

Regular

RA

Name: Justin d Jayna FerrellAddress: 29261 Opert rim rd
lakeview oregon 97630Change in POA # APOADate Filed 8/30/2021Initial notice date 9/7/2021

DPD issued date

PD issued date 2/28/2023PD notice date 3/7/2023Date of FO 4-21-2023 Vol 128 Page 149

C-Date

COBU due date

COBU Received date

Certificate issued

Assignments:

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Bridgman wellTrib. of Thomas CreekUse IrrigationCounty lake

Quantity of water (CFS)

No. of Acres

Name of ditch

App# 610093Per # 610240Cert # 410978PR Date 10/11/1974

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 #
8-30-2021	\$2850.00	136309
10-14-2021	\$125.00	136607
10-25-2021	\$1,300.00	136701
11-1-2021	\$998.79	136738
2-21-2023	\$89.59	140175

FEES REFUNDED

Date	Amount	Receipt #

Irrigation District

Agent Hollie Cannon WR Solutions

CWRE

CC's list lake County☐ - Oversized map - Location

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13808

Transfer Specialist: *B/ Scott*

Transfer Type: Regular Transfer

2A

Applicant: JUSTIN & JAYNA FERRELL 29261 ABERT RIM RD LAKEVIEW, OR 97630 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A HOLLIE CANNON 409 PINE ST SUITE 311 KLAMATH FALLS, OR 97601 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 Lake 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"/>	G6693	G6240	46978	<input type="checkbox"/> Yes <input 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: August 30, 2021	Proposed Action(s): PLACE OF USE, <i>APDA</i>	
Fees Pd: 2850.00	WM District: <i>(12) new Wm Matt</i>	QDFW-District:
Initial Public Notice: September 7, 2021	WM Review sent: <i>Kyle Gorman -</i>	QDFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>	<i>owners not watered</i>	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: <i>2-7-23</i>	Request for news \$ sent: <i>2-16-23</i>	News \$ received: <i>2/21/23</i>
Request to publish sent:	Affidavit of publication received: <i>3/20/23</i>	Last day of publication: <i>3/15/23</i>

See only Lake County Examiner

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <i>10/13/22</i> Initials: <i>Scott</i>	Date: <i>10/20/22</i> Initials: <i>AKS</i>	Date: _____ Initials: _____	Date: <i>11/4/22</i> Initials: <i>PKS</i>	Date: <i>2/28/23</i> Initials: <i>Scott</i>	<i>CW Sent: 12/23/22</i>	N/A
PD	Date: <i>1/18/23</i> Initials: <i>Scott</i>	Date: <i>1/17/23</i> Initials: <i>AKS</i>	Date: _____ Initials: _____	Date: <i>1/20/23</i> Initials: <i>PKS</i>	Date: <i>2-7-23</i> Initials: <i>Scott</i>	Date: <i>2/21/23</i>	Date: <i>2-18-23</i>
FO	Date: <i>3/5/23</i> Initials: <i>Scott</i>	Date: <i>3/5/23</i> Initials: <i>AKS</i>	Date: _____ Initials: _____	Date: <i>3/17/23</i> Initials: <i>PKS</i>	Date: <i>4/19/23</i> Initials: <i>Scott</i>	Date: _____	Date: <i>4-21-23</i>

Special Issues: *2/1 wmr review needed. 1.2 revision requested. 2/16 1.2 revised*

Special Order Volume: Vol. *128* Pages *149-152*

** some owners do not appear to have been watered, will agree*
*2-7-23 sent to Data for Review *Revised 2/8/23 DPA**

Transfer Cover Sheet

NEED NEWS AFFIDAVIT *Revised 3/20/23* Last Revised 10-29-18



Oregon

Tina Kotek, 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

April 21, 2023

JUSTIN AND JAYNA FERRELL
29261 ABERT RIM RD
LAKEVIEW, OR 97630

REFERENCE: Transfer Application T-13808

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

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

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

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

If you have any questions related to the approval of this transfer, you may contact your caseworker, Scott Grew, by telephone at (503) 986-0890 or by e-mail at Scott.A.Grew@water.oregon.gov.

Sincerely,

Stacy H. Phillips
Restoration Program Technician
Transfers and Conservation Section

cc: Matt A. Anderson, Watermaster Dist. # 12 (via email)
Hollie Cannon, Agent

Enclosure

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING A CHANGE IN
T-13808, Lake County)	POINT OF APPROPRIATION AND CHANGE
)	IN PLACE OF USE

Authority

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

Applicant

JUSTIN R. AND JAYNA L. FERRELL
29261 ABERT RIM RD.
LAKEVIEW, OR 97630

Findings of Fact

1. On August 30, 2021, JUSTIN R. AND JAYNA L. FERRELL filed an application for a change in point of appropriation and to change the place of use under Certificate 46978. The Department assigned the application number T-13808.
2. Notice of the application for transfer was published on September 7, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 15, 2022, the agent for the applicant submitted a revised Table 2 to reflect the correct acreage for the lands to be transferred.
4. On November 28, 2022, the Department sent a copy of the draft Preliminary Determination proposing to deny Transfer Application T-13808 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of December 28, 2022, for the applicant to respond. The applicant provided additional evidence of use and requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

5. On February 28, 2023, the Department issued a Preliminary Determination proposing to approve Transfer Application T-13808 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on March 7, 2023, and in the Lake County Examiner newspaper on [REDACTED], 2023, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
6. The portion of the right to be transferred is as follows:

Certificate: 46978 in the name of JACK & VIRGINIA BRIDGMAN (perfected under Permit G-6240)

Use: IRRIGATION of 82.62 ACRES

Priority Date: OCTOBER 16, 1974

Rate: 0.8 CUBIC FOOT PER SECOND

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

Source: BRIDGMAN WELL, a tributary of THOMAS CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	19 E	WM	25	NW NE	630 FEET SOUTH AND 1260 FEET EAST FROM THE N1/4 CORNER OF SECTION 15

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	19 E	WM	24	NE SE	7.55
38 S	19 E	WM	24	NW SE	10.78
38 S	19 E	WM	24	SW SE	12.53
38 S	19 E	WM	24	SE SE	9.17
38 S	19 E	WM	25	NE NE	5.83
38 S	19 E	WM	25	NW NE	5.57
38 S	19 E	WM	25	SW NE	10.77
38 S	19 E	WM	25	SE NE	11.02
38 S	19 E	WM	25	NW SE	9.40
Total					82.62

7. Transfer Application T-13808 proposes to move the authorized point of appropriation approximately 1.4 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	20 E	WM	31	SW NW	2532.5 FEET SOUTH AND 111.0 FEET EAST FROM THE NW CORNER OF SECTION 31

8. Transfer Application T-13808 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	20 E	WM	31	SW NW	7.69
38 S	20 E	WM	31	SE NW	0.67
38 S	20 E	WM	31	NE SW	2.84
38 S	20 E	WM	31	NW SW	35.57
38 S	20 E	WM	31	SW SW	33.16
38 S	20 E	WM	31	SE SW	2.69
Total					82.62

9. The proposed place of use has existing surface water irrigation rights, as described in inchoate transfer T-9170.

Transfer Review Criteria (OAR 690-380-4010)

10. Evidence was submitted with the application indicating that water has been used within the last five years according to the terms and conditions of the right. The information in the record is not sufficient to initiate cancellation proceedings under ORS 540.631.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13808.
12. The proposed change would result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.
14. All other application requirements are met.

Conclusions of Law

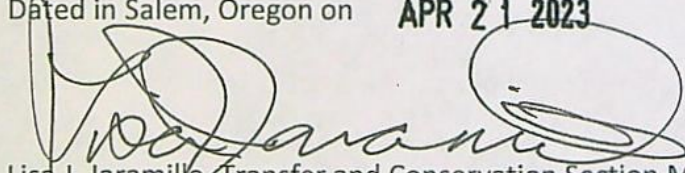
The change in point of appropriation and change in place of use proposed in Transfer Application T-13808 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of appropriation and change in place of use proposed in Transfer Application T-13808 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 46978 and any related decree.
3. Water right Certificate 46978 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer and cancellation.

4. The quantity of water diverted at the new point of appropriation (Well #2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Bridgeman Well).
5. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2024**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **APR 21 2023**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

Mailing date: **APR 25 2023**

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JACK & VIRGINIA BRIDGMAN
RT 6
LAKEVIEW, OR 97630

confirms the right to use the waters of BRIDGMAN WELL a tributary of THOMAS CREEK, for IRRIGATION of 238.18 ACRES.

This right was perfected under Permit G-6240. The date of priority is OCTOBER 16, 1974. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 2.4 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twsp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	19 E	WM	25	NW NE	630 FEET SOUTH AND 1260 FEET EAST FROM THE N1/4 CORNER OF SECTION 25

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

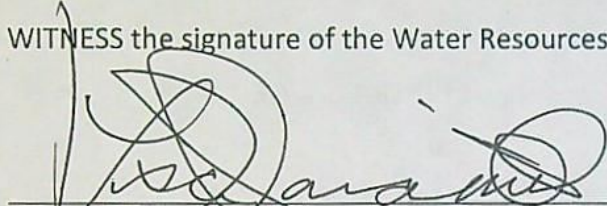
IRRIGATION					
Twsp	Rng	Mer	Sec	Q-Q	Acres
38 S	19 E	WM	24	NE SE	32.45
38 S	19 E	WM	24	NW SE	26.22
38 S	19 E	WM	24	SW SE	25.07
38 S	19 E	WM	24	SE SE	29.23
38 S	19 E	WM	25	NE NE	33.37
38 S	19 E	WM	25	NW NE	34.03
38 S	19 E	WM	25	SW NE	28.83
38 S	19 E	WM	25	SE NE	28.98
				Total	238.18

This certificate describes that portion of water right Certificate 46978, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered APR 21 2023, approving Transfer Application T-13808.

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

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

WITNESS the signature of the Water Resources Director, affixed APR 21 2023.

A handwritten signature in black ink, appearing to read 'Lisa J. Jaramillo', is written over a horizontal line.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

**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 # **140175**

INVOICE # _____

RECEIVED FROM: Jayna Ferrell; Justin
BY: Ferrell

APPLICATION	
PERMIT	
TRANSFER	<u>T-13808</u>

CASH: ☐ CHECK: # 5063 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 89.59

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	<u>46118</u>	\$
0207 OTHER: (IDENTIFY) <u>Newspaper Notice</u>		\$ <u>89.59</u>

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES	\$
0410 RESEARCH FEES	\$
0408 MISC REVENUE: (IDENTIFY) _____	\$
TC162 DEPOSIT LIAB. (IDENTIFY) _____	\$
0240 EXTENSION OF TIME	\$

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$		

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$	0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$	CARD#	
0210 MONITORING WELLS	\$	CARD#	

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$

RECEIPT: **140175**

DATE: 2-21-2023

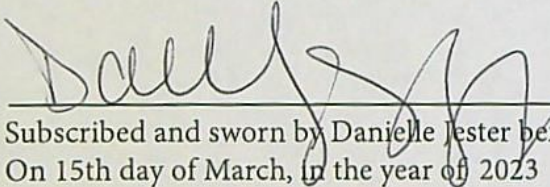
BY: mbw Kang

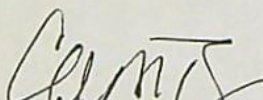
**AFFIDAVIT OF PUBLICATION
STATE OF OREGON,
COUNTY OF LAKE**

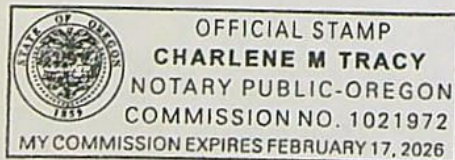
I, Danielle Jester, Ad Manager, being first duly sworn, depose and say that I am the principal clerk of the publisher of the Lake County Examiner, a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Lakeview in the aforesaid county and state: that I know from my personal knowledge that the Legal # 5667 Notice of Preliminary Determination a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 2

Insertion(s) in the following issues: 03/08/23, 03/15/23

Total Cost: \$74.66


Subscribed and sworn by Danielle Jester before me on:
On 15th day of March, in the year of 2023


Notary Public of Oregon
My commission expires February 17, 2026



Notice of
Preliminary Determination
for Water Right Transfer
T-13808

T-13808 filed by Justin R. and Jayna L. Ferrell, 29261 Abert Rim Rd, Lakeview, OR 97630, proposes a change in point of appropriation and change in place of use under Certificate 46978. The right allows the use of 0.8 cubic foot per second from Bridgman Well in Sec. 25, T38S, R19E, WM for irrigation in Sects. 24 and 25, T38S, R19E, WM.

The applicant proposes to move the point of appropriation in Sec. 31, T38S, R20E, WM and to change the place of use to Sec. 31, T38S, R20E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 3/15/2023. Call (503) 979-9931 to obtain additional information.

If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

DATES OF PUBLICATION:
March 8, 2023
March 15, 2023

#5667

RECEIVED

MAR 20 2023

OWRD

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT
Domestic Mail Only

For delivery information, visit our website at www.usps.com®.

OFFICIAL USE

Certified Mail Fee

\$

Extra Services & Fees (check box, add fee as appropriate)

- ☐ Return Receipt (hardcopy) \$ _____
☐ Return Receipt (electronic) \$ _____
☐ Certified Mail Restricted Delivery \$ _____
☐ Adult Signature Required \$ _____
☐ Adult Signature Restricted Delivery \$ _____

Postage

\$

Postmark
Here

JUSTIN & JAYNA FERRELL
29261 ABERT RIM RD
LAKEVIEW, OR 97630

SENDER: COMPLETE THIS SECTION

- ☐ Complete items 1, 2, and 3.
- ☐ Print your name and address on the reverse so that we can return the card to you.
- ☐ Attach this card to the back of the mailpiece, or on the front if space permits.

JUSTIN & JAYNA FERRELL
29261 ABERT RIM RD
LAKEVIEW, OR 97630



9590 9402 6293 0274 3183 80

2. Article Number (Transfer from service label)

7021 1970 0001 3950 3105

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

Justin Ferrell

3/15/23

D. Is delivery address different from item 1? ☐ Yes
or delivery address below: ☒ No

3. Service type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☐ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery

- ☐ Priority Mail Express®
☐ Registered Mail™
☐ Registered Mail Restricted Delivery
☐ Signature Confirmation™
☐ Signature Confirmation Restricted Delivery

Mail

Mail Restricted Delivery

(X)



Oregon

Tina Kotek, 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

February 28, 2023

VIA CERTIFIED MAIL AND E-MAIL

Applicant

JUSTIN R. AND JAYNA L. FERRELL
29261 ABERT RIM RD.
LAKEVIEW, OR 97630

SUBJECT: Water Right Transfer Application T-13808

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13808. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-13808
Matt A. Anderson, District 12 Watermaster (via e-mail)
Hollie Cannon, Agent for the applicant (via e-mail)

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-13808, Lake County)	PROPOSING THE APPROVAL OF A
)	CHANGE IN POINT OF APPROPRIATION
)	AND CHANGE IN PLACE OF USE

Authority

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

Applicant

JUSTIN R. AND JAYNA L. FERRELL
29261 ABERT RIM RD.
LAKEVIEW, OR 97630

Findings of Fact

1. On August 30, 2021, JUSTIN R. AND JAYNA L. FERRELL filed an application for a change in point of appropriation and to change the place of use under Certificate 46978. The Department assigned the application number T-13808.
2. Notice of the application for transfer was published on September 7, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 15, 2022, the agent for the applicant submitted a revised Table 2 to reflect the correct acreage for the lands to be transferred.
4. On November 28, 2022, the Department sent a copy of the draft Preliminary Determination proposing to deny Transfer Application T-13808 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of December 28, 2022, for the applicant to respond. The applicant provided additional evidence of use and requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

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

Certificate: 46978 in the name of JACK & VIRGINIA BRIDGMAN (perfected under Permit G-6240)

Use: IRRIGATION of 82.62 ACRES

Priority Date: OCTOBER 16, 1974

Rate: 0.8 CUBIC FOOT PER SECOND

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

Source: BRIDGMAN WELL, a tributary of THOMAS CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	19 E	WM	25	NW NE	630 FEET SOUTH AND 1260 FEET EAST FROM THE N1/4 CORNER OF SECTION 15

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	19 E	WM	24	NE SE	7.55
38 S	19 E	WM	24	NW SE	10.78
38 S	19 E	WM	24	SW SE	12.53
38 S	19 E	WM	24	SE SE	9.17
38 S	19 E	WM	25	NE NE	5.83
38 S	19 E	WM	25	NW NE	5.57
38 S	19 E	WM	25	SW NE	10.77
38 S	19 E	WM	25	SE NE	11.02
38 S	19 E	WM	25	NW SE	9.40
Total					82.62

6. Transfer Application T-13808 proposes to move the authorized point of appropriation approximately 1.4 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	20 E	WM	31	SW NW	2532.5 FEET SOUTH AND 111.0 FEET EAST FROM THE NW CORNER OF SECTION 31

7. Transfer Application T-13808 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	20 E	WM	31	SW NW	7.69
38 S	20 E	WM	31	SE NW	0.67
38 S	20 E	WM	31	NE SW	2.84
38 S	20 E	WM	31	NW SW	35.57
38 S	20 E	WM	31	SW SW	33.16
38 S	20 E	WM	31	SE SW	2.69
Total					82.62

8. The proposed place of use has existing surface water irrigation rights, as described in inchoate transfer T-9170.

Transfer Review Criteria (OAR 690-380-4010)

9. Evidence was submitted with the application indicating that water has been used within the last five years according to the terms and conditions of the right. The information in the record is not sufficient to initiate cancellation proceedings under ORS 540.631.
10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13808.
11. The proposed change would result in enlargement of the right.
12. The proposed change would not result in injury to other water rights.
13. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation and change in place of use proposed in Transfer Application T-13808 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

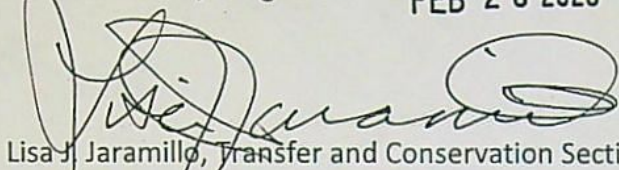
If Transfer Application T-13808 is approved, the final order will include the following:

- The change in point of appropriation and change in place of use proposed in Transfer Application T-13808 are approved.*
- The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 46978 and any related decree.*

3. *Water right Certificate 46978 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer and cancellation.*
4. *The quantity of water diverted at the new point of appropriation (Well #2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Bridgeman Well).*
5. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2024**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on **FEB 28 2023**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at scott.a.grew@water.oregon.gov or 503-986-0890.

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

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

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Thursday, February 16, 2023 5:44 PM
To: Justin Ferrell
Cc: GREW Scott A * WRD; ANDERSON Matthew A * WRD; Hollie Cannon
Subject: T-13808 Newspaper Notice Fee - Action Required

February 16, 2023

Applicant

JUSTIN R. AND JAYNA L. FERRELL
29261 ABERT RIM RD.
LAKEVIEW, OR 97630

SUBJECT: Water Right Transfer Application T-13808

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

Items needed before the next phase of processing...

At this time you need to:

1. submit a check for \$ 89.59 to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. write "for T-13808 NOTICE" on the front of your check, and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than March 18, 2023.**

What happens next...

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

If we do not receive payment for newspaper notice by March 18, 2023, a Preliminary Determination may be issued denying the application as incomplete.

Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-13808
Matt A. Anderson, District 12 Watermaster (via e-mail)
Hollie Cannon, Agent for the applicant (via e-mail)

✂-----
Attached is a check for \$ 89.59 (PCA #46118) for Newspaper Notice for Transfer T-13808 made out to Oregon Water Resources Department (or WRD)

- "for T-13808 NOTICE" written on front of check

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

Caseworker: Scott Grew



Oregon

Tina Kotek, 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

February 16, 2023

Applicant

JUSTIN R. AND JAYNA L. FERRELL

29261 ABERT RIM RD.

LAKEVIEW, OR 97630

SUBJECT: Water Right Transfer Application T-13808

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Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist

Transfer and Conservation Section

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- "for T-13808 NOTICE" written on front of check

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

Caseworker: Scott Grew

GREW Scott A * WRD

From: PHILLIPS Stacy H * WRD
Sent: Thursday, February 16, 2023 2:29 PM
To: STARNES Patrick K * WRD
Cc: GREW Scott A * WRD
Subject: RE: Newspaper Estimate for Transfer Application T-13808

Hi Scott,

The quote came in for this notice. Total cost is \$89.59.

Thanks,

Stacy H. Phillips

Natural Resource Specialist 2, Permit Amendment Caseworker
725 Summer Street NE, Suite A, Salem, OR 97301
Office: 503-986-0898 | Work Cell: 503-979-9948



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

From: STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Sent: Thursday, February 16, 2023 10:52 AM
To: PHILLIPS Stacy H * WRD <Stacy.H.PHILLIPS@water.oregon.gov>
Cc: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: Newspaper Estimate for Transfer Application T-13808

Hi Stacy –

Scott will need a quote for the attached **TRANSFER** Application notice to run in the Lake County Examiner. Run time is two weeks.

Thanks!

Kelly

Kelly Starnes, Transfer Program Analyst
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Cell phone: 503-979-3511 Fax: 503-986-0903
E-mail: patrick.k.starnes@water.oregon.gov

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

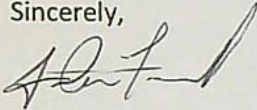
Water Right Transfer Application T-13808

Mr. Grew,

12/21/22

Attached you will find the documents requested in the preliminary determination related to T-13808 sent by you via e-mail on November 28th. The requested documents have been sent both electronically (via e-mail) as well as by registered mail. The best effort has been made to compile all requested items, should you find anything lacking please let me know immediately and I will gather any further items needed.

