 1906.

The right allows the use of OCHOCO, VEAZIE AND LAWSON CREEKS, a tributary of the CROOKED RIVER, for IRRIGATION of 4.0 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.05 cubic foot per second, the total quantity being limited to four acre feet per acre during each year, if available at the authorized point of diversion: NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 1, T 14 S R 17 E, W.M.; 320 FEET EAST AND 860 FEET SOUTH FROM THE SOUTH $\frac{1}{4}$ CORNER, SECTION 36; or its equivalent in case of rotation, measured at the point of diversion from the source.

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The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is located as follows:

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.5 ACRES

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.5 ACRES

SECTION 1

TOWNSHIP 15 SOUTH, RANGE 17 EAST, W.M.

The right to use the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

The applicant proposes to temporarily change the place of use to:

CERTIFICATE 654

SE $\frac{1}{4}$ SW $\frac{1}{4}$ 4.0 ACRES

SECTION 36

TOWNSHIP 14 SOUTH, RANGE 17 EAST, W.M.

CERTIFICATE 550

NE $\frac{1}{4}$ NW $\frac{1}{4}$ 2.5 ACRES

NW $\frac{1}{4}$ NW $\frac{1}{4}$ 1.5 ACRES

SECTION 1

TOWNSHIP 15 SOUTH, RANGE 17 EAST, W.M.

THESE CHANGES TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. These changes are temporary. These changes shall be effective upon issuance of this order.
2. The former place of use shall not be irrigated as part of this water right during the 2004, 2005, 2006, 2007 and 2008 irrigation seasons.

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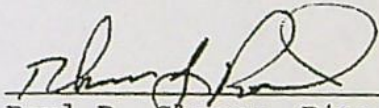
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3. The use shall revert to the authorized place of use at the end of the 2008 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. The use of the remaining water rights described by Certificates 550 and 654 shall continue to be in accordance with the terms and conditions of Certificates 550 and 654.
6. When required by the Department, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

WITNESS the signature of the Water Resources

Director, affixed MARCH 10, 2004.


for Paul R. Cleary, Director

Recording requested by and when
recorded return to:

Martin Howard
16305 NE Ochoco Hwy
Prineville, OR 97754

Unless a change is requested,
all tax statements shall be sent to:

Martin Howard, Trustee
16305 NE Ochoco Hwy
Prineville, OR 97754

Crook County Official Records	2020-301968
DEED-D	08/07/2020 01:55:02 PM
Pgs=5	\$114.00
\$25.00 \$2.00 \$11.00 \$10.00 \$61.00	
\$5.00	
I, Cheryl Seely, County Clerk for Crook County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Cheryl Seely - County Clerk	



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COPY

BARGAIN AND SALE DEED

The true consideration for this transfer is to change vesting.

Peggy Morgan and John Morgan, as tenants by the entirety; Schnoor Land and Trust, LLC, an Oregon limited liability company; Martin Howard as Sole Trustee of the Howard Revocable Trust U/T/A dated September 12, 2013; and Martin Howard as Trustee of the Betty J. Howard Disclaimer Trust established pursuant to the Howard Revocable Trust U/T/A dated September 12, 2013 as their interests appear of record, Grantors, hereby convey to Martin Howard as Sole Trustee of the Howard Revocable Trust U/T/A dated September 12, 2013 and Martin Howard as Trustee of the Betty J. Howard Disclaimer Trust established pursuant to the Howard Revocable Trust U/T/A dated September 12, 2013, as cotenants and both with an undivided one-half interest, Grantees, the real property located in Crook County, Oregon, described as follows:

Parcel 3, Partition Plat No. 2019-18, according to the official plat thereof recorded November 20, 2019, as Document No. 296733, in the office of the County Clerk for Crook County, Oregon.