Sincerely,



Justin Ferrell

541-219-2698

lakecountyswcd@hotmail.com

RECEIVED

DEC 27 2022

OWRD

RECEIVED

DEC 27 2022

OWRD

To Oregon Water Resources Department (OWRD),

12/10/22

The land described in T-13808 has been irrigated in the past 5 years by us since our purchase of the land. The described lands are no longer farmed or irrigated as such; water is applied every 2-3 years to keep our water right valid. We use a combination of wheel line, hand line and above and below ground mainline to apply water. We typically no longer cut hay on the pivot corners but instead use them for fall feed for our beef cattle.

X.

Justin Ferrell

X.

Jayna Ferrell

State of Oregon

County of Lake

On December 15, 2022, Justin & Jayna Ferrell personally appeared before me,

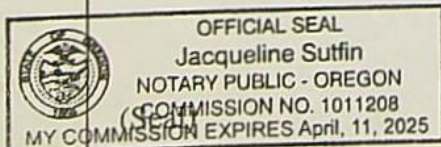
☒ who is personally known to me

☐ whose identity I proved on the bases of _____

☐ whose identity I proved on the oath/affirmation of _____

_____, a credible witness

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.



Jacqueline Sutfin
Notary Public

My commission expires April 11, 2025

Application for Water Right Transfer



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

Consent by Deeded Landowner

RECEIVED

DEC 27 2022

OWRD

State of Oregon)
County of Lake)ss

I Jayna & Justin Ferrell in my/our capacity as Landowners,
mailing address 29261 Abert Rim rd Lakeview, OR 97630,
telephone number 541-219-2698, duly sworn depose and say that I/We
consent to the proposed change(s) to Water Right Certificate Number 46978
described in a Water Right Transfer Application (T- 13808),
(transfer number, if known)

submitted by Justin & Jayna Ferrell
on the property in tax lot number(s) 4000, 4002

Section 24, 25 Township 38 North South Range 19 East West, W.M.

located at Thomas Creek rd. 100 Address Lakeview, OR 97630
(site address)

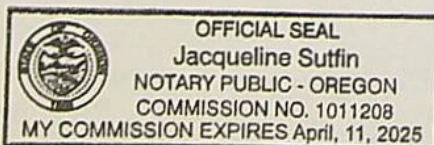
Signature of Affiant

Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 15 day of December, 20 22.



Jacqueline Sutfin
Notary Public for Oregon

My commission expires 4/11/2025.

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
County of Lake)ss

RECEIVED

DEC 27 2022

OWRD

I Jay & Gloria Counts in my/our capacity as Landowners

mailing address 29652 Albert River Rd La Brevia, OR 97630

telephone number 541-941-3539, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 46978

described in a Water Right Transfer Application (T- 13808),
(transfer number, if known)

submitted by Justin & Jayna Fennell

on the property in tax lot number(s) 4004

Section 25 Township 38 North/South Range 19 East/West, W.M.

located at Thomas Creek Rd, 110 Address La Brevia, OR 97630
(site address)

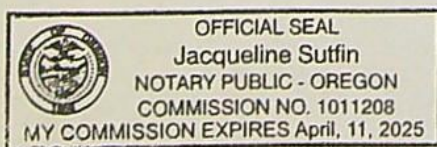
Jay A Counts
Signature of Affiant

12/15/22
Date

Gloria Counts
Signature of Affiant

12/15/22
Date

Subscribed and Sworn to before me this 15 day of December, 2022.



Jacqueline Sutfin
Notary Public for Oregon

My commission expires 4/11/2025

RECEIVED

DEC 27 2022

OWRD

To Oregon Water Resources Department (OWRD),

12/10/22

The land described in T-13808 has been irrigated in the past 5 years by us. The described lands are no longer farmed or irrigated as such; water is applied every 2-3 years to keep the water right valid. We have actively engaged in this practice since our purchase of the land in the early 1990's. We have continued helping our daughter and son in law following their purchase of the land. We continue to own tax lot 4004 and irrigate it in the same manner using buried mainline and a wheel line. We typically no longer cut hay on this land but instead the pasture is used by our daughter and son in law.

x. Jay Counts
Jay Counts

x. Gloria Counts
Gloria Counts

State of Oregon

County of LAKE

On December 15, 20 22 Jay & Gloria Counts personally appeared
before me,

☒ who is personally known to me

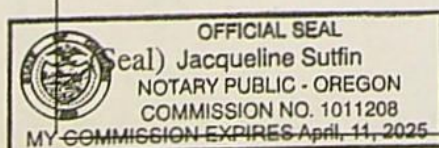
☐ whose identity I proved on the bases of _____

☐ whose identity I proved on the oath/affirmation of _____

_____, a credible witness

to be the signer of the above instrument, and he/she acknowledged that he/she signed it.

Jacqueline Sutfin
Notary Public



My commission expires April 11, 2025



405 N 1st St., Lakeview, OR 97630
PHONE (541)947-3019 FAX (541)947-3283

RECEIVED

DEC 27 2022

OWRD

STATUS OF RECORD TITLE

Justin Ferrell
29261 Abert Rim Rd,
Lakeview, OR 97630
Your Reference No.

December 19, 2022
Title Number: 573884AM
Title Officer: Tonya Clayborn
Fee: \$300.00

We have searched the status of record title as to the following described property:

Parcel 1

A parcel of land situated in the SE ¼ of Section 24, Township 38 South, Range 19 East of the Willamette Meridian. More particularly described as: Parcel 1 of Partition Plat No. 1995-P-067 filed for record in the office of the Lake County Clerk on April 4, 1995, in Book 228 at Page 631, Deed Records.

Parcel 2

Parcel 1 of Partition Plat No. 2013-B-195, located in the NE ¼ of Section 25 Township 38 South, Range 19 East of the Willamette Meridian as filed in Plat Cabinet B, Sleeve 195, Lake County Records.

Parcel 3

Parcel 2 of Partition Plat No. 2013-B-195, located in the NE ¼ of Section 25 Township 38 South, Range 19 East of the Willamette Meridian as filed in Plat Cabinet B, Sleeve 195, Lake County Records.

Vestee:

**Justin Ferrell and Jayna Ferrell, as Tenants by the Entirety as to Parcels 1 and 2;
Jay A. Counts and Gloria M. Counts, as Tenants in Common as to Parcel 3**

and dated as of **December 16, 2022** at 7:30 a.m.

Said property is subject to the following on record matters:

Tax Information:

Taxes assessed under Code No. 0708 Account No. 11436 Map No. 3819-4000
NOTE: The 2022-2023 Taxes: \$1,027.24, are Paid

Taxes assessed under Code No. 0708 Account No. 17917 Map No. 3819-4002
NOTE: The 2022-2023 Taxes: \$1,097.29, are Paid

Taxes assessed under Code No. 0708 Account No. 19517 Map No. 3819-4004
NOTE: The 2022-2023 Taxes: \$43.47, are Paid

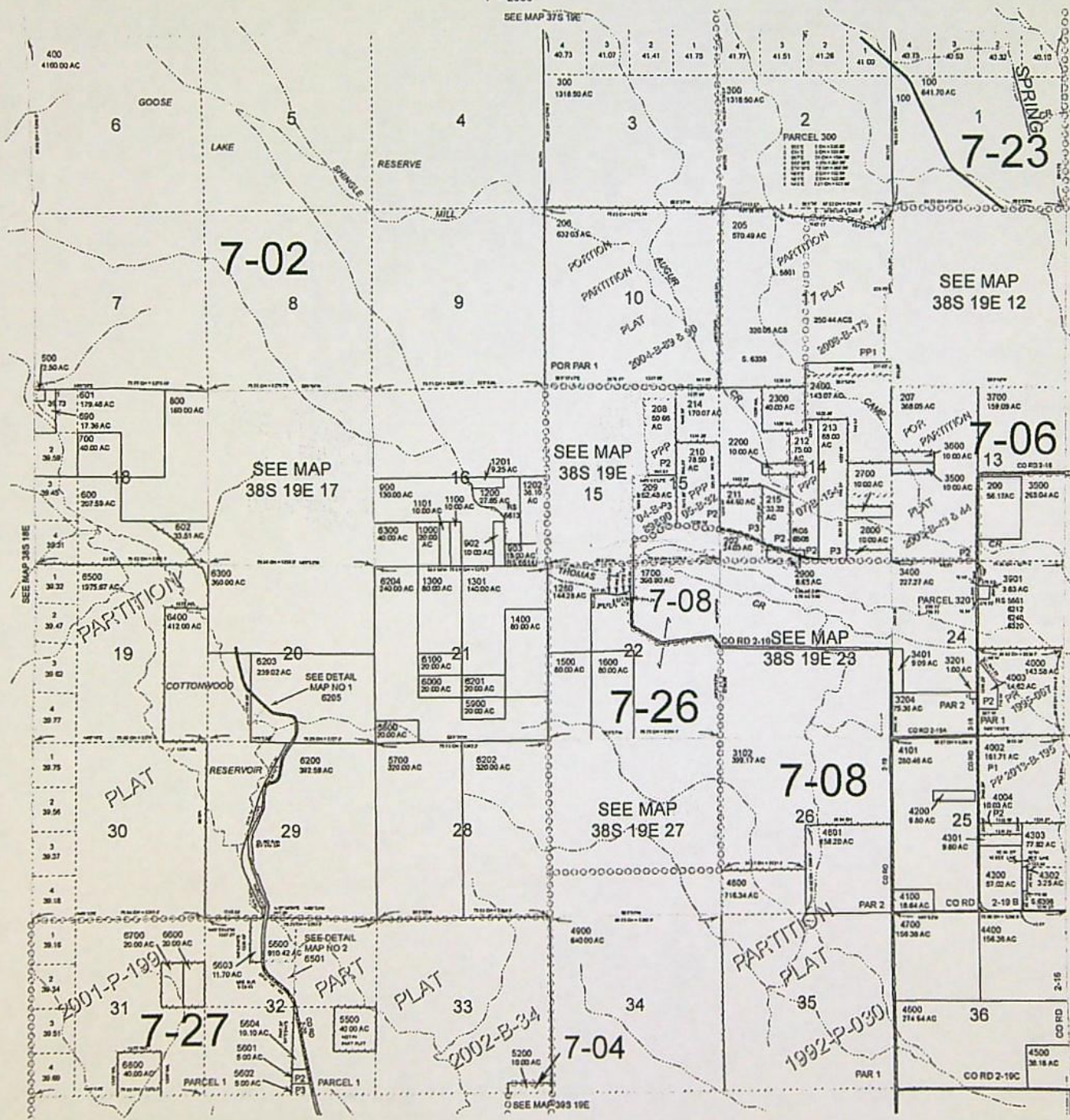
THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

0 500 1,000 2,000 Feet

T.38S. R.19E. W.M.
LAKE COUNTY
1" = 2000'

38S19E
& INDEX

PHYLLISY - 2021-05-25 14:15



CANCELLED NOS.
201
203
204
901
1290
1800 thru 2000
2100
2500
2600
3000
3100
3101
3200
3202
3203
3300
3800
4001
5000
5100
5300
5400

RECEIVED
DEC 27 2022
OWRD

& INDEX
38S19E

GREW Scott A * WRD

From: Justin Ferrell <lakecountyswcd@hotmail.com>
Sent: Saturday, December 24, 2022 1:29 PM
To: GREW Scott A * WRD; Hollie Cannon
Cc: ANDERSON Matthew A * WRD
Subject: Re: T-13808 - Issuance of Draft Preliminary Determination - Action Required!
Attachments: Additional Docs T-13808.pdf

Mr. Grew,

Attached you will find the additional documents requested for T-13808. Should you need any additional documents please let me know, I have sent hard copies as well via certified mail.

Thank You,

Justin Ferrell

541-219-2698 Cell

From: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Sent: Monday, November 28, 2022 11:16 AM
To: Hollie Cannon <hcannon@waterrightsolutions.com>; justin ferrell <lakecountyswcd@hotmail.com>
Cc: ANDERSON Matthew A * WRD <Matthew.A.ANDERSON@water.oregon.gov>; GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: T-13808 - Issuance of Draft Preliminary Determination - Action Required!

November 28, 2022

VIA E-MAIL

Applicant
JUSTIN R. AND JAYNA L. FERRELL
29261 ABERT RIM RD.
LAKEVIEW, OR 97630

SUBJECT: Water Right Transfer Application T-13808

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-13808. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be DENIED. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so and to withdraw or modify your application to resolve the issues that are prompting our decision to deny the application.

The draft Preliminary Determination proposes to deny the transfer because the Evidence of Use has not shown proof that the pivot corners have been irrigated. The issues that we have identified could be resolved by one of the following alternatives:

- Provide additional evidence that the lands were irrigated within the last 5 years.
- Withdraw the application.

At this point, you may decide to continue processing the application (see below), or to send a letter requesting to withdraw the transfer application.

If you wish to proceed with your application, you must submit the following:

1. **Provide a written response** by December 28, 2022, that describes how you will overcome the issues identified above and submit modifications or additional information as needed, or that indicates you wish to protest a Preliminary Determination to deny the transfer.
2. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must be:
 - i. Prepared within 3 months of the Draft Preliminary Determination showing current ownership;
OR
 - ii. Prepared within 3 months of recording of a water right conveyance agreement; **OR**
 - iii. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.
If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

 - d) Must include a list of owners at the time the report was generated; **AND**
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).

5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at:

[https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)

GREW Scott A * WRD

From: Justin Ferrell <lakecountyswcd@hotmail.com>
Sent: Wednesday, November 30, 2022 5:17 PM
To: GREW Scott A * WRD
Cc: Hollie Cannon; ANDERSON Matthew A * WRD; Jayna Ferrell
Subject: Re: T-13808 - Issuance of Draft Preliminary Determination - Action Required!

Hello Scott,

We will be continuing with our application. The land has been irrigated in the past 5 years by us as well as the person we purchased the farm from (my father-in-law). The described lands are no longer farmed or irrigated as such; water is applied every 2-3 years to keep our water right valid. We have used a combination of wheel line, hand line and above and below ground mainline to apply water. We typically no longer cut hay on the pivot corners but instead use them for fall feed for our beef cattle. Do we need to have these statements notarized?

Thank You,

Justin Ferrell

541-219-2698 Cell

From: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Sent: Monday, November 28, 2022 11:16 AM
To: Hollie Cannon <hcannon@waterrightsolutions.com>; justin ferrell <lakecountyswcd@hotmail.com>
Cc: ANDERSON Matthew A * WRD <Matthew.A.ANDERSON@water.oregon.gov>; GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: T-13808 - Issuance of Draft Preliminary Determination - Action Required!

November 28, 2022

VIA E-MAIL

Applicant

JUSTIN R. AND JAYNA L. FERRELL

29261 ABERT RIM RD.

LAKEVIEW, OR 97630

SUBJECT: Water Right Transfer Application T-13808

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-13808. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be DENIED. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so and to withdraw or modify your application to resolve the issues that are prompting our decision to deny the application.

GREW Scott A * WRD

From: GORMAN Kyle G * WRD
Sent: Friday, December 2, 2022 12:51 PM
To: GREW Scott A * WRD; ANDERSON Matthew A * WRD
Cc: STARNES Patrick K * WRD; JARAMILLO Lisa J * WRD
Subject: RE: T-13808 - Issuance of Draft Preliminary Determination - Action Required!

That is good enough for me. I do not have irrefutable evidence to contradict what he says. I have not personally seen the property.

Kyle

From: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Sent: Thursday, December 1, 2022 9:24 AM
To: GORMAN Kyle G * WRD <Kyle.G.GORMAN@water.oregon.gov>; ANDERSON Matthew A * WRD <Matthew.A.ANDERSON@water.oregon.gov>
Cc: STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>; JARAMILLO Lisa J * WRD <Lisa.J.JARAMILLO@water.oregon.gov>; GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: FW: T-13808 - Issuance of Draft Preliminary Determination - Action Required!

Hello Kyle and Matt,

I took over T-13808 as Tamera started a new position and sent out the DPD to deny because of lack of evidence of use. (See correspondence above.)

I received this yesterday from the applicant but from my desk I cannot determine if this is evidence (or feasible) so I am turning to the experts in the field.

Do you find this acceptable of evidence of use?

Thank you for your thoughts!

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

From: Justin Ferrell <lakecountyswcd@hotmail.com>
Sent: Wednesday, November 30, 2022 5:17 PM
To: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Cc: Hollie Cannon <hcannon@waterrightsolutions.com>; ANDERSON Matthew A * WRD <Matthew.A.ANDERSON@water.oregon.gov>; Jayna Ferrell <jaynalcounts@hotmail.com>
Subject: Re: T-13808 - Issuance of Draft Preliminary Determination - Action Required!

Hello Scott,

We will be continuing with our application. The land has been irrigated in the past 5 years by us as well as the person we purchased the farm from (my father-in-law). The described lands are no longer farmed or irrigated as such; water is applied every 2-3 years to keep our water right valid. We have used a combination of wheel line, hand line and above and below ground mainline to apply water. We typically no longer cut hay on the pivot corners but instead use them for fall feed for our beef cattle. Do we need to have these statements notarized?

Thank You,

Justin Ferrell

541-219-2698 Cell

From: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Sent: Monday, November 28, 2022 11:16 AM
To: Hollie Cannon <hcannon@waterrightsolutions.com>; justin ferrell <lakecountyswcd@hotmail.com>
Cc: ANDERSON Matthew A * WRD <Matthew.A.ANDERSON@water.oregon.gov>; GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: T-13808 - Issuance of Draft Preliminary Determination - Action Required!

November 28, 2022

VIA E-MAIL

Applicant

JUSTIN R. AND JAYNA L. FERRELL

29261 ABERT RIM RD.

LAKEVIEW, OR 97630

SUBJECT: Water Right Transfer Application T-13808

Please find enclosed a draft of our Preliminary Determination regarding Transfer Application T-13808. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be DENIED. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so and to withdraw or modify your application to resolve the issues that are prompting our decision to deny the application.

The draft Preliminary Determination proposes to deny the transfer because the Evidence of Use has not shown proof that the pivot corners have been irrigated. The issues that we have identified could be resolved by one of the following alternatives:

- Provide additional evidence that the lands were irrigated within the last 5 years.
- Withdraw the application.



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

November 28, 2022

VIA E-MAIL

Applicant

JUSTIN R. AND JAYNA L. FERRELL

29261 ABERT RIM RD.

LAKEVIEW, OR 97630

SUBJECT: Water Right Transfer Application T-13808

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The draft Preliminary Determination proposes to deny the transfer because the Evidence of Use has not shown proof that the pivot corners have been irrigated. The issues that we have identified could be resolved by one of the following alternatives:

- Provide additional evidence that the lands were irrigated within the last 5 years.
- Withdraw the application.

At this point, you may decide to continue processing the application (see below), or to send a letter requesting to withdraw the transfer application.

If you wish to proceed with your application, you must submit the following:

1. **Provide a written response** by December 28, 2022, that describes how you will overcome the issues identified above and submit modifications or additional information as needed, or that indicates you wish to protest a Preliminary Determination to deny the transfer.
2. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;

c) Must be:

- i. Prepared within 3 months of the Draft Preliminary Determination showing current ownership; **OR**
- ii. Prepared within 3 months of recording of a water right conveyance agreement; **OR**
- iii. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

d) Must include a list of owners at the time the report was generated; **AND**

e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).

- 5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at: [https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)
- 6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized point of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice (see below). As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.

Conditions to your water right...

If you modify the application so as to allow approval, conditions may need to be added to the transfer. The Department will notify you of any required conditions prior to issuing the Preliminary Determination.

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

- 1. Your written response modifying the application to resolve the issues that we have identified or requesting that we proceed with processing of the application; and

2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive your response to withdraw the application or the items listed above by December 28, 2022, a Preliminary Determination may be issued denying the application as incomplete.

Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist

Transfer and Conservation Section

cc: Transfer Application file T-13808
Matt A. Anderson, District 12 Watermaster *(via e-mail)*
Hollie Cannon, Agent for the applicant *(via e-mail)*

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-13808, Lake County

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)
)
)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING THE DENIAL OF A CHANGE IN
POINT OF APPROPRIATION AND CHANGE
IN PLACE OF USE

Authority

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

Applicant

JUSTIN R. AND JAYNA L. FERRELL
29261 ABERT RIM RD.
LAKEVIEW, OR 97630

Findings of Fact

1. On August 30, 2021, JUSTIN R. AND JAYNA L. FERRELL filed an application for a change in point of appropriation and to change the place of use under Certificate 46978. The Department assigned the application number T-13808.
2. Notice of the application for transfer was published on September 7, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 15, 2022, the agent for the applicant submitted a revised Table 2 to reflect the correct acreage for the lands to be transferred.
4. The portion of the right to be transferred is as follows:

Certificate: 46978 in the name of JACK & VIRGINIA BRIDGMAN (perfected under Permit G-6240)
Use: IRRIGATION of 82.6 ACRES
Priority Date: OCTOBER 16, 1974
Rate: 0.8 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-

EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: BRIDGMAN WELL, a tributary of THOMAS CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	19 E	WM	25	NW NE	630 FEET SOUTH AND 1260 FEET EAST FROM THE N1/4 CORNER OF SECTION 15

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	19 E	WM	24	NE SE	7.55
38 S	19 E	WM	24	NW SE	10.78
38 S	19 E	WM	24	SW SE	12.53
38 S	19 E	WM	24	SE SE	9.17
38 S	19 E	WM	25	NE NE	5.83
38 S	19 E	WM	25	NW NE	5.57
38 S	19 E	WM	25	SW NE	10.77
38 S	19 E	WM	25	SE NE	11.02
38 S	19 E	WM	25	NW SE	9.40
Total					82.62

5. Transfer Application T-13808 proposes to move the authorized point of appropriation approximately 1.4 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
38 S	20 E	WM	31	SW NW	2532.5 FEET SOUTH AND 111.0 FEET EAST FROM THE NW CORNER OF SECTION 31

6. Transfer Application T-13808 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
38 S	20 E	WM	31	SW NW	7.69
38 S	20 E	WM	31	SE NW	0.67
38 S	20 E	WM	31	NE SW	2.84
38 S	20 E	WM	31	NW SW	35.57
38 S	20 E	WM	31	SW SW	33.16
38 S	20 E	WM	31	SE SW	2.69
Total					82.62

7. The proposed change in place of use has existing surface water irrigation rights, as described in inchoate transfer T-9170.

Transfer Review Criteria (OAR 690-380-4010)

8. Evidence was submitted with the application indicating that water has been used within the last five years according to the terms and conditions of the right. Although the applicant submitted aerial photographs of the place of use, additional aerial photographs of the lands to which the right is appurtenant suggest that there has been an extended period of time during which the right was not exercised. The information in the record is not sufficient to initiate cancellation proceedings under ORS 540.631.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13808.
10. The proposed change would result in enlargement of the right.
11. The proposed change would not result in injury to other water rights.
12. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation and change in place of use proposed in Transfer Application T-13808 appear not to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be denied.

If the denial can be overcome and Transfer Application T-13808 is approved, the final order will include the following:

1. *The change in point of appropriation and change in place of use proposed in Transfer Application T-13808 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 46978 and any related decree.*
3. *Water right Certificate 46978 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer and cancellation.*
4. *The quantity of water diverted at the new point of appropriation (Well #2), shall not exceed the quantity of water lawfully available at the original point of appropriation (Bridgeman Well).*

5. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2024**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
DOUGLAS E. WOODCOCK, ACTING DIRECTOR
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at scott.a.grew@water.oregon.gov or 503-986-0890.

GREW Scott A * WRD

From: GORMAN Kyle G * WRD
Sent: Friday, March 11, 2022 9:41 AM
To: SMITH Tamera L * WRD
Subject: RE: T-13808 District 12 WM review request

I do concur.

Kyle

From: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Sent: Friday, March 11, 2022 9:08 AM
To: GORMAN Kyle G * WRD <Kyle.G.GORMAN@water.oregon.gov>
Subject: RE: T-13808 District 12 WM review request

Hi Kyle,

Thankfully the applicant used aerials for the Evidence of Use, which is the only way I'm allowed to double check Google Earth. I agree that 6 of the 8 corners to be transferred do not appear to be watered in the last five years. Two corners look to have been partially watered in 2016. Please see attached.

Would you concur?

Based on your review, I intend to deny the DPD. However, still waiting on GW review, as well, so there may be more to it.

Thank you for your time, Tamera

From: GORMAN Kyle G * WRD <Kyle.G.GORMAN@water.oregon.gov>
Sent: Thursday, March 10, 2022 8:33 AM
To: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>; ANDERSON Matthew A * WRD <Matthew.A.ANDERSON@water.oregon.gov>
Subject: RE: T-13808 District 12 WM review request

Tamera,

I finally got back to this. Couple of things to note. I am not familiar with this land so I looked at Google earth imagery and noticed that it looks like the corners being move have not been irrigated since 2011 or 2013. It looks like where they are moving the water rights, there is an inchoate transfer as well. I didn't have time to look into the status of that transfer. Lastly, I would like a flow meter on the new place of use.

Please let me know if you have questions. This is actually the first time I have filled out this extensive review form.

Kyle

From: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Sent: Tuesday, March 8, 2022 2:19 PM
To: ANDERSON Matthew A * WRD <Matthew.A.ANDERSON@water.oregon.gov>
Cc: GORMAN Kyle G * WRD <Kyle.G.GORMAN@water.oregon.gov>
Subject: FW: T-13808 District 12 WM review request

Good afternoon Matt,

I never heard back from Kyle on this one and believe it may have fallen through the cracks. I am waiting for a watermaster review for T-13808 Ferrell. This file is in RA, expedited process.

If you have any questions or concerns, please let me know.

Thank you for taking a look!

-Tamera

TAMERA SMITH PLEASE NOTE NEW EMAIL: tamera.l.smith@water.oregon.gov
REIMBURSEMENT AUTHORITY (EXPEDITED PROGRAM) TRANSFER CASEWORKER
725 Summer St. NE, Suite A | Salem, Oregon 97301 | PLEASE NOTE NEW PHONE: 503-979-9607



OREGON
WATER
RESOURCES
DEPARTMENT

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

From: SMITH Tamera L * WRD
Sent: Tuesday, February 15, 2022 11:42 AM
To: GORMAN Kyle G * WRD <Kyle.G.GORMAN@water.oregon.gov>
Subject: RE: T-13808 District 12 WM review request

Hi Kyle,

Hope this email finds you well.

I just received a revised Table 2 that you will need to do the review for T-13808 (attached). It's not date stamped yet, but I received it today, 2-15-22.

If you need anything else for the review (fillable form attached), let me know!

Thank you for your help.

Best, Tamera

From: GORMAN Kyle G * WRD <Kyle.G.GORMAN@water.oregon.gov>
Sent: Tuesday, February 1, 2022 8:21 AM
To: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Subject: RE: T-13808 District 12 WM review request

Yes, most likely. Is this one you need me to review? Thanks,
Kyle

From: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Sent: Tuesday, February 1, 2022 8:20 AM
To: GORMAN Kyle G * WRD <Kyle.G.GORMAN@water.oregon.gov>
Subject: T-13808 District 12 WM review request

Hi Kyle,

I'm guessing you have a queue of review requests piled up for District 12. T-13808 Ferrell is in RA. I've asked the agent to revise Table 2 to only the 82.62 acres being transferred in Table 2. He is usually pretty quick getting revisions out. I'll let you know when it comes through.

Hope your day is great!

-Tamera

TAMERA SMITH PLEASE NOTE NEW EMAIL: tamera.l.smith@water.oregon.gov
REIMBURSEMENT AUTHORITY (EXPEDITED PROGRAM) TRANSFER CASEWORKER
725 Summer St. NE, Suite A | Salem, Oregon 97301 | PLEASE NOTE NEW PHONE: 503-979-9607



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

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13808

GW Reviewer Gerald H. Grondin

Date Review Completed: 7 June 2022

Summary of Same Source Review:

☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

☐ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

☒ None of the Above

Note: The existing POA/POD well (LAKE 1986) and the proposed APOA well (not drilled) locations noted in the proposed transfer are within an area addressed by OAR 690-513-0030 (d). However, neither well appear to trigger OAR 690-513-0030 (d) given they are more than 1,000 feet distance from Thomas Creek.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Ground Water Review Form:

- ☒ Water Right Transfer
☐ Permit Amendment
☐ GR Modification
☐ Other

Application: T-13808

Applicant Name: Justin R. & Jayna L. Ferrell

Proposed Changes: ☐ POA ☒ APOA ☐ SW→GW ☐ RA
☐ USE ☒ POU ☐ OTHER

Reviewer(s): Gerald H. Grondin

Date of Review: 7 June 2022

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 10/7/2022

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- ☐ Other _____

1. Basic description of the changes proposed in this transfer: _____

Transfer application T- 13808 relates to certificate 46978 (priority date 16 October 1974) that authorizes irrigation of 320.8 POU acres in T38S/R19E-sec 24 & 25 with groundwater from POD/POA well LAKE 1986 (Bridgman Well) in T38S/R19E-sec 25 with a maximum allowable rate of 3.2 cfs (0.01 cfs/acre, 1,436.26 gpm) and a maximum allowable duty of 3 feet-acre per year (962.40 acre-feet/year total).

Wheel lines were the original irrigation system design. Two center pivots were subsequently installed.

Transfer application T- 13808 proposes moving 82.62 POU acres total (corners outside the center pivot circles) to a rectangular area in the SW quarter of T38S/R20E-sec 31 to be irrigated by groundwater from a proposed well not yet drilled.

The existing POD/POA well LAKE 1986 (Bridgman Well) is 400-feet total depth and obtains groundwater from predominantly basin-fill sediment deposits that overlie predominantly volcanic rock and sediments deposits. The proposed POA/POD well is anticipated to be 500-feet total depth and obtain groundwater from predominantly basin-fill sediment deposits (the application says "valley fill").

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: _____

The existing POD/POA well LAKE 1986 (Bridgman Well) obtains groundwater from predominantly basin-fill sediment deposits that overlie predominantly volcanic rock and sediments deposits. The proposed POA/POD well is anticipated to obtain groundwater from predominantly basin-fill sediment deposits (the application says "valley fill").

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No _____

See comments for question 2 above.

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

Not applicable.

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another ground water right?
☒ Yes ☐ No Comments: _____

The proposed change to irrigate the transferred 82.62 POU acres with groundwater from an additional POA/POD well (APOA well) would move groundwater pumping (about 0.83 cfs maximum rate and about 247.86 acre-feet/year maximum) to a location closer to other POA/POD wells authorized for other groundwater rights. The two POA/POD wells closest to the proposed APOA well location are 2,625 feet northeast (no well log found authorized under certificate 89417) and 3,010 feet south (well LAKE 4177 authorized under permit G-12945) respectively.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☐ Yes ☒ No If yes, explain: _____

The additional seasonal drawdown at the two POA/POD wells closest to the proposed APOA well location is calculated to be less than 5-feet by the end of the irrigation season. The wells should be able to accommodate the additional drawdown.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

☒ Yes ☐ No Comments: _____

The proposed change would move groundwater pumping (about 0.83 cfs maximum rate and about 247.86 acre-feet/year maximum) to a location about 90-feet closer to Thomas Creek (1,405 feet distance at existing well location versus 1,315 feet distance at proposed APOA well location) resulting in a calculated increased interference with Thomas Creek of about 0.001 cfs (0.45 gpm) by the end of the irrigation season.

The proposed change does not appear to trigger OAR 690-513-0030 (d) given the "from" and "to" well locations are greater than 1,000 feet distance from Thomas Creek.

- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Thomas Creek ☒ Minimal ☐ Significant

Stream: _____ ☐ Minimal ☐ Significant

Provide context for minimal/significant impact: _____

See discussion in part a above.

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

☐ Yes ☐ No Comments: _____

Not applicable. No SW-GW transfer

7. What conditions or other changes in the application are necessary to address any potential issues identified above: _____

The following are technical groundwater review recommendations. It is recognized that one or more technically recommended conditions may or may not be allowed under the transfer process rules and statutes. This technical groundwater review relies on other appropriate and authorized Department staff to make that determination.

"Large" flow meter condition for any proposed "To" POA and/or APOA well. Require the flow meter for any POA and/or APOA well to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.

Condition 7P (well tag condition) for all the "To" and "From" POA wells.

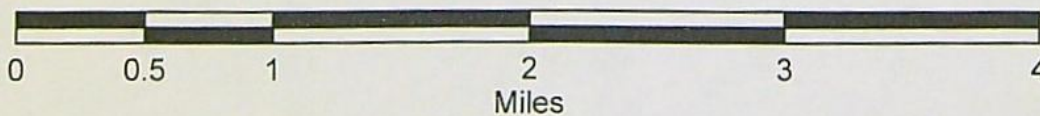
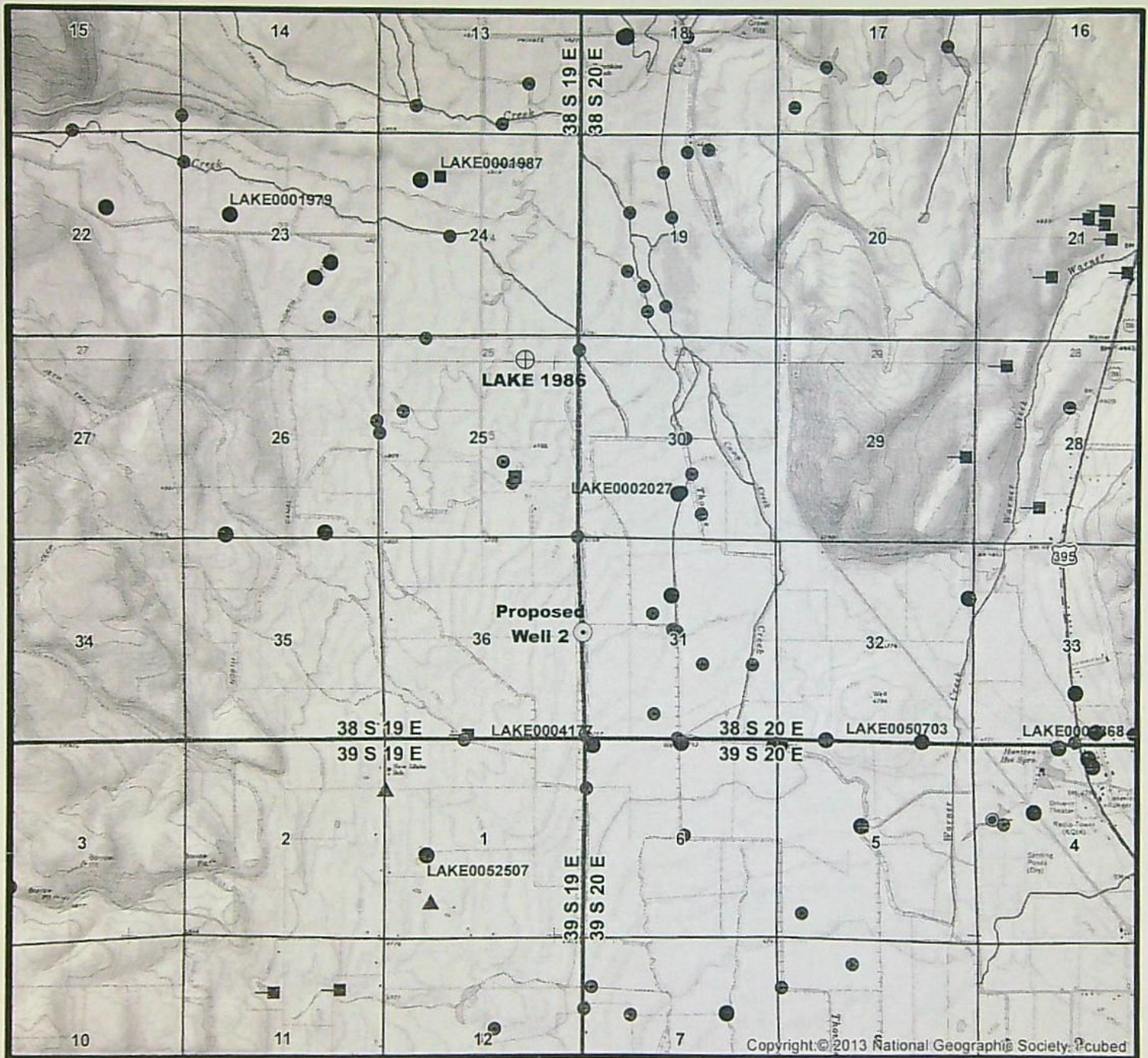
Condition 7T (modified) for all "To" POA wells: "Prior to use, all POA wells shall be configured to allow a strictly clean water (no oil) static water level measurements with an electric-tape. That can include measurement access via an unobstructed vertical discharge pipe that allows the groundwater level to fluctuate freely within the discharge pipe (no valves, etc.). Otherwise, a dedicated measuring tube must be installed prior to use. The tube must be unobstructed, have a diameter of 3/4 inch (0.75 inch) or greater, and pursuant to figure 200-5 in OAR 690-200."

8. Any additional comments: _____

No additional comments.

Groundwater Transfer Application T-13808

Justin R. & Jayna L. Ferrell

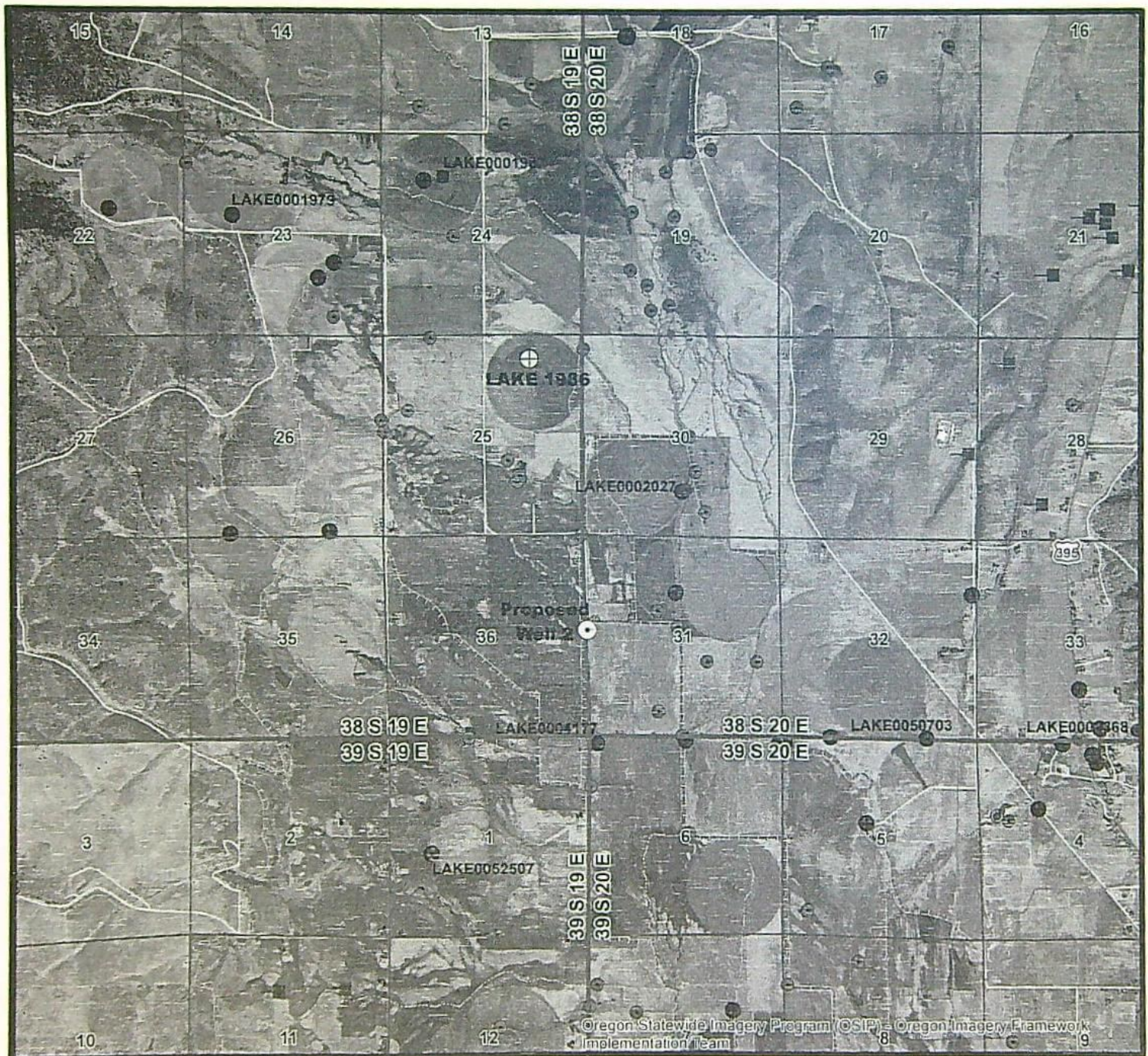


Yellow = Existing & Proposed POD/POA Wells
Red = Groundwater PODs or Other Wells
Blue & Green = Surface Water PODs



Groundwater Transfer Application T-13808

Justin R. & Jayna L. Ferrell



Yellow = Existing & Proposed POD/POA Wells
Red = Groundwater PODs or Other Wells
Blue & Green = Surface Water PODs



NOTICE TO WATER WELL CONTRACTOR
The original and first copy
of this report are to be
filed with the

RECEIVED

WATER WELL REPORT

RECEIVED

38S/19E-24d

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion.

APR 21 1975

STATE OF OREGON AUG 9 1974

State Well No.

STATE ENGINEER
SALEM, OREGON

(Please type or print)
Do not write above this line

STATE ENGINEER State Permit No.
SALEM, OREGON

(1) OWNER:

Name Jack Bridgemon
Address Lakeview, Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED:

12-3/4" Diam. from 0 ft. to 400 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No.

of perforator used Factory (sawed)

Size of perforations 1/4 in. by 2 1/4 in.
no perforations from 0 ft. to 80 ft.
perforations from 80 ft. to 400 ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Interstate Pump Co.

Yield: 2000 gal./min. with 180 ft. drawdown after hrs.

Flow test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement grout
Well sealed from land surface to 20 (24" Pipe) ft.
Diameter of well bore to bottom of seal 32 in.
Diameter of well bore below seal 22 in.
Number of sacks of cement used in well seal 1 1/4 yards
Number of sacks of bentonite used in well seal
Brand name of bentonite
Number of pounds of bentonite per 100 gallons
of water lbs./100 gals.
Was a drive shoe used? ☐ Yes ☒ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/8 to 3/4
Gravel placed from 0 ft. to 400 ft.

(10) LOCATION OF WELL:

County Lake Driller's well number
1/4 SE 1/4 Section 24 T. 38 R. 19E W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found ft.
Static level ft. below land surface. Date
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 22"
Depth drilled 400 ft. Depth of completed well 400 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top soil	0	2	
Sand stone streaks & Gravel	2	20	
Grey clay	20	26	
Coarse gravel	26	60	
Grey clay	60	72	
Sand	72	77	
Grey clay	77	85	
Brown clay	85	107	
Gravel (3/4)	107	109	
Brown Sandstone	109	113	
Gravel	113	148	
Sandy brown clay	148	160	
Sandy brown clay	160	328	
Brown clay & gravel	328	340	
Coarse Sand	340	349	
Grey-Blue clay gravel & sand	349	400	

Work started 6/17 19 74 Completed 7/18 19 74
Date well drilling machine moved off of well 7/18 19 74

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision.
Materials used and information reported above are true to my
best knowledge and belief.