SUBJECT TO the right of way known and surveyed as an access road to Parcel 2, Partition Plat No. 2019-18, according to the official plat thereof recorded November 20, 2019, as Document No. 296733, in the office of the County Clerk for Crook County, Oregon, as described in the Memorandum of Contract by Dorothy M. Schnoor, transferor, and Edward P. Miller and Juanita J. Miller, transferee, dated August 31, 1982, and recorded in the official records of Crook County on September 8, 1982, as Document No. 66169.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND

Return to Western Title & Escrow
14101402021

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Recording requested by and when
recorded return to:

Martin Howard
16305 NE Ochoco Hwy
Prineville, OR 97754

Unless a change is requested,
all tax statements shall be sent to:
Martin Howard, Trustee
16305 NE Ochoco Hwy
Prineville, OR 97754

BARGAIN AND SALE DEED

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BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND

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REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

DATED this 24 day of July, 2020.

Schnoor Land and Trust, LLC

By: John Schnoor

John Schnoor, Member

By: Peggy Morgan

Peggy Morgan, Member

John Schnoor
John Schnoor

Peggy Morgan
Peggy Morgan

John Morgan
John Morgan

Martin Howard
Martin Howard, Sole Trustee, Howard Revocable Trust, U/T/A dated September 12, 2013

Martin Howard
Martin Howard, Trustee, Betty J. Howard Disclaimer Trust established pursuant to the Howard Revocable Trust, U/T/A dated September 12, 2013

[notary blocks on following page]

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State of Idaho)
) ss.
County of Ada)

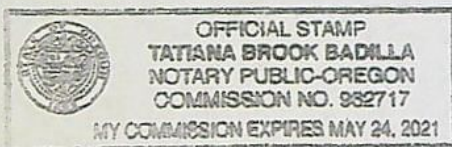
On this 24TH day of July, 2020, before me personally appeared John Schnoor, Member of Schnoor Land and Trust, LLC, and acknowledged that he is authorized to execute the foregoing instrument on behalf of the Company.

Catlyn Torske
Notary Public
State of Idaho
Commission No. 2017-0929

Catlyn Torske
Notary Public for Idaho
My Comm. Expires: 11/13/2023

State of Oregon)
) ss.
County of Crook)

On this 28th day of July, 2020, before me personally appeared Peggy Morgan, Member of Schnoor Land and Trust, LLC, and acknowledged that she is authorized to execute the foregoing instrument on behalf of the Company.



Tatiana Brook Badilla
Notary Public for Oregon

State of Idaho)
) ss.
County of Ada)

On this 24TH day of July, 2020, before me personally John Schnoor and acknowledged the foregoing instrument to be his voluntary act and deed.

Catlyn Torske
Notary Public
State of Idaho
Commission No. 2017-0929

Catlyn Torske
Notary Public for Idaho
My Comm. Expires: 11/13/2023

[additional notary blocks on following page]

State of Oregon)
) ss.
County of Crook)

On this 28 day of July, 2020, before me personally Peggy Morgan and acknowledged the foregoing instrument to be her voluntary act and deed.



Tatiana Badilla
Notary Public for Oregon

State of Oregon)
) ss.
County of Crook)

On this 30th day of July, 2020, before me personally appeared Martin Howard, as Sole Trustee of the Howard Revocable Trust, U/T/A dated September 12, 2013, and acknowledged that he is authorized to execute the foregoing instrument on behalf of the Trust.



Tatiana Badilla
Notary Public for Oregon

State of Oregon)
) ss.
County of Crook)

On this 30 day of July, 2020, before me personally appeared Martin Howard, as Trustee of the Betty J. Howard Disclaimer Trust, established pursuant to the Howard Revocable Trust, U/T/A dated September 12, 2013, and acknowledged that he is authorized to execute the foregoing instrument on behalf of the Trust.



Tatiana Badilla
Notary Public for Oregon

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JURAT PAGE TO BE ATTACHED TO THE FOLLOWING DOCUMENT:
Bargain And Sale Deed

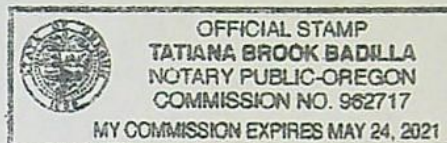
State of OR
County of crook

This instrument was acknowledged before me on 7/28/2020 by

John Morgan

Tatiana Brook Badilla
Notary Public - State of Oregon

My Commission Expires: 5-24-21



Hilfor Ranch

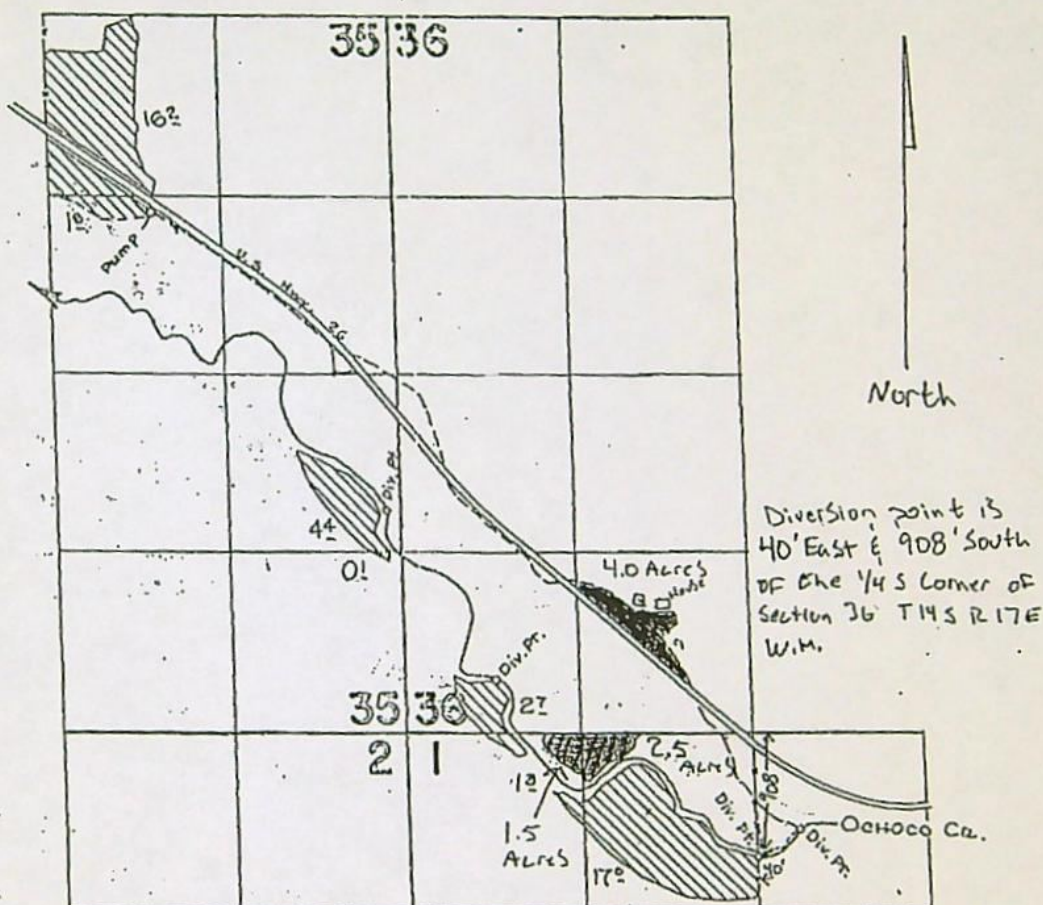
"ON MAP"

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T.14&15S.R.17E.W.M.



■ - water rights to be transferred on: (Certificate 550)

■ - water rights to be transferred on: (Certificate 654)

Scale

1" = 1320'

FINAL PROOF SURVEY UNDER

Application No. 32445... Permit No. 25622...