[Signed] Ken Reynolds Date 8/5, 1974
(Drilling Machine Operator)

Drilling Machine Operator's License No. 947

Water Well Contractor's Certification:

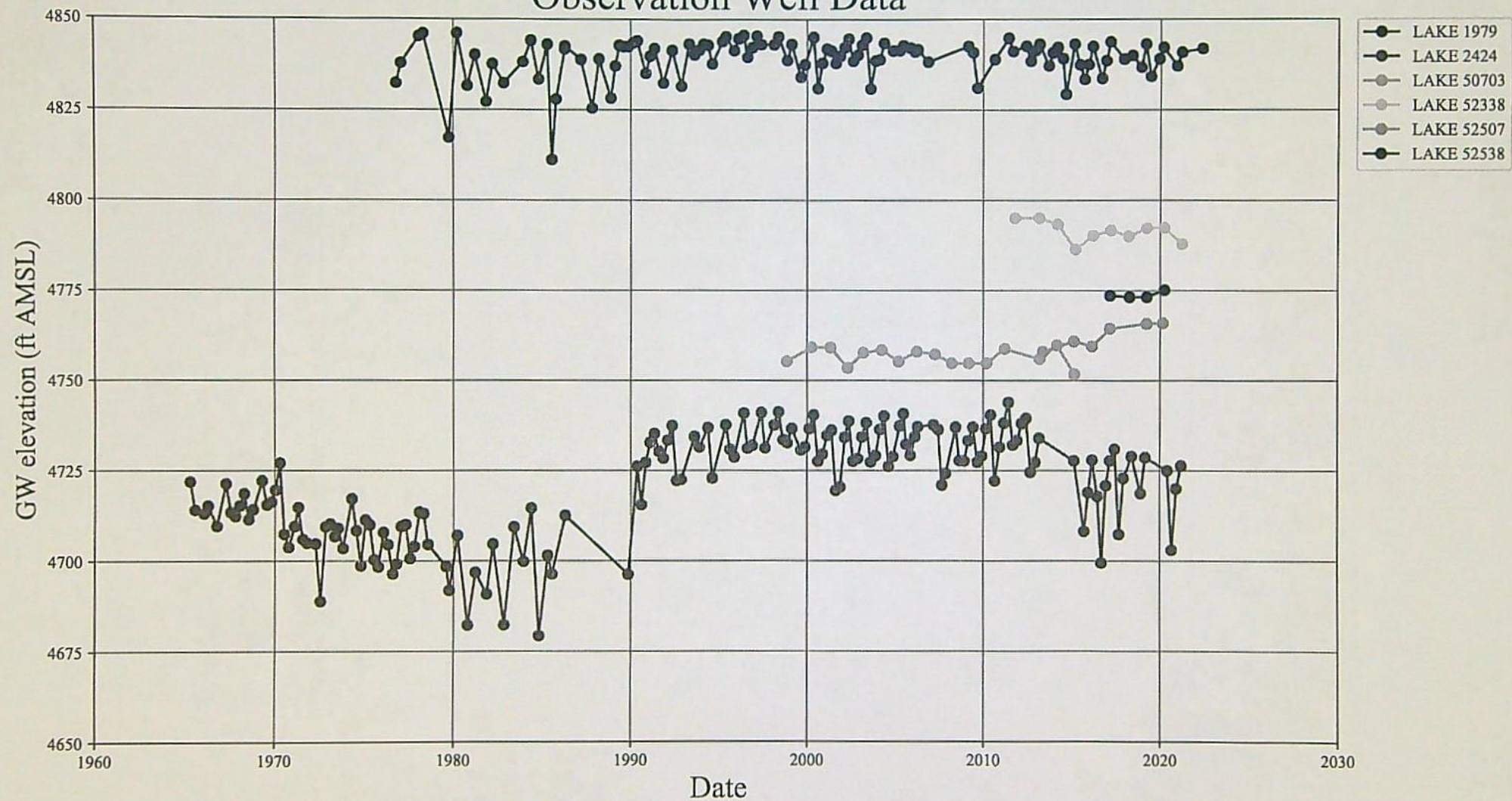
This well was drilled under my jurisdiction and this report is
true to the best of my knowledge and belief.

Name C & C Enloe Drilling Co.
(Person, firm or corporation) (Type or print)

Address
[Signed] Carl V. Enloe
(Water Well Contractor)

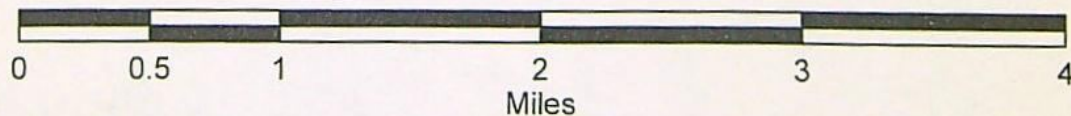
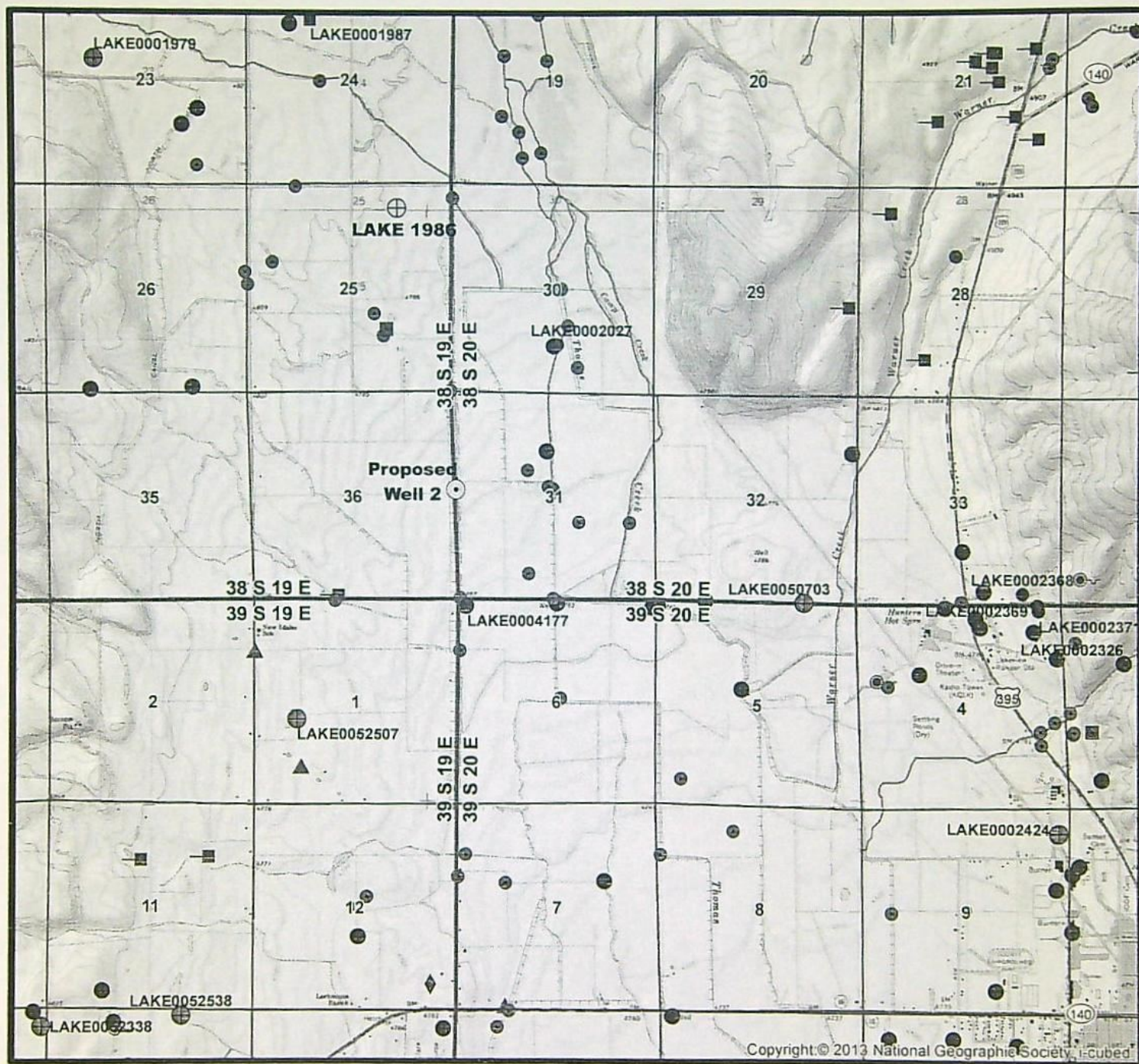
Contractor's License No. 503 Date 8/5, 1974

Observation Well Data



Groundwater Transfer Application T-13808

Justin R. & Jayna L. Ferrell

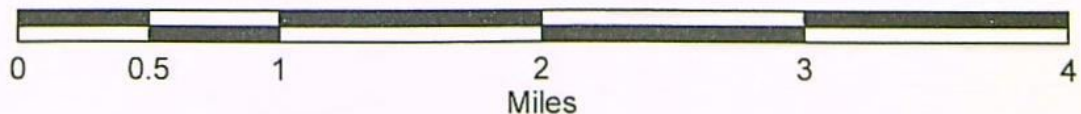
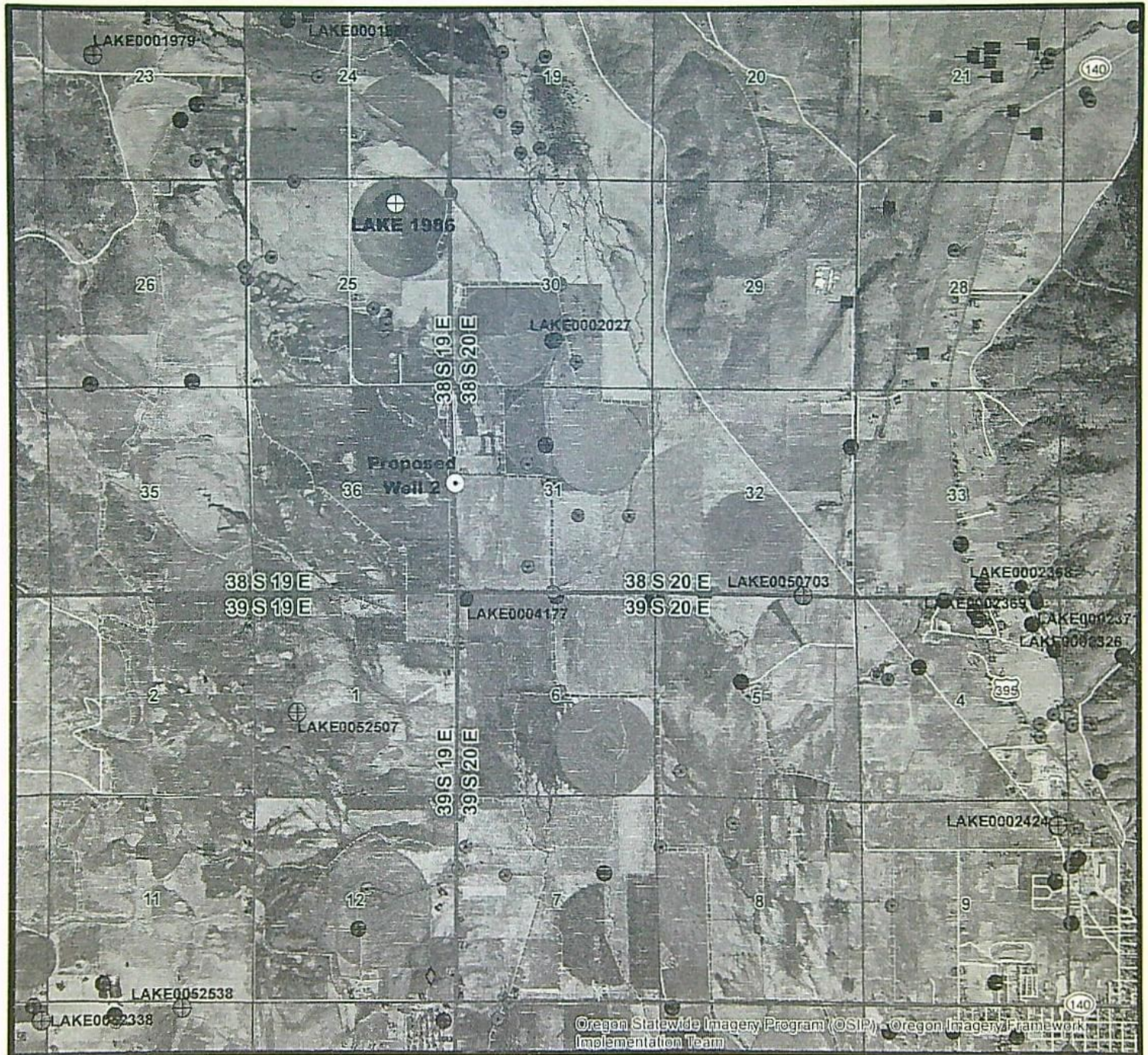


Yellow = Existing & Proposed POD/POA Wells
 Gray = Hydrograph Data Wells
 Red = Groundwater PODs or Other Wells
 Blue & Green = Surface Water PODs



Groundwater Transfer Application T-13808

Justin R. & Jayna L. Ferrell



Yellow = Existing & Proposed POD/POA Wells
Gray = Hydrograph Data Wells
Red = Groundwater PODs or Other Wells
Blue & Green = Surface Water PODs



Drawdown Calculations Using Theis Equation

Theis Equation: $s = [Q/(4 \cdot T \cdot \pi)] [W(u)]$

$u = (r^2 \cdot S)/(4 \cdot T \cdot t)$

$W(u) = (-\ln u) - (0.5772157) + (u/1 \cdot 1) - (u^2/2 \cdot 2!) + (u^3/3 \cdot 3!) - (u^4/4 \cdot 4!) + \dots$

s = drawdown (L)

T = transmissivity (L²/T)

S = storage coefficient (dimensionless)

pi = 3.141592654

r = radial distance (L)

t = time (T)

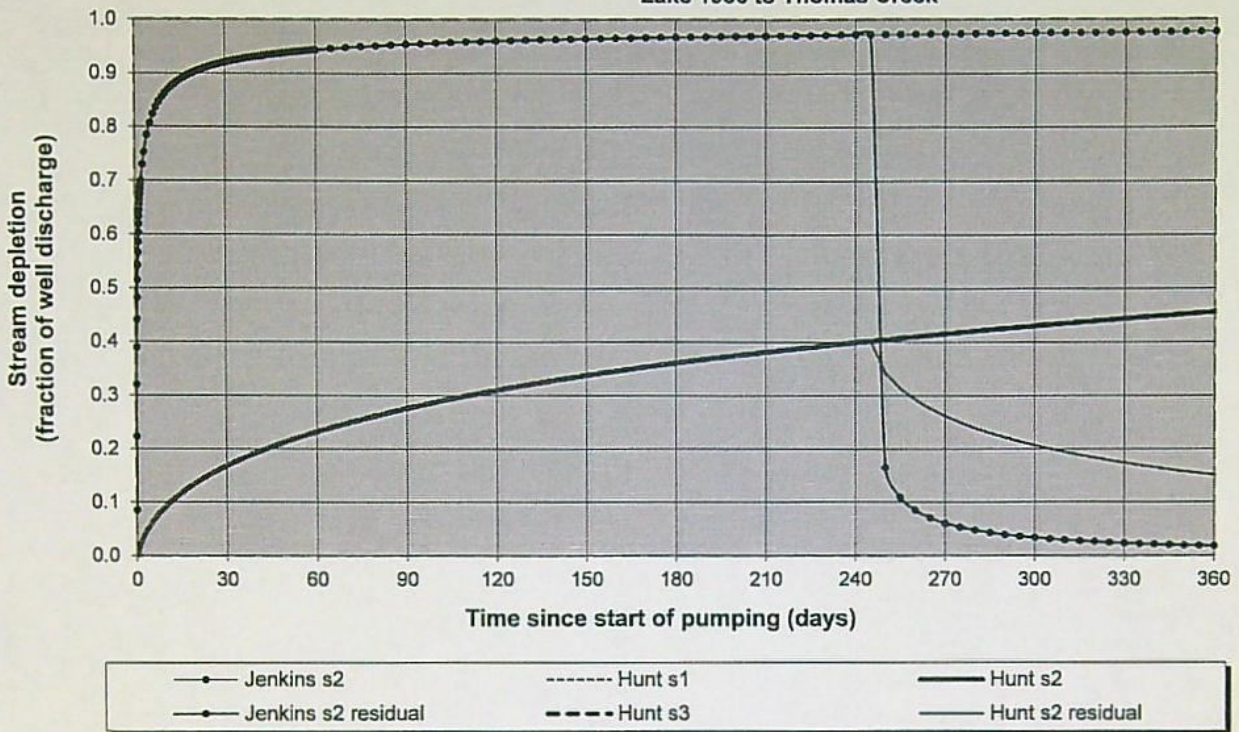
u = dimensionless

W(u) = well function

Transmissivity T (gpd/ft)	Transmissivity T (ft ² /day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft ³ /sec)	Time t (days)	Distance r (feet)	pl	u	W(u)	Drawdown s (feet)	Drawdown Difference (feet)	Comments
Note: yellow grid areas are where values are calculated												
Existing Well (LAKE 1986) to Nearest Groundwater Right Well northeast (certificate 89417) Transmissivity is averaged from area pump test and specific capacity data								7.0000	1.1545E-04			W(u) calculation test
24,872.73	3,325.00	0.00100	372.52	0.83	30.00	7,355.00	3.14	0.1356	1.5521	2.6638		Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	372.52	0.83	245.00	7,355.00	3.14	0.0166	3.5376	6.0713		Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	228.93	0.51	30.00	7,355.00	3.14	0.1356	1.5521	1.6370		Pro-Rated Pumping Rate
24,872.73	3,325.00	0.00100	228.93	0.51	245.00	7,355.00	3.14	0.0166	3.5376	3.7311		Pro-Rated Pumping Rate
Proposed Well (not drilled) to Nearest Groundwater Right Well northeast (certificate 89417) Transmissivity is averaged from area pump test and specific capacity data												
24,872.73	3,325.00	0.00100	372.52	0.83	30.00	2,625.00	3.14	0.0173	3.4988	6.0048	3.3410	Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	372.52	0.83	245.00	2,625.00	3.14	0.0021	5.5838	9.5831	3.5117	Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	228.93	0.51	30.00	2,625.00	3.14	0.0173	3.4988	3.6902	2.0532	Pro-Rated Pumping Rate
24,872.73	3,325.00	0.00100	228.93	0.51	245.00	2,625.00	3.14	0.0021	5.5838	5.8892	2.1581	Pro-Rated Pumping Rate
Existing Well (LAKE 1986) to Nearest Groundwater Right Well south (LAKE 4177, certificate 12945) Transmissivity is averaged from area pump test and specific capacity data												
24,872.73	3,325.00	0.00100	372.52	0.83	30.00	10,365.00	3.14	0.2693	0.9870	1.6940		Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	372.52	0.83	245.00	10,365.00	3.14	0.0330	2.8676	4.9216		Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	228.93	0.51	30.00	10,365.00	3.14	0.2693	0.9870	1.0410		Pro-Rated Pumping Rate
24,872.73	3,325.00	0.00100	228.93	0.51	245.00	10,365.00	3.14	0.0330	2.8676	3.0245		Pro-Rated Pumping Rate
Proposed Well (not drilled) to Nearest Groundwater Right Well south (LAKE 4177, certificate 12945) Transmissivity is averaged from area pump test and specific capacity data												
24,872.73	3,325.00	0.00100	372.52	0.83	30.00	3,010.00	3.14	0.0227	3.2304	5.5442	3.8502	Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	372.52	0.83	245.00	3,010.00	3.14	0.0028	5.3107	9.1145	4.1929	Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	228.93	0.51	30.00	3,010.00	3.14	0.0227	3.2304	3.4072	2.3661	Pro-Rated Pumping Rate
24,872.73	3,325.00	0.00100	228.93	0.51	245.00	3,010.00	3.14	0.0028	5.3107	5.8012	2.5767	Pro-Rated Pumping Rate

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999)

Lake 1986 to Thomas Creek

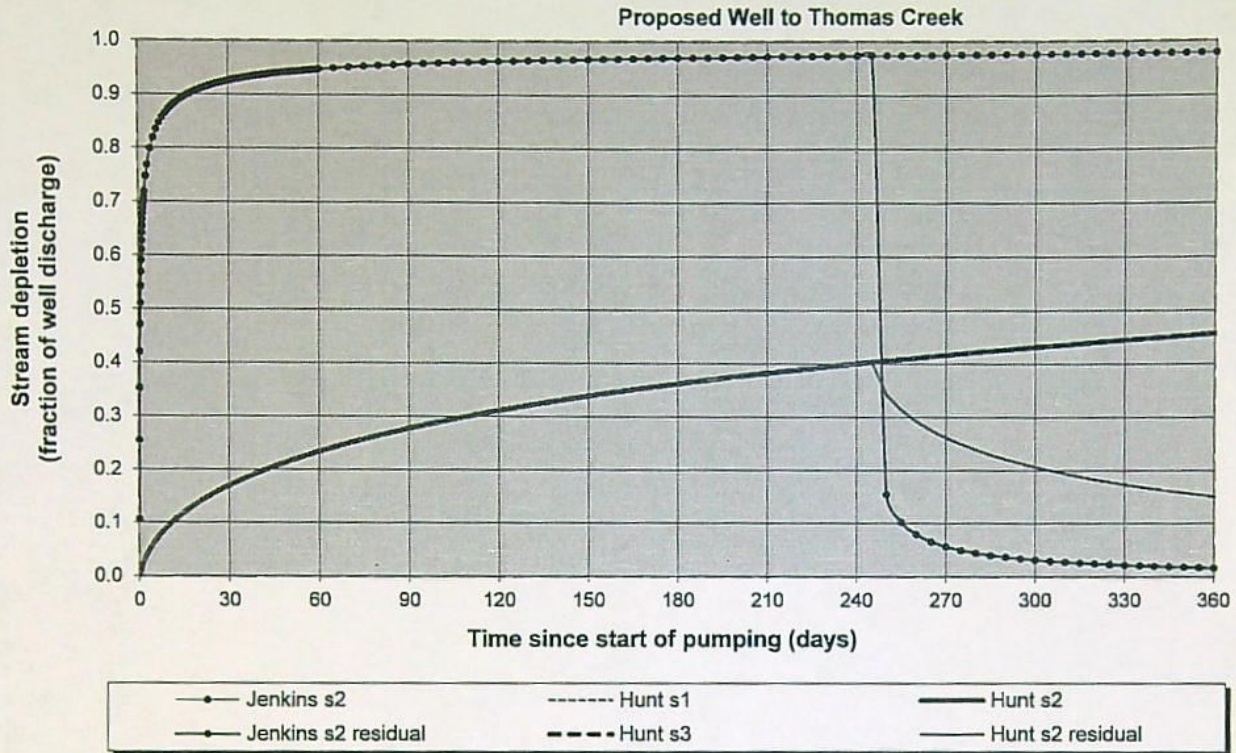


Output for Hunt Stream Depletion, Scenerio 2 (s2): Time pump on = 245 days

Days	30	60	90	120	150	180	210	240	270	300	330	360
Qw, cfs	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830
Jenk SD %	0.921	0.944	0.954	0.960	0.965	0.968	0.970	0.972	0.060	0.033	0.023	0.018
Jen SD cfs	0.764	0.783	0.792	0.797	0.801	0.803	0.805	0.807	0.050	0.028	0.019	0.015
Hunt SD %	0.169	0.233	0.277	0.310	0.338	0.362	0.382	0.400	0.262	0.207	0.174	0.151
Hunt SD cfs	0.140	0.193	0.230	0.258	0.281	0.300	0.317	0.332	0.217	0.172	0.144	0.125