IN NAME OF

A. G. SCHNOOR

Surveyed July 12 1963, by T. LAUER

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JUN 30 2003

WATER RESOURCES DEPT.
SALEM, OREGON

13763

P# 25622

T-9489

Hilltop Ranch

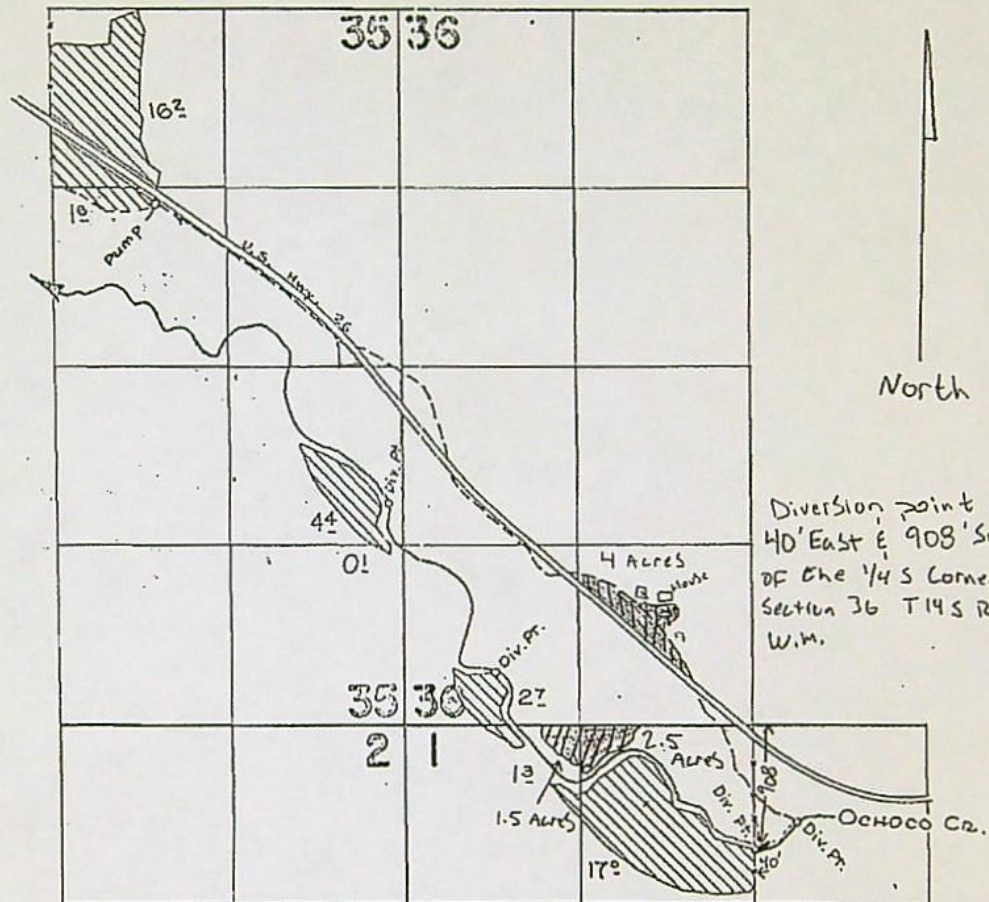
"OFF MAP"

T.14&15S.R.17E.W.M.

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▨ - water rights to be transferred off. (certificate 654).

▨ - water rights to be transferred off. (certificate 550).

Scale

1" = 1320'

FINAL PROOF SURVEY UNDER

RECEIVED

JUN 30 2003

Application No. 32445... Permit No. 25622...
IN NAME OF

A. G. SCHNOOR

WATER RESOURCES DEPT.
SALEM, OREGON

Surveyed July 12 1963, by J. LAUER.....

13763

P# 25622

T-9489

Regular Temporary Water Right Transfer Application Checklist

Checked by

Jon

Date

7/8/21

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

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

(If OK, check box to left; if not, fill in the blank)

- ☒ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____
- ☒ 2. Are fees included and correct?
If not, the correct fee would be: _____, so the amount missing is: _____
- ☒ 3. Part 4 of application: Have all the applicants listed at the top of the page signed at the bottom?
If not, whose signature is missing? _____
- ☒ 4. Are all listed certificates shown by WRIS as non-cancelled?
If not, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.
- ☒ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☐ N/A ☐ Form D needed from _____ (district)
- 6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. 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.

OK

T-13763