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate	Qw	0.83	0.83	0.83	cfs
Distance to stream	a	1405	1405	1405	ft
Aquifer hydraulic conductivity	K	6.65	6.65	6.65	ft/day
Aquifer thickness	b	500	500	500	ft
Aquifer transmissivity	T	3325	3325	3325	ft*ft/day
Aquifer storage coefficient	S	0.001	0.001	0.001	
Stream width	ws	20	20	20	ft
Streambed hydraulic conductivity	Ks	0.0665	0.0665	0.0665	ft/day
Streambed thickness	bs	10	10	10	ft
Streambed conductance	sbc	0.133	0.133	0.133	ft/day
Stream depletion factor (Jenkins)	sdf	0.593691729	0.593691729	0.593691729	days
Streambed factor (Hunt)	sbf	0.0562	0.0562	0.0562	

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999)



Output for Hunt Stream Depletion, Scenerio 2 (s2): Time pump on = 245 days

Days	30	60	90	120	150	180	210	240	270	300	330	360
Qw, cfs	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830
Jenk SD %	0.926	0.948	0.957	0.963	0.967	0.970	0.972	0.974	0.056	0.031	0.022	0.016
Jen SD cfs	0.768	0.786	0.794	0.799	0.802	0.805	0.807	0.808	0.047	0.026	0.018	0.014
Hunt SD %	0.170	0.234	0.278	0.312	0.339	0.363	0.383	0.401	0.261	0.206	0.174	0.151
Hunt SD cfs	0.141	0.194	0.231	0.259	0.282	0.301	0.318	0.333	0.217	0.171	0.144	0.125

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate	Qw	0.83	0.83	0.83	cfs
Distance to stream	a	1315	1315	1315	ft
Aquifer hydraulic conductivity	K	6.65	6.65	6.65	ft/day
Aquifer thickness	b	500	500	500	ft
Aquifer transmissivity	T	3325	3325	3325	ft*ft/day
Aquifer storage coefficient	S	0.001	0.001	0.001	
Stream width	ws	20	20	20	ft
Streambed hydraulic conductivity	Ks	0.0665	0.0665	0.0665	ft/day
Streambed thickness	bs	10	10	10	ft
Streambed conductance	sbc	0.133	0.133	0.133	ft/day
Stream depletion factor (Jenkins)	sdf	0.520067669	0.520067669	0.520067669	days
Streambed factor (Hunt)	sbf	0.0526	0.0526	0.0526	

Theis Equation specific capacity to transmissivity											
Basin Fill											
Well County	Well Num	Total Depth feet	Rate gpm	Total Time hours	Drawdown feet	Diameter Inches	GW Source	Transmissivity ft ² /day	Open Interval feet	Conductivity ft/day	Data Source
LAKE	1977	234	1200	24	90	12	Basin Fill	3,527.69	108	32.66	Well Log
LAKE	1988	400	2000	4	180	12	Basin Fill	3,031.94	320	9.47	Well Log No total time recorded, used 4-hr default
LAKE	1987	500	1800	48	124	16	Basin Fill	3,888.47	60	64.81	Well Log
LAKE	1987	500	905	4	87.62	16	Basin Fill	2,289.82	60	38.16	Pump Test Transmissivity from pump test specific capacity
LAKE	1992	800	1100	15	52	12	Basin Fill	5,593.91	740	7.56	Well Log
LAKE	2027	440	1400	4	180	16	Basin Fill	1,687.96	400	4.22	Well Log No total time recorded, used 4-hr default
LAKE	2035	509	4000	77	86	16	Basin Fill	13,692.85	449	30.50	Well Log
LAKE	2038	200	120	8	95	12	Basin Fill	262.68	48	5.47	Well Log
LAKE	2184	81	37.5	1	39	6	Basin Fill	162.23	1	162.23	Well Log
LAKE	2202	370	520	4.5	36.17	14	Basin Fill	2,300.00	?	?	Pump Test Jacob-Cooper semi-log analysis
LAKE	2216	295	94	4	11	8	Basin Fill	1,200.00	252	4.76	Pump Test Jacob-Cooper semi-log analysis
LAKE	2340	70	37.5	4	10.08	6	Basin Fill	882.20	?	?	Pump Test Transmissivity from pump test specific capacity
LAKE	2364	100	20	3	18	6	Basin Fill	238.15	58	4.07	Well Log
LAKE	2398	165	930	4	49.5	14	Basin Fill	6,000.00	55	109.09	Pump Test Jacob-Cooper semi-log analysis
LAKE	2398	165	600	24	80	14	Basin Fill	1,876.37	55	34.12	Well Log
LAKE	2403	210	1890	4	85	14	Basin Fill	5,306.71	80	58.96	Pump Test Transmissivity from pump test specific capacity
LAKE	2408	500	2250	40	86	16	Basin Fill	7,181.07	460	15.61	Well Log
LAKE	2424	800	600	10	183	12	Basin Fill	745.42	63	11.83	Well Log
LAKE	2507	1020	995	4	55	10	Basin Fill	4,455.66	420	10.61	Pump Test Transmissivity from pump test specific capacity
LAKE	2507	1020	1700	4	140	10	Basin Fill	2,911.55	420	6.93	Well Log No total time recorded, used 4-hr default
LAKE	3017	360	800	97	75	12	Basin Fill	3,025.26	180	16.81	Well Log
LAKE	3047	410	1850	16	105	12	Basin Fill	4,825.27	330	14.02	Well Log
LAKE	4012	110	200	4	22.33	10	Basin Fill	2,102.92	50	42.06	Pump Test Transmissivity from pump test specific capacity
LAKE	4012	110	120	8	21.75	10	Basin Fill	1,314.25	50	26.29	Well Log
LAKE	4177	570	2000	5	32	13	Basin Fill	16,349.19	450	36.33	Well Log
LAKE	4177	570	1661.25	3	98.8	12	Basin Fill	3,168.00	450	7.04	Pump Test Jacob-Cooper semi-log analysis
LAKE	4460	540	1900	25	138	16	Basin Fill	3,530.13	500	7.06	Well Log
LAKE	50441	545	1100	1	180	14	Basin Fill	1,188.65	140	6.49	Well Log Assume basin-fill
LAKE	50703	400	400	24	58	10	Basin Fill	1,791.81	130	13.78	Well Log
LAKE	50703	400	401.3	24	44.94	10	Basin Fill	2,357.32	130	18.13	Pump Test Transmissivity from pump test specific capacity
LAKE	50860	350	950	4	131.55	10	Basin Fill	1,670.07	152	10.99	Pump Test Transmissivity from pump test specific capacity
LAKE	51812	602	175	32	24	10	Basin Fill	1,934.99	200	9.67	Well Log
LAKE	52507	380	325	23	30.35	10	Basin Fill	1,798.00	240	7.49	Pump Test Jacob-Cooper semi-log analysis
LAKE	52507	380	350	24	21	10	Basin Fill	4,568.73	240	19.04	Well Log
LAKE	52538	387	800	4	73.67	12	Basin Fill	2,519.02	140	17.99	Pump Test Transmissivity from pump test specific capacity
LAKE	52784	247	300	4	34.75	12	Basin Fill	540.00	140	3.86	Pump Test Jacob-Cooper semi-log analysis
							Min	162.23	1.00	3.86	
							Max	16,349.19	740.00	162.23	
							Mean	3,325.45	222.97	25.59	
							Median	2,328.66	146.00	13.90	
							25 percentile	1,403.21	60.00	7.38	
							50 percentile	2,328.66	146.00	13.90	
							75 percentile	4,313.86	405.00	33.03	

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13808

Review Due Date: Unknown

Applicant Name: Justin and Jayna Ferrell

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

Reviewer(s): Kyle Gorman

Date of Review: 3/10/2022

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

9. For POU changes: ☐ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☒ No If "Yes", explain: _____
10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____
11. For POU changes that involve micro-irrigation: ☒ N/A
- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement? ☐ Yes ☒ No If "Yes", explain: _____
 - b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?
☐ Yes ☒ No If "Yes", answer the following:
 - i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No
If "Yes", explain: _____
 - ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No
If "No", explain: _____
 - iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain: _____
 - iv. Do you have any other observations regarding the temporary transfer?
☐ Yes ☐ No If "Yes", describe: _____
 - v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No
If "No", explain: _____
 - c. To the best of your knowledge, if this transfer is approved, does it appear that:
 - i. "Injury" will occur to other water rights that share the same source?
☐ Yes ☐ No If "Yes", explain: _____
 - ii. "Enlargement" of the water right being transferred will occur?
☐ Yes ☐ No If "Yes", explain: _____
12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?
☒ Yes ☐ No If "Yes", explain: From aerial photography, it appears the ground to be moved (off) lands ceased to being irrigated sometime between 2011 and 2013. I have no other information other than aerial photography.

13. What alternatives may be available for addressing any issues identified above: Any additional information that is required to provide beneficial use.

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? ☐ No ☒ Yes, as checked and provided below:

☐ For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement: _____

☐ A Headgate should be required prior to diverting water.

☒ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

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

OR ☒ at each new point of diversion/appropriation

☐ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.

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

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

☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

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

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

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

☐ Weir

☐ Submerged Orifice

☐ Parshall Flume

☐ Flow Restrictor

☐ Other: _____

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T-13808

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

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

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

Watermaster name: Mathew AndersonDistrict: 17Address: 305 Main STCity/State/Zip: Klamath Falls, OR 97Phone: 541.883.4182Email: Mattew.A.Anderson@water.oregon.gov

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

Approval of an Alternate Measurement Device

T-_____

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

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

Watermaster signature_____
District_____
Date

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

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

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13808

GW Reviewer Gerald H. Grondin

Date Review Completed: 7 June 2022

Summary of Same Source Review:

- ☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

- ☐ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

- ☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

☒ None of the Above

Note: The existing POA/POD well (LAKE 1986) and the proposed APOA well (not drilled) locations noted in the proposed transfer are within an area addressed by OAR 690-513-0030 (d). However, neither well appear to trigger OAR 690-513-0030 (d) given they are more than 1,000 feet distance from Thomas Creek.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Ground Water Review Form:

- ☒ Water Right Transfer
☐ Permit Amendment
☐ GR Modification
☐ Other

Application: T-13808

Applicant Name: Justin R. & Jayna L. Ferrell

Proposed Changes: ☐ POA ☒ APOA ☐ SW→GW ☐ RA
☐ USE ☒ POU ☐ OTHER

Reviewer(s): Gerald H. Grondin

Date of Review: 7 June 2022

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 10/7/2022

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- ☐ Other _____

1. Basic description of the changes proposed in this transfer: _____

Transfer application T- 13808 relates to certificate 46978 (priority date 16 October 1974) that authorizes irrigation of 320.8 POU acres in T38S/R19E-sec 24 & 25 with groundwater from POD/POA well LAKE 1986 (Bridgman Well) in T38S/R19E-sec 25 with a maximum allowable rate of 3.2 cfs (0.01 cfs/acre, 1,436.26 gpm) and a maximum allowable duty of 3 feet-acre per year (962.40 acre-feet/year total).

Wheel lines were the original irrigation system design. Two center pivots were subsequently installed.

Transfer application T- 13808 proposes moving 82.62 POU acres total (corners outside the center pivot circles) to a rectangular area in the SW quarter of T38S/R20E-sec 31 to be irrigated by groundwater from a proposed well not yet drilled.

The existing POD/POA well LAKE 1986 (Bridgman Well) is 400-feet total depth and obtains groundwater from predominantly basin-fill sediment deposits that overlie predominantly volcanic rock and sediments deposits. The proposed POA/POD well is anticipated to be 500-feet total depth and obtain groundwater from predominantly basin-fill sediment deposits (the application says "valley fill").

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: _____

The existing POD/POA well LAKE 1986 (Bridgman Well) obtains groundwater from predominantly basin-fill sediment deposits that overlie predominantly volcanic rock and sediments deposits. The proposed POA/POD well is anticipated to obtain groundwater from predominantly basin-fill sediment deposits (the application says "valley fill").

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No _____

See comments for question 2 above.

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____

Not applicable.

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another ground water right?
☒ Yes ☐ No Comments: _____

The proposed change to irrigate the transferred 82.62 POU acres with groundwater from an additional POA/POD well (APOA well) would move groundwater pumping (about 0.83 cfs maximum rate and about 247.86 acre-feet/year maximum) to a location closer to other POA/POD wells authorized for other groundwater rights. The two POA/POD wells closest to the proposed APOA well location are 2,625 feet northeast (no well log found authorized under certificate 89417) and 3,010 feet south (well LAKE 4177 authorized under permit G-12945) respectively.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☐ Yes ☒ No If yes, explain: _____

The additional seasonal drawdown at the two POA/POD wells closest to the proposed APOA well location is calculated to be less than 5-feet by the end of the irrigation season. The wells should be able to accommodate the additional drawdown.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

☒ Yes ☐ No Comments: _____

The proposed change would move groundwater pumping (about 0.83 cfs maximum rate and about 247.86 acre-feet/year maximum) to a location about 90-feet closer to Thomas Creek (1,405 feet distance at existing well location versus 1,315 feet distance at proposed APOA well location) resulting in a calculated increased interference with Thomas Creek of about 0.001 cfs (0.45 gpm) by the end of the irrigation season.

The proposed change does not appear to trigger OAR 690-513-0030 (d) given the "from" and "to" well locations are greater than 1,000 feet distance from Thomas Creek.

- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Thomas Creek ☒ Minimal ☐ Significant

Stream: _____ ☐ Minimal ☐ Significant

Provide context for minimal/significant impact: _____

See discussion in part a above.

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

☐ Yes ☐ No Comments: _____

Not applicable. No SW-GW transfer

7. What conditions or other changes in the application are necessary to address any potential issues identified above: _____

The following are technical groundwater review recommendations. It is recognized that one or more technically recommended conditions may or may not be allowed under the transfer process rules and statutes. This technical groundwater review relies on other appropriate and authorized Department staff to make that determination.

"Large" flow meter condition for any proposed "To" POA and/or APOA well. Require the flow meter for any POA and/or APOA well to be properly installed and maintained. Each meter shall be either within 50 feet of the well head with a clearly visible monument adjacent to the meter or a surveyed location shall be provided and a clearly visible monument adjacent to the meter shall be installed for each meter more than 50 feet from the well head.

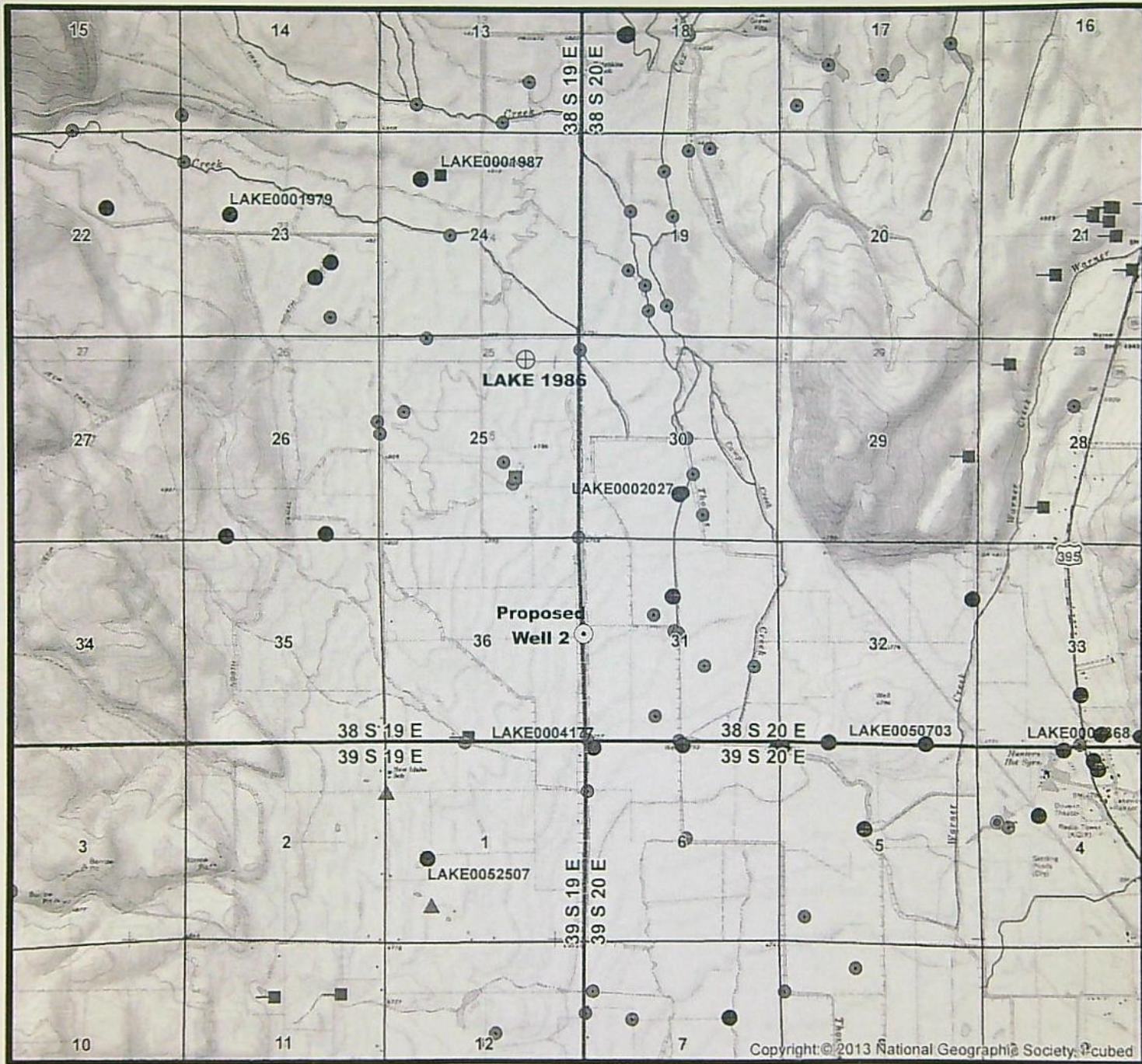
Condition 7P (well tag condition) for all the "To" and "From" POA wells.

Condition 7T (modified) for all "To" POA wells: "Prior to use, all POA wells shall be configured to allow a strictly clean water (no oil) static water level measurements with an electric-tape. That can include measurement access via an unobstructed vertical discharge pipe that allows the groundwater level to fluctuate freely within the discharge pipe (no valves, etc.). Otherwise, a dedicated measuring tube must be installed prior to use. The tube must be unobstructed, have a diameter of 3/4 inch (0.75 inch) or greater, and pursuant to figure 200-5 in OAR 690-200."

8. Any additional comments: _____

No additional comments.

Justin R. & Jayna L. Ferrell



0 0.5 1 2 3 4
Miles

Yellow = Existing & Proposed POD/POA Wells
Red = Groundwater PODs or Other Wells
Blue & Green = Surface Water PODs



15 14 13 18 17 16

22 23 24 19 20 21

27 26 25 30 29 28

34 35 36 31 32 33

3 2 1 6 5 4

10 11 12 8 9

LAKE0001979

LAKE0001987

LAKE 1986

LAKE0002027

Proposed Well 2

LAKE0004177

LAKE0052507

LAKE0050703

LAKE0003368

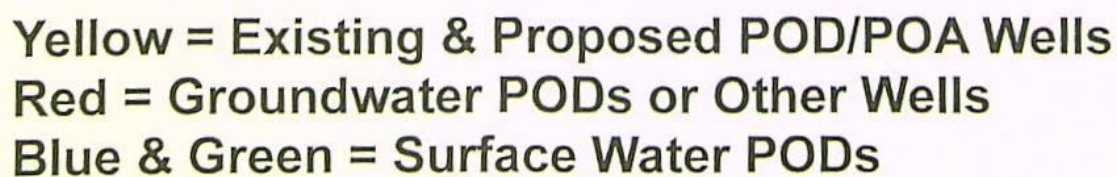
38 S 19 E

38 S 20 E

39 S 19 E

39 S 20 E

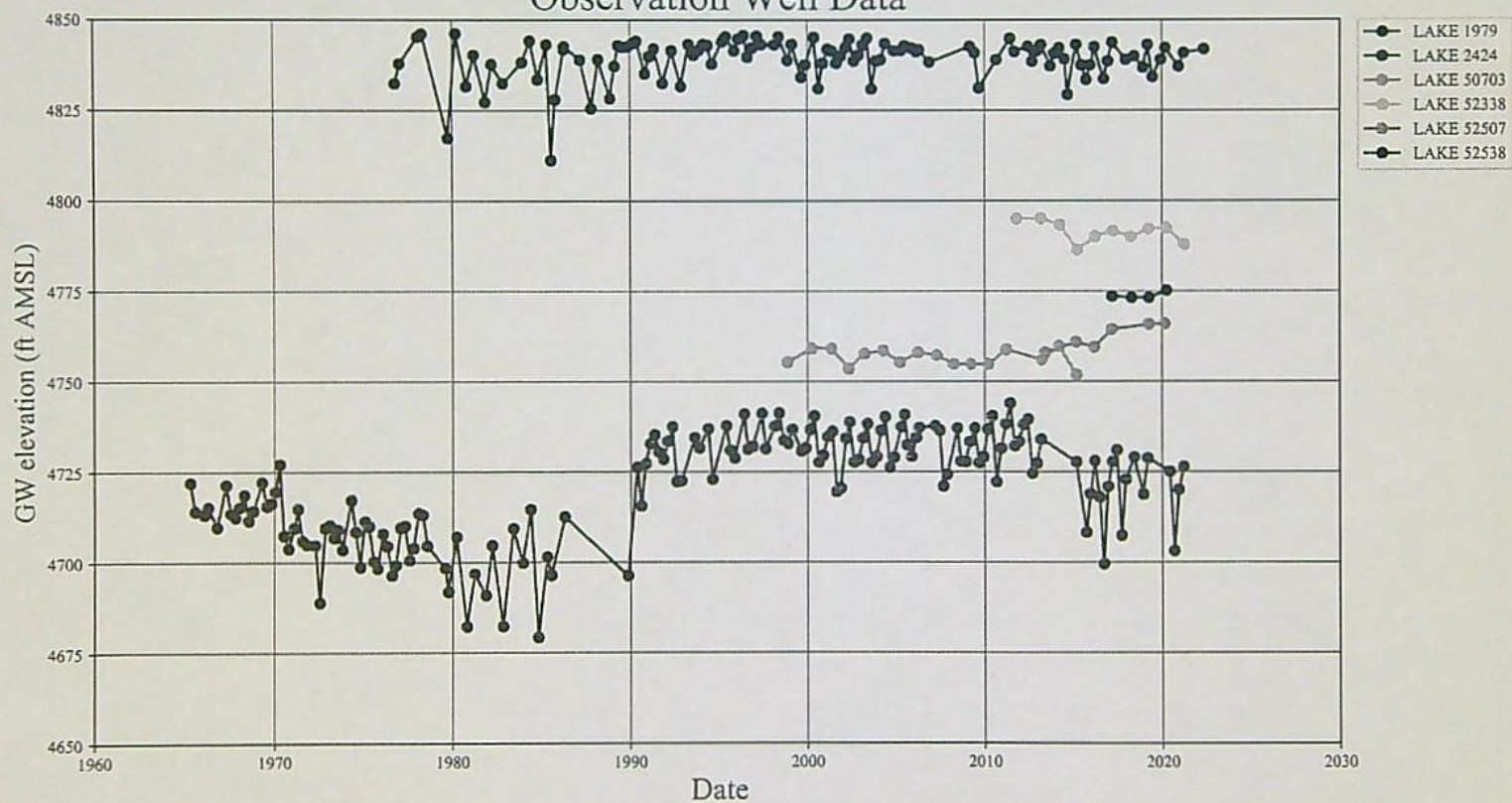
Oregon Statewide Imagery Program (OSIP) - Oregon Imagery Framework
Implementation Team 1



STATE ENGINEER
SALEM, OREGON

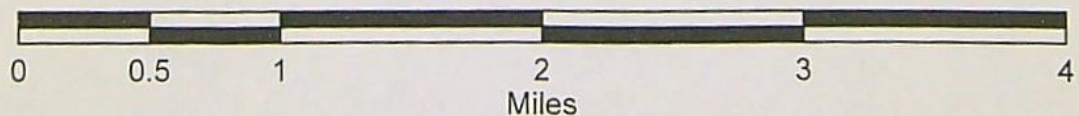
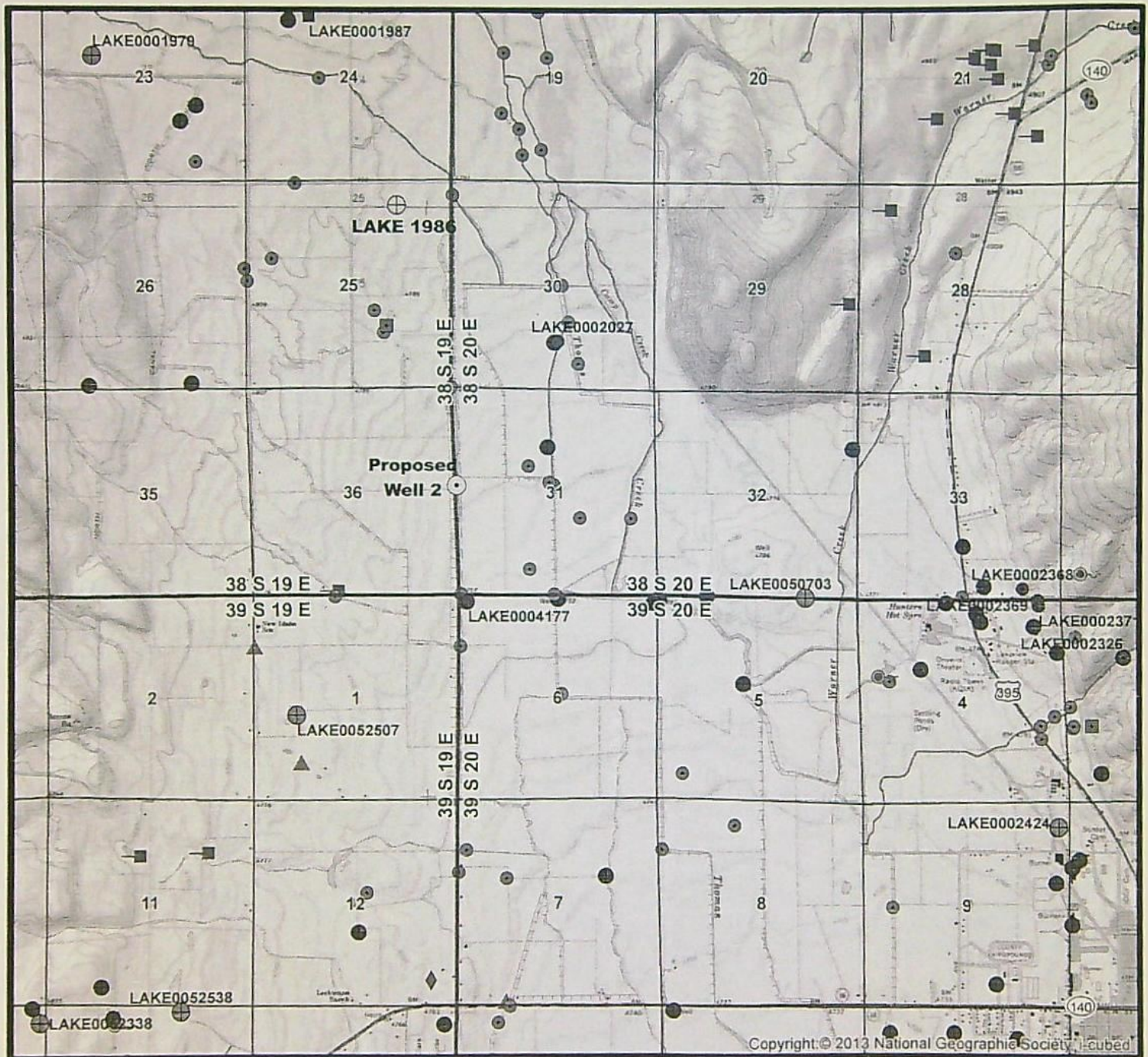
Contractor's License No. 503 Date 8/5 19 74

Observation Well Data



Groundwater Transfer Application T-13808

Justin R. & Jayna L. Ferrell

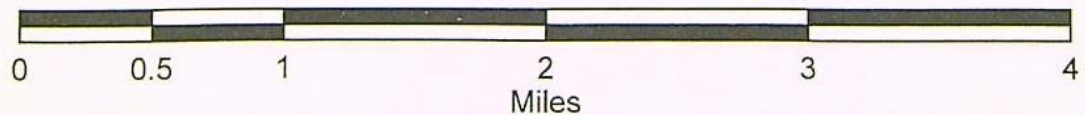
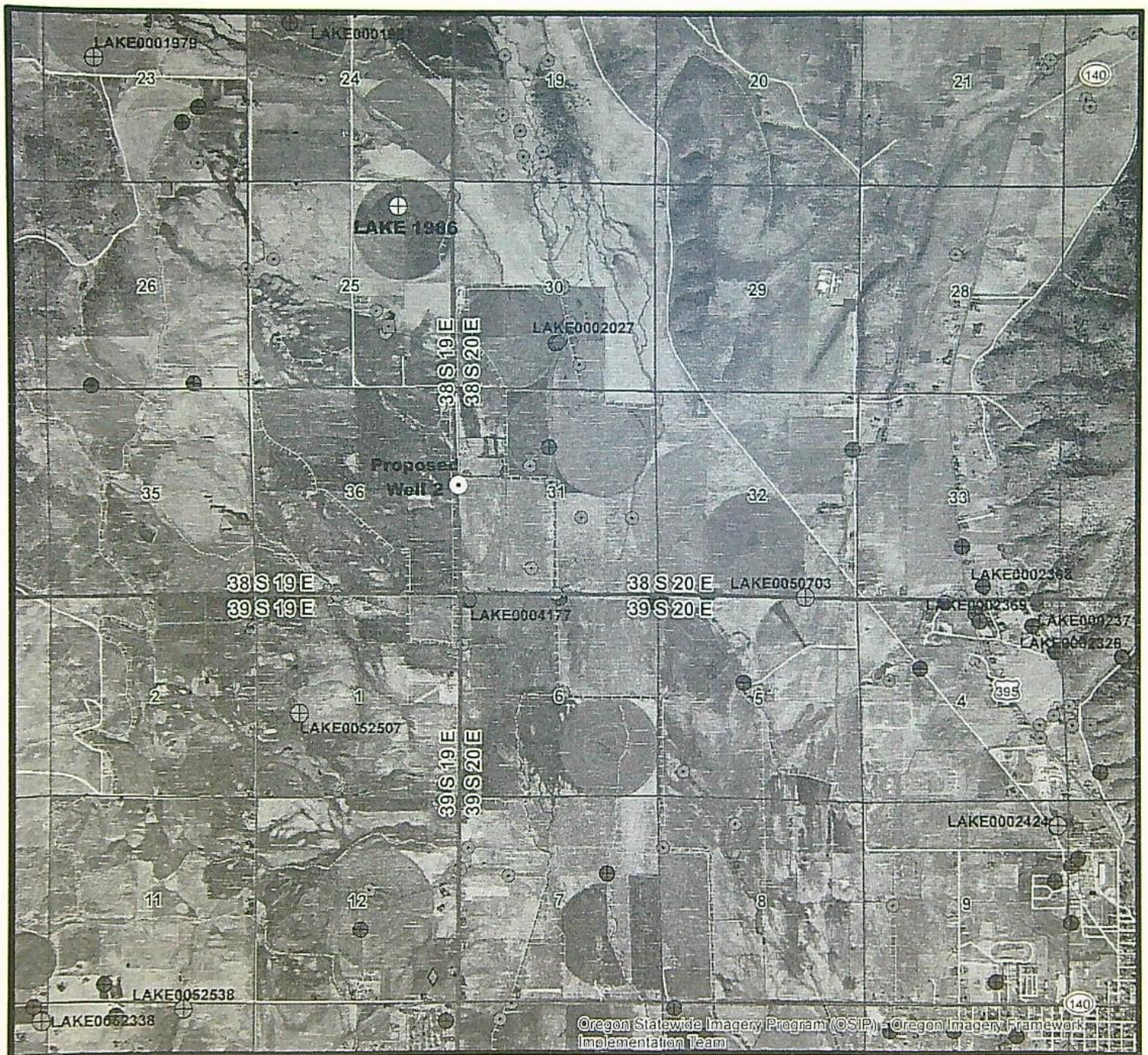


Yellow = Existing & Proposed POD/POA Wells
 Gray = Hydrograph Data Wells
 Red = Groundwater PODs or Other Wells
 Blue & Green = Surface Water PODs



Groundwater Transfer Application T-13808

Justin R. & Jayna L. Ferrell



Yellow = Existing & Proposed POD/POA Wells
Gray = Hydrograph Data Wells
Red = Groundwater PODs or Other Wells
Blue & Green = Surface Water PODs



Drawdown Calculations Using Theis Equation

Theis Equation: $s = [Q/(4 \cdot T \cdot \pi)] [W(u)]$

$$u = (r^2 S)/(4 \cdot T \cdot t)$$

$$W(u) = (-\ln u) - (0.5772157) + (u \cdot 1 \cdot 1!) - (u^2 \cdot 2! \cdot 2!) + (u^3 \cdot 3! \cdot 3!) - (u^4 \cdot 4! \cdot 4!) + \dots$$

s = drawdown (L)

T = transmissivity (L²/T)

S = storage coefficient (dimensionless)

pi = 3.141592654

r = radial distance (L)

t = time (T)

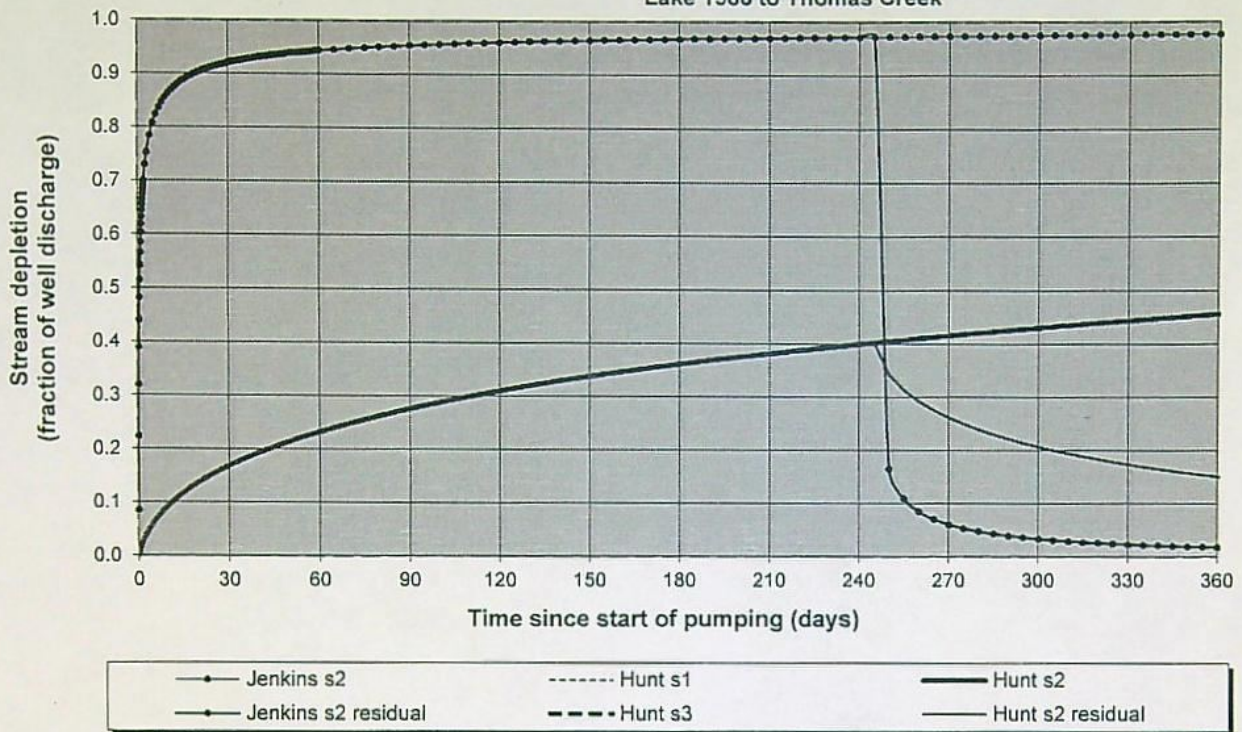
u = dimensionless

W(u) = well function

Transmissivity T (gpd/ft)	Transmissivity T (ft2/day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft3/sec)	Time t (days)	Distance r (feet)	pl	u	W(u)	Drawdown s (feet)	Drawdown Difference (feet)	Comments
Note : W(u) calculation valid when u < 7.1												
Note: yellow grid areas are where values are calculated								7.0000	1.1545E-04	W(u) calculation test		
Existing Well (LAKE 1986) to Nearest Groundwater Right Well northeast(certificate 89417) Transmissivity is averaged from area pump test and specific capacity data												
24,872.73	3,325.00	0.00100	372.52	0.83	30.00	7,355.00	3.14	0.1356	1.5521	2.6638		Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	372.52	0.83	245.00	7,355.00	3.14	0.0166	3.5376	6.0713		Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	228.93	0.51	30.00	7,355.00	3.14	0.1356	1.5521	1.6370		Pro-Rated Pumping Rate
24,872.73	3,325.00	0.00100	228.93	0.51	245.00	7,355.00	3.14	0.0166	3.5376	3.7311		Pro-Rated Pumping Rate
Proposed Well (not drilled) to Nearest Groundwater Right Well northeast (certificate 89417) Transmissivity is averaged from area pump test and specific capacity data												
24,872.73	3,325.00	0.00100	372.52	0.83	30.00	2,625.00	3.14	0.0173	3.4988	6.0046	3.3410	Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	372.52	0.83	245.00	2,625.00	3.14	0.0021	5.5838	9.5831	3.5117	Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	228.93	0.51	30.00	2,625.00	3.14	0.0173	3.4988	3.6902	2.0532	Pro-Rated Pumping Rate
24,872.73	3,325.00	0.00100	228.93	0.51	245.00	2,625.00	3.14	0.0021	5.5838	5.6892	2.1581	Pro-Rated Pumping Rate
Existing Well (LAKE 1986) to Nearest Groundwater Right Well south (LAKE 4177, certificate 12945) Transmissivity is averaged from area pump test and specific capacity data												
24,872.73	3,325.00	0.00100	372.52	0.83	30.00	10,365.00	3.14	0.2693	0.9870	1.6940		Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	372.52	0.83	245.00	10,365.00	3.14	0.0330	2.8676	4.9216		Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	228.93	0.51	30.00	10,365.00	3.14	0.2693	0.9870	1.0410		Pro-Rated Pumping Rate
24,872.73	3,325.00	0.00100	228.93	0.51	245.00	10,365.00	3.14	0.0330	2.8676	3.0245		Pro-Rated Pumping Rate
Proposed Well (not drilled) to Nearest Groundwater Right Well south (LAKE 4177, certificate 12945) Transmissivity is averaged from area pump test and specific capacity data												
24,872.73	3,325.00	0.00100	372.52	0.83	30.00	3,010.00	3.14	0.0227	3.2304	5.5442	3.8502	Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	372.52	0.83	245.00	3,010.00	3.14	0.0028	5.3107	9.1145	4.1929	Continuous Pumping at Full Rate
24,872.73	3,325.00	0.00100	228.93	0.51	30.00	3,010.00	3.14	0.0227	3.2304	3.4072	2.3661	Pro-Rated Pumping Rate
24,872.73	3,325.00	0.00100	228.93	0.51	245.00	3,010.00	3.14	0.0028	5.3107	5.6012	2.5767	Pro-Rated Pumping Rate

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999)

Lake 1986 to Thomas Creek

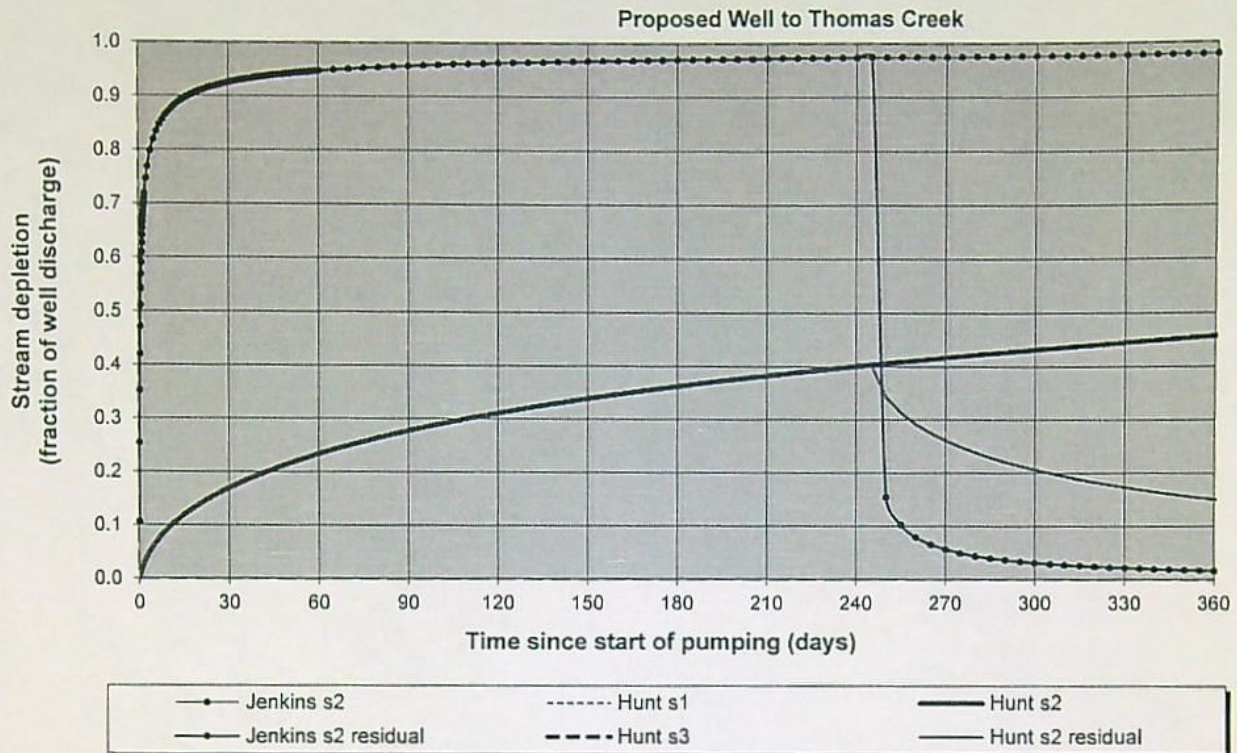


Output for Hunt Stream Depletion, Scenerio 2 (s2): Time pump on = 245 days

Days	30	60	90	120	150	180	210	240	270	300	330	360
Qw, cfs	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830
Jenk SD %	0.921	0.944	0.954	0.960	0.965	0.968	0.970	0.972	0.060	0.033	0.023	0.018
Jen SD cfs	0.764	0.783	0.792	0.797	0.801	0.803	0.805	0.807	0.050	0.028	0.019	0.015
Hunt SD %	0.169	0.233	0.277	0.310	0.338	0.362	0.382	0.400	0.262	0.207	0.174	0.151
Hunt SD cfs	0.140	0.193	0.230	0.258	0.281	0.300	0.317	0.332	0.217	0.172	0.144	0.125

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate	Qw	0.83	0.83	0.83	cfs
Distance to stream	a	1405	1405	1405	ft
Aquifer hydraulic conductivity	K	6.65	6.65	6.65	ft/day
Aquifer thickness	b	500	500	500	ft
Aquifer transmissivity	T	3325	3325	3325	ft ² /day
Aquifer storage coefficient	S	0.001	0.001	0.001	
Stream width	ws	20	20	20	ft
Streambed hydraulic conductivity	Ks	0.0665	0.0665	0.0665	ft/day
Streambed thickness	bs	10	10	10	ft
Streambed conductance	sbc	0.133	0.133	0.133	ft/day
Stream depletion factor (Jenkins)	sdf	0.593691729	0.593691729	0.593691729	days
Streambed factor (Hunt)	sbf	0.0562	0.0562	0.0562	

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999)



Output for Hunt Stream Depletion, Scenerio 2 (s2): Time pump on = 245 days

Days	30	60	90	120	150	180	210	240	270	300	330	360
Qw, cfs	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830	0.830
Jenk SD %	0.926	0.948	0.957	0.963	0.967	0.970	0.972	0.974	0.056	0.031	0.022	0.016
Jen SD cfs	0.768	0.786	0.794	0.799	0.802	0.805	0.807	0.808	0.047	0.026	0.018	0.014
Hunt SD %	0.170	0.234	0.278	0.312	0.339	0.363	0.383	0.401	0.261	0.206	0.174	0.151
Hunt SD cfs	0.141	0.194	0.231	0.259	0.282	0.301	0.318	0.333	0.217	0.171	0.144	0.125

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate	Qw	0.83	0.83	0.83	cfs
Distance to stream	a	1315	1315	1315	ft
Aquifer hydraulic conductivity	K	6.65	6.65	6.65	ft/day
Aquifer thickness	b	500	500	500	ft
Aquifer transmissivity	T	3325	3325	3325	ft* ft/day
Aquifer storage coefficient	S	0.001	0.001	0.001	
Stream width	ws	20	20	20	ft
Streambed hydraulic conductivity	Ks	0.0665	0.0665	0.0665	ft/day
Streambed thickness	bs	10	10	10	ft
Streambed conductance	sbc	0.133	0.133	0.133	ft/day
Stream depletion factor (Jenkins)	sdf	0.520067669	0.520067669	0.520067669	days
Streambed factor (Hunt)	sbf	0.0526	0.0526	0.0526	

Theis Equation specific capacity to transmissivity											
Basin Fill											
Well County	Well Num	Total Depth feet	Rate gpm	Total Time hours	Drawdown feet	Diameter Inches	GW Source	Transmissivity ft ² /day	Open Interval feet	Conductivity ft/day	Data Source
LAKE	1977	234	1200	24	90	12	Basin Fill	3,527.69	168	32.66	Well Log
LAKE	1986	400	2000	4	180	12	Basin Fill	3,031.94	320	9.47	Well Log
LAKE	1987	500	1800	48	124	16	Basin Fill	3,888.47	60	64.81	Well Log
LAKE	1987	500	505	4	87.52	16	Basin Fill	2,289.82	60	38.16	Pump Test
LAKE	1992	800	1100	15	52	12	Basin Fill	5,553.91	740	7.56	Well Log
LAKE	2027	440	1400	4	180	16	Basin Fill	1,697.96	400	4.22	Well Log
LAKE	2035	509	4000	77	86	16	Basin Fill	13,692.85	440	30.50	Well Log
LAKE	2038	200	120	8	95	12	Basin Fill	262.68	48	5.47	Well Log
LAKE	2184	61	37.5	1	39	6	Basin Fill	162.23	1	162.23	Well Log
LAKE	2202	370	520	4.5	36.17	14	Basin Fill	2,300.00	7	7	Pump Test
LAKE	2216	295	94	4	11	8	Basin Fill	1,200.00	252	4.76	Pump Test
LAKE	2340	70	37.5	4	10.08	6	Basin Fill	882.20	7	7	Pump Test
LAKE	2364	100	20	3	16	6	Basin Fill	236.15	58	4.07	Well Log
LAKE	2368	185	930	4	49.5	14	Basin Fill	6,000.00	55	109.09	Pump Test
LAKE	2368	165	600	24	80	14	Basin Fill	1,676.37	55	34.12	Well Log
LAKE	2403	210	1890	4	85	14	Basin Fill	5,305.71	90	58.96	Pump Test
LAKE	2408	500	2250	40	86	16	Basin Fill	7,181.07	460	15.61	Well Log
LAKE	2424	800	600	10	183	12	Basin Fill	745.42	63	11.83	Well Log
LAKE	2507	1020	995	4	55	10	Basin Fill	4,455.66	420	10.61	Pump Test
LAKE	2507	1020	1700	4	140	10	Basin Fill	2,911.55	420	5.93	Well Log
LAKE	3017	360	800	97	75	12	Basin Fill	3,025.26	180	16.81	Well Log
LAKE	3047	410	1850	16	105	12	Basin Fill	4,625.27	339	14.02	Well Log
LAKE	4012	110	200	4	22.33	10	Basin Fill	2,102.92	50	42.06	Pump Test
LAKE	4013	110	120	8	21.75	10	Basin Fill	1,314.25	50	26.29	Well Log
LAKE	4177	570	2000	5	32	13	Basin Fill	16,349.19	450	38.33	Well Log
LAKE	4177	570	1681.25	3	98.8	12	Basin Fill	3,168.00	450	7.04	Pump Test
LAKE	4460	540	1900	25	138	16	Basin Fill	3,530.13	500	7.06	Well Log
LAKE	50441	545	1100	1	180	14	Basin Fill	1,188.65	140	8.49	Well Log
LAKE	50703	400	400	24	58	10	Basin Fill	1,781.81	130	13.78	Well Log
LAKE	50703	400	401.3	24	44.94	10	Basin Fill	2,357.32	130	18.13	Pump Test
LAKE	50960	350	950	4	131.55	10	Basin Fill	1,670.07	152	10.99	Pump Test
LAKE	51612	602	175	32	24	10	Basin Fill	1,934.28	260	9.67	Well Log
LAKE	52507	380	325	23	30.35	10	Basin Fill	1,738.00	240	7.49	Pump Test
LAKE	52507	380	350	24	21	10	Basin Fill	4,568.73	240	18.04	Well Log
LAKE	52538	387	800	4	73.67	12	Basin Fill	2,519.02	140	17.99	Pump Test
LAKE	52784	247	300	4	34.75	12	Basin Fill	540.00	140	3.66	Pump Test
							Min	162.23	1.00	3.86	
							Max	16,349.19	740.00	162.23	
							Mean	3,325.45	232.97	25.59	
							Median	2,328.66	146.00	13.60	
							25 percentile	1,403.21	66.00	7.38	
							50 percentile	2,328.66	146.00	13.60	
							75 percentile	4,313.86	405.00	33.63	

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 # 136701

INVOICE # _____

RECEIVED FROM: Justin Ferrell
BY: Jayna Ferrell

APPLICATION
PERMIT
TRANSFER 7-13808

CASH: ☐ CHECK: # 4721 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,300.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$

0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS 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 \$ 0202 RECORD FEE \$
0203 GROUND WATER \$ 0204 \$
0205 TRANSFER \$ 1,300.00
WELL CONSTRUCTION EXAM FEE \$
0218 WELL DRILL CONSTRUCTOR \$ 0219 LICENSE FEE \$
LANDOWNER'S PERMIT 0220 \$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD#
0210 MONITORING WELLS \$ CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: 136701

DATED: 10-25-2021

BY: [Signature]

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # 136309

INVOICE # _____

RECEIVED FROM: Justin Ferrell
BY: Jayna Ferrell

APPLICATION
PERMIT
TRANSFER 7-13808

CASH: ☐ CHECK: # 4671 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 2,850.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$

0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS 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 \$ 0202 RECORD FEE \$
0203 GROUND WATER \$ 0204 \$
0205 TRANSFER \$ 2,850.00
WELL CONSTRUCTION EXAM FEE \$
0218 WELL DRILL CONSTRUCTOR \$ 0219 LICENSE FEE \$
LANDOWNER'S PERMIT 0220 \$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD#
0210 MONITORING WELLS \$ CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: 136309

DATED: 8-30-2021

BY: Mindy Carlson

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

Application for Permanent Water Right 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 transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: C-46978**
Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ ☐ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) 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.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

Part 2 of 5 – Transfer Application Map

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

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

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

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,160
	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>2 (2a)</u> Subtract 1 from the number in line 2a = <u>1 (2b)</u> <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	\$930
	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b)</u> <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 »		
4	<input checked="" type="checkbox"/> Yes: enter \$410 »	4	\$410
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): <u>1.21 (5a)</u> Subtract 1.0 from the number in 5a above: <u>0.21 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>1 (5c)</u> and		
5	multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » »	5	\$350
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$2,850
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:	8	\$2,850

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

TACS

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Justin R. and Jayna L. Ferrell			PHONE NO. 541-947-2598	ADDITIONAL CONTACT NO.
ADDRESS 29261 Abert Rim Rd.			FAX NO.	
CITY Lakeview	STATE OR	ZIP 97630	E-MAIL lakecountyswcd@hotmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Hollie Cannon / Water Right Solutions, LLC			PHONE NO. 541-821-5848	ADDITIONAL CONTACT NO.
ADDRESS 3246 Hammer Street			FAX NO.	
CITY Klamath Falls	STATE OR	ZIP 97603	E-MAIL hcannon@waterrightsolutions.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
Irrigating the pivot corners is labor intensive. To improve efficiency in the use of water and labor we are selling the water right off the area not covered by the pivots.

Check One Box

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

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By my signature below, I confirm that I understand:

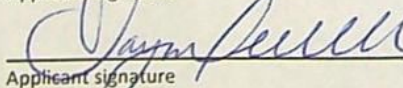
- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Lake County Examiner.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).

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


Applicant signature

Justin R. Ferrell
Print Name (and Title if applicable)

8/17/21
Date


Applicant signature

Jayna L. Ferrell
Print Name (and Title if applicable)

8/17/21
Date

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

13808

Check the following boxes that apply:

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

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

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

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

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

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

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Describe any special ownership circumstances here: _____

AUG 30 2021

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

IRRIGATION DISTRICT NAME	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 county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Lake County	ADDRESS 513 Center Street		
CITY Lakeview	STATE OR	ZIP 97630	

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	

13808

Part 5 of 5 – Water Right Information

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

CERTIFICATE # **46978**

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Description of Water Delivery System

AUG 30 2021

System capacity: **3.2** cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

OWRD

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. The system was designed to irrigate by wheel lines, then pivots were installed. There is a north/south 8 inch mainline that supplies the pivots and a wheel line on the southwest corner and hand lines and or flood irrigation in the other corners.

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)
Bridgman Well LAKE 1986	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		38 S	19 E	25	NW NE	4002	630 ft South and 1260 ft East from the N1/4 Corner of Section 25
Well #2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		38 S	20 E	31	SW NW	6200	2532.5 ft South and 111.0 ft East from the NW Corner of Section 31
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 46978

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
38	S	19	E 24	NE SE	4000	7.55	Irrigation	Bridgman Well	10/16/1974	POU/APOA	38	S	20	E 24	SW NW	6200	7.69		Well #2	10/16/1974		
38	S	19	E 24	NW SE	4000/ 4003	10.78	Irrigation	Bridgman Well	10/16/1974	RR	38	S	20	E 24	SE NW	6200	0.67		Well #2	10/16/1974		
38	S	19	E 24	SW SE	4000/ 4003	12.53	Irrigation	Bridgman Well	10/16/1974	RR	38	S	20	E 24	NE SW	6200	2.84		Well #2	10/16/1974		
38	S	19	E 24	SE SE	4000	9.17	Irrigation	Bridgman Well	10/16/1974	RR	38	S	20	E 24	NW SW	6200	35.57		Well #2	10/16/1974		
38	S	19	E 25	NE NE	4002	5.83	Irrigation	Bridgman Well	10/16/1974	RR	38	S	20	E 24	SW SW	6200	24.76		Well #2	10/16/1974		
38	S	19	E 25	NW NE	4002	5.57	Irrigation	Bridgman Well	10/16/1974	RR	38	S	20	E 24	SW SW	6200	8.40		Well #2	10/16/1974		
38	S	19	E 25	SW NE	4002	10.77	Irrigation	Bridgman Well	10/16/1974	RR	38	S	20	E 25	SW SW	6200	2.69		Well #2	10/16/1974		
38	S	19	E 25	SE NE	4002	11.02	Irrigation	Bridgman Well	10/16/1974													
38	S	19	E 25	NW SE	4004	9.4	Irrigation	Bridgman Well	10/16/1974													
TOTAL ACRES:						82.62												82.62				

Received by OWRD

FEB 15 2022

Salem, OR

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

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

Table 2. Description of Changes to Water Right Certificate # 46978

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
38	S	19	E 24	NE SE	4000		40	Irrigation	Bridgman Well	10/16/1974	RR	38	S	19	E 24	NE SE	4000		32.45		Bridgman Well	10/16/1974	
38	S	19	E 24	NW SE	4000/ 4003		37	Irrigation	Bridgman Well	10/16/1974	RR	38	S	19	E 24	NW SE	4000		18.77		Bridgman Well	10/16/1974	
38	S	19	E 24	SW SE	4000/ 4003		37.6	Irrigation	Bridgman Well	10/16/1974	RR	38	S	19	E 24	NW SE	4003		7.45		Bridgman Well	10/16/1974	
38	S	19	E 24	SE SE	4000		38.4	Irrigation	Bridgman Well	10/16/1974	RR	38	S	19	E 24	SW SE	4000		19.88		Bridgman Well	10/16/1974	
38	S	19	E 25	NE NE	4002		39.2	Irrigation	Bridgman Well	10/16/1974	RR	38	S	19	E 24	SW SE	4003		5.19		Bridgman Well	10/16/1974	
38	S	19	E 25	NW NE	4002		39.6	Irrigation	Bridgman Well	10/16/1974	RR	38	S	19	E 24	SE SE	4000		29.23		Bridgman Well	10/16/1974	
38	S	19	E 25	SW NE	4002		39.6	Irrigation	Bridgman Well	10/16/1974	RR	38	S	19	E 25	NE NE	4002		33.37		Bridgman Well	10/16/1974	
38	S	19	E 25	SE NE	4002		40	Irrigation	Bridgman Well	10/16/1974	RR	38	S	19	E 25	NW NE	4002		34.03		Bridgman Well	10/16/1974	
38	S	19	E 25	NW SE	4004		9.4	Irrigation	Bridgman Well	10/16/1974	RR	38	S	19	E 25	SW NE	4002		28.83		Bridgman Well	10/16/1974	
											RR	38	S	19	E 25	SE NE	4002		28.98		Bridgman Well	10/16/1974	
13808											POU/APOA	38	S	20	E 31	SW NW	6200		7.69		Well #2	10/16/1974	
											POU/APOA	38	S	20	E 31	SE NW	6200		0.67		Well #2	10/16/1974	
											POU/APOA	38	S	20	E 31	NE SW	6200		2.84		Well #2	10/16/1974	
											POU/APOA	38	S	20	E 31	NW SW	6200		35.57		Well #2	10/16/1974	
												POU/APOA	38	S	20	E 31	SW SW	6200		24.76		Well #2	10/16/1974
											POU/APOA	38	S	20	E 31	SW SW	6200						
											POU/APOA	38	S	20	E 31	SW SW	6300		8.40		Well #2	10/16/1974	
											POU/APOA	38	S	20	E 31	SE SW	6200		2.69		Well #2	10/16/1974	

Revised 11/6/2019

Permanent Transfer Application Form – Page 8 of 10

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: C-1845, C-35155, C-68494.

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

Any well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your transfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (Intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
LAKE 1986	Yes		400'	12'3/4"	See well log	20'	See well log		Grey-Blue Clay Gravel & sand	
Well #2	No		500'						Valley fill	

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Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
County of LAKE) ss

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I, JUSTIN R. & JAYNA L. FERRELL, in my capacity as OWNERS,
mailing address 29261 ABERT RIM RD., LAKEVIEW, OR 97630
telephone number (541)947-2598, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the **entire** place of use for
Certificate # 46978; **OR**

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

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

OR

- ☐ Confirming Certificate # _____ has been issued within the past five years; **OR**
- ☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.
- ☐ Water has been used at the actual current point of diversion or appropriation for more than 10 years for Certificate # _____ (For Historic POD/POA Transfers)

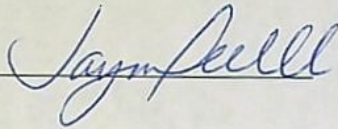
(continues on reverse side)

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

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


Signature of Affiant



8/17/21
Date

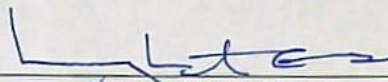
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Signed and sworn to (or affirmed) before me this 17th day of August, 2021.




Notary Public for Oregon

My Commission Expires: July 14, 2023

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

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Application for Water Right
Transfer
Consent by Deeded Landowner



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

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State of Oregon)
)ss
County of LAKE)

We Jay & Gloria Counts in my/our capacity as other property owners,
mailing address 29652 Abert Rim Rd., Lakeview, OR 97630,
telephone number _____, duly sworn depose and say that We
consent to the proposed change(s) to Water Right Certificate Number 46978
described in a Transfer Application (T-_____) submitted by Justin & Jayna Ferrell,
(transfer number, if known)
on the property in tax lot number(s) 4004, Section 25, Township 38 S
South, Range 19 East, W.M., located at Thomas Creek Rd, no address assigned, Lakeview,
Oregon 97630.

(site address)

Jay A Counts
Signature of Affiant

8/19/21
Date

Gloria M. Counts
Signature of Affiant

8/19/21
Date

Subscribed and Sworn to before me this 19th day of August, 2021



Leigh Ann Evans
Notary Public for Oregon

My commission expires July 14, 2023

LAKE COUNTY, OREGON	2020-002440
M-ASN	12/04/2020 03:55:00 PM
Cnt=1 Pgs=3	\$96.00
\$15.00 \$11.00 \$10.00 \$60.00	
I, Stacie Geaney, County Clerk for Lake County, Oregon, certify that the instrument identified herein was recorded in the Clerk records.	
Stacie Geaney - County Clerk	

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Recording Requested By/Return To:
CGB Agri Financial Services, Inc.
Lynn Ashby
2209 River Road
Louisville, KY 40206

[Space Above This Line For Recording]

ASSIGNMENT OF DEED OF TRUST

Loan # 019678

For Value Received, the undersigned holder of a Deed of Trust (herein "Assignor") whose address is 2209 River Road, Louisville, KY 40206, does hereby grant, sell, assign, transfer and convey, unto U.S. Bank National Association, as Custodian/Trustee for Federal Agricultural Mortgage Corporation programs, (herein "Assignee"), whose address is 1133 Rankin Street, Suite 100, St. Paul, MN 55116, all beneficial interest under a certain Deed of Trust dated December 3, 2020, made and executed by Dustin Counts and Tara Counts, husband and wife, as Tenants by the Entirety, Justin Ferrell and Jayna Ferrell, husband and wife, as Tenants by the Entirety, to AmeriTitle, Trustee, upon the following described property situated in Lake County, State of Oregon:

See Exhibit "A" attached hereto and made a part hereof

such Deed of Trust having been given to secure payment of \$145,000.00, which Deed of Trust
(Original Amount of Principal)
is of record on December 4, 2020 in 2020-002436 in the Real Property Records of
Lake County, State of Oregon, together with the note(s) and obligations therein described, the money due and to
become due thereon with interest, and all rights accrued or to accrue under such Deed of Trust.

TO HAVE AND TO HOLD the same unto Assignee, its successor and assigns, forever, subject only to the
terms and conditions of the above-described Deed of Trust.

IN WITNESS WHEREOF, the undersigned Assignor has executed and made to be effective this
Assignment of Deed of Trust on December 3, 2020.

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CGB Agri Financial Services, Inc.

Signature Austin Buchanan Date 12/3/2020
Austin Buchanan, Secretary
Witness [Signature]

STATE OF Kentucky COUNTY OF Jefferson

The foregoing instrument was acknowledged before me this 3rd day of December, 2020 by Austin Buchanan, Secretary of CGB Agri Financial Services, Inc., on behalf of said corporation.

Barbara J. Chesher
Notary Public
ID# 24NP13174
Printed Name: BARBARA J. CHESHER
My commission expires: 08/17/2024



This Instrument Prepared By:
PeirsonPatterson, LLP

Oregon Deed of Trust Assignment - Single Family - With Recording Data

11/02

2

201202371253 [Doc Id 8092 M01302020]

2020-002440

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EXHIBIT "A"
LEGAL DESCRIPTION

Parcel 1

Parcel 1 of Partition Plat 2014-B-199, located in Sections 31, 32 and 33, Township 35 South, Range 21 East of the Willamette Meridian, Lake County, Oregon and duly recorded on August 11, 2014 in Book 2014 in page 001303, Records of Lake County, Oregon.

Parcel 2

PP 2014-199 L-1

A parcel of land situated in the SE $\frac{1}{4}$ of Section 24, Township 38 South, Range 19 East of the Willamette Meridian. More particularly described as: Parcel 1 of Partition Plat No. 1995-P-067 filed for record in the office of the Lake County Clerk on April 4, 1995, in Book 228 at Page 631, Deed Records.

Parcel 3

PP 1995-067 L-1

Parcel 1 of Partition Plat No. 2013-B-195, located in the NE $\frac{1}{4}$ of Section 25 Township 38 South, Range 19 East of the Willamette Meridian as filed in Plat Cabinet B, Sleeve 195, Lake County Records.

PP 2013-195 L-1

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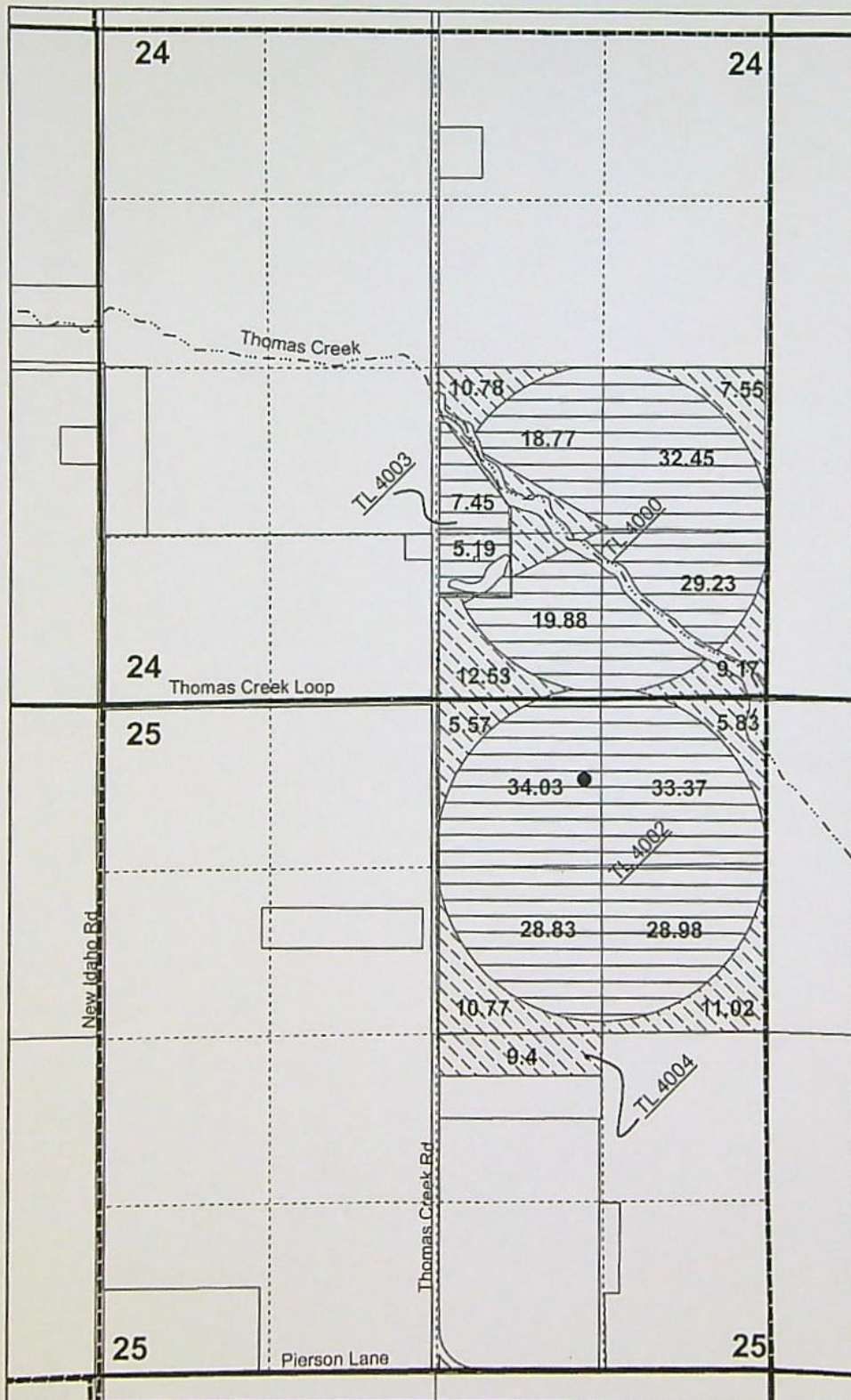
Water Right Transfer Application Map

Certificate 46978



Justin & Jayna Ferrell

T 38 S, R 19 E, WM
Sec 24 & 25

Map 1 of 2



Legend

-  From 82.62 Ac
-  No Change 238.18 Ac
- Bridgman Well LAKE 1986

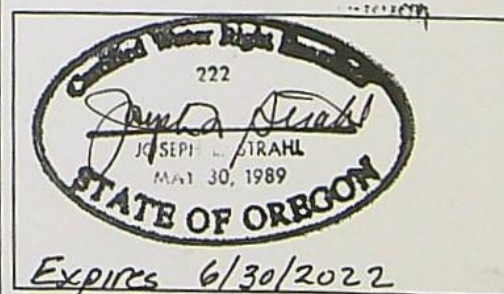
Well located in the NW1/4, NE1/4
Section 25, T 38 S, R 19 E, WM
630 Ft South and 1260 Ft East From
the N1/4 Corner of Section 25

Bridgman Well as listed in C 46978
well log LAKE 1986 and is misfiled
in OWRD files. Well is located in
Section 25, not Section 24 as listed
in the well log search tool.

N



1 inch = 1,320 feet



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

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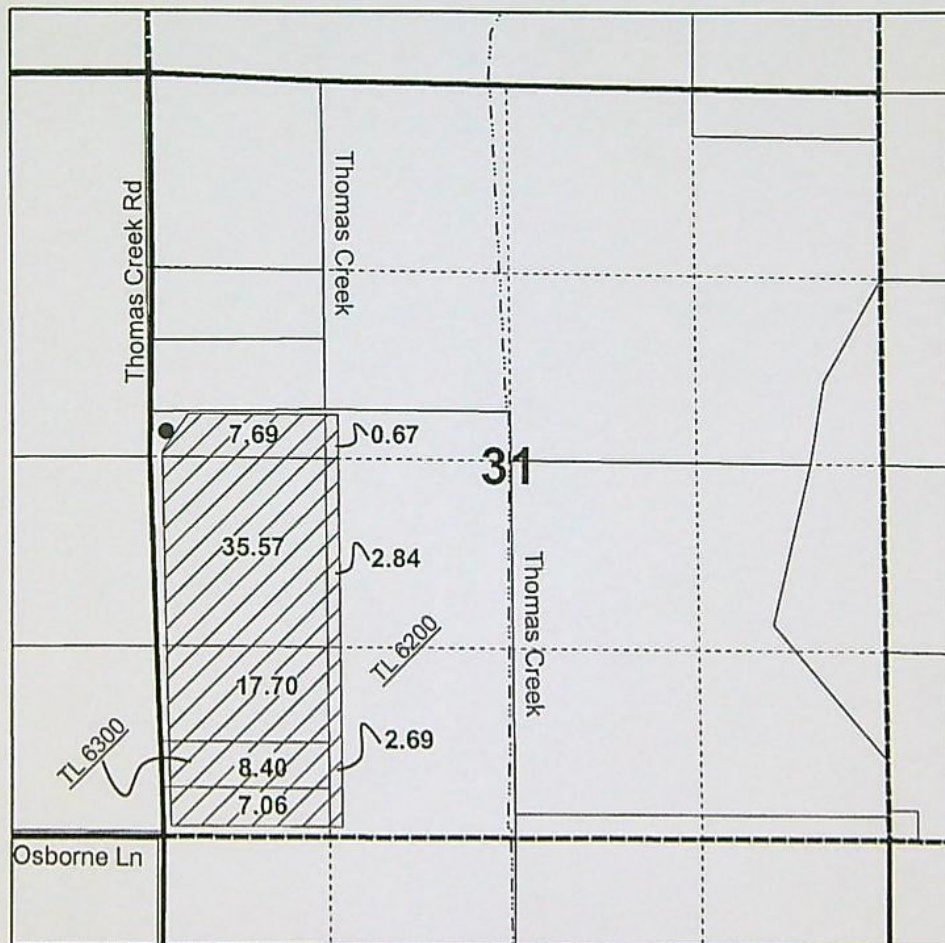
AUG 30 2021

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T 38 S, R 20 E, WM
Sec 31

Map 2 of 2

Water Right Transfer Application Map Certificate 46978 Justin & Jayna Ferrell

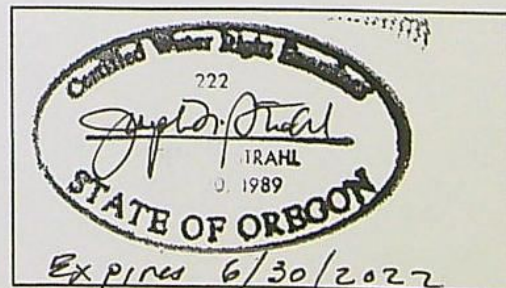


Proposed Well will be located in the
SW1/4 of the NW1/4 of Section 31
T 38 S, R 20 E, WM
2532.5 ft South and 111.0 ft East Fm
the Northwest Corner of Section 31

Legend

- Proposed Well
- Thomas_Creek
- ▨ To 82.62 Ac

1 inch = 1,320 feet



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

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Land Use Information Form



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

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Applicant(s): JUSTIN R. & JAYNA L. FERRELL

Mailing Address: 29261 ABERT RIM RD.

City: LAKEVIEW

State: OR

Zip Code: 97630

Daytime Phone: 541-947-2598

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>38 S</u>	<u>19 E</u>	<u>24</u>	<u>NE SE</u>	<u>4000</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>38 S</u>	<u>19 E</u>	<u>24</u>	<u>NW SE</u>	<u>4000</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>38 S</u>	<u>19 E</u>	<u>24</u>	<u>NW SE</u>	<u>4003</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>38 S</u>	<u>19 E</u>	<u>24</u>	<u>SW SE</u>	<u>4000</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>38 S</u>	<u>19 E</u>	<u>24</u>	<u>SW SE</u>	<u>4003</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>38 S</u>	<u>19 E</u>	<u>24</u>	<u>SE SE</u>	<u>4000</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>38 S</u>	<u>19 E</u>	<u>25</u>	<u>NE NE</u>	<u>4002</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>38 S</u>	<u>19 E</u>	<u>25</u>	<u>NW NE</u>	<u>4002</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>38 S</u>	<u>19 E</u>	<u>25</u>	<u>SW NE</u>	<u>4002</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>38 S</u>	<u>19 E</u>	<u>25</u>	<u>SE NE</u>	<u>4002</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>38 S</u>	<u>20 E</u>	<u>31</u>	<u>SW NW</u>	<u>6200</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>irrigation</u>
<u>38 S</u>	<u>20 E</u>	<u>31</u>	<u>SE NW</u>	<u>6200</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>38 S</u>	<u>20 E</u>	<u>31</u>	<u>NE SW</u>	<u>6200</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>38 S</u>	<u>20 E</u>	<u>31</u>	<u>NW SW</u>	<u>6200</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>38 S</u>	<u>20 E</u>	<u>31</u>	<u>SW SW</u>	<u>6200</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>38 S</u>	<u>20 E</u>	<u>31</u>	<u>SW SW</u>	<u>6300</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
<u>38 S</u>	<u>20 E</u>	<u>31</u>	<u>SE SW</u>	<u>6200</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>

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

LAKE COUNTY

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1.21 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

Transfer of groundwater rights to be supplemental to surface water rights.

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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LAKE COUNTY ZONING ORDINANCES - ARTICLE A-1
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

38-19-(24,25)-(4000,4003,4002)
38-20-31-(6200,6300)

Name: Darwin Johnson Title: Planning Director

Signature: [Signature] Phone: 541-947-6036 Date: 25 Aug 2021

Government Entity: LAKE COUNTY Planning Dept.

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

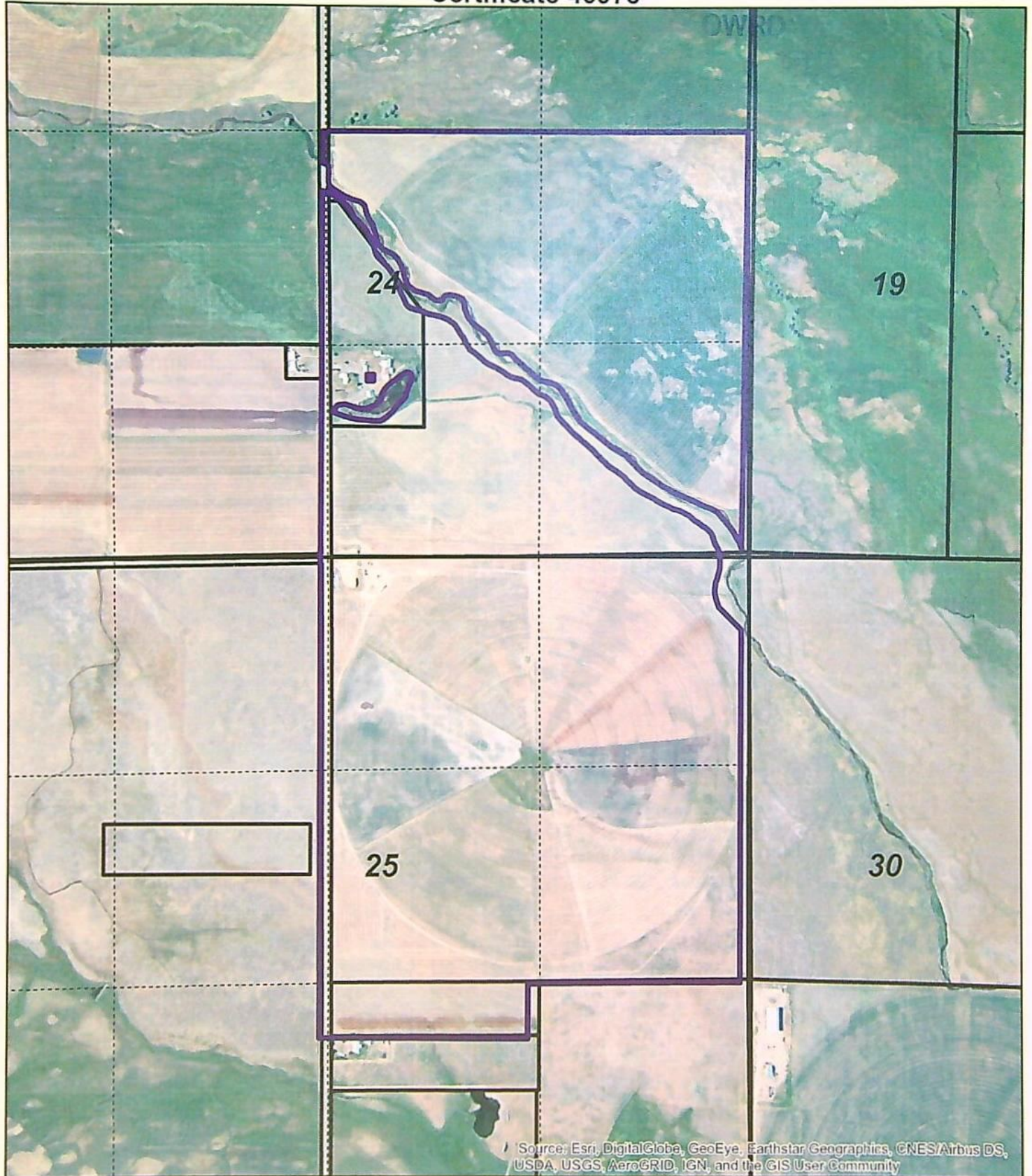
Signature: _____ Phone: _____ Date: _____

Justin & Jayna Ferrell
Proof of Use Map
Certificate 46978

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T 38 S, R 19 E, WM
Sec 24 & 25



Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

Legend

 Cert 46978 by WRIS



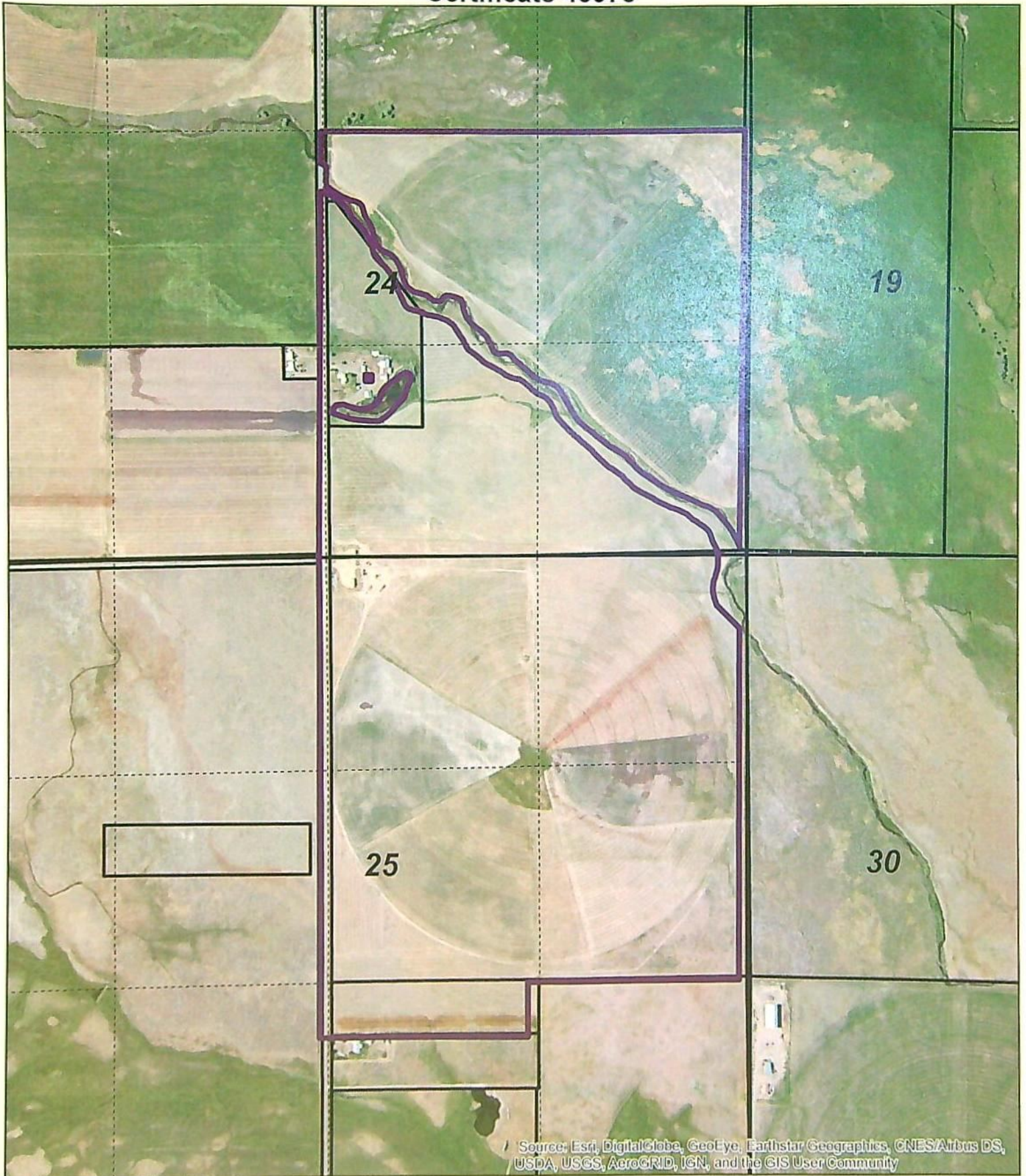
1 inch = 800 feet

There are to pivots as shown. The pivot corners are irrigated by wheel line, hand line or flood irrigation.

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Justin & Jayna Ferrell
Proof of Use Map
Certificate 46978

T 38 S, R 19 E, WM
Sec 24 & 25



Legend

 Cert 46978 by WRIS



1 inch = 800 feet

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There are to pivots as shown. The pivot corners are irrigated by wheel line, hand line or flood irrigation.

NOTICE TO WATER WELL CONTRACTOR
The original and first copy
of this report are to be
filled with the

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APR 21 1975

STATE OF OREGON AUG 9 1974

State Well No. 38S/19E-24d

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion.

STATE ENGINEER
SALEM, OREGON

(Please type or print)

STATE ENGINEER
SALEM, OREGON

State Permit No.

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AUG 30 2021

(1) OWNER:

Name Jack Bridgemon
Address Lakeview, Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:

12-3/4" Diam. from 0 ft. to 400 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☒ Yes ☐ No
of perforator used Factory (sawed)

Size of perforations in. by 2 in.
no perforations from 0 ft. to 80 ft.
perforations from 80 ft. to 400 ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Interstate Pump Co.
Yield: 2000 gal./min. with 180 ft. drawdown after hrs.

Ball test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement grout
Well sealed from land surface to 20 (24" Pipe) ft.
Diameter of well bore to bottom of seal 32 in.
Diameter of well bore below seal 22 in.
Number of sacks of cement used in well seal 14 yards sacks
Number of sacks of bentonite used in well seal sacks
Brand name of bentonite

Number of pounds of bentonite per 100 gallons
of water lbs./100 gals.

Was a drive shoe used? ☐ Yes ☒ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☒ Yes ☐ No Size of gravel: 3/8 to 3/4

Gravel placed from 0 ft. to 400 ft.

(10) LOCATION OF WELL:

County Lake Driller's well number
1/4 SE 1/4 Section 24 T. 38 R. 19E

Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found ft.

Static level ft. below land surface. Date

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 22'

Depth drilled 400 ft. Depth of completed well 400 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top soil	0	2	
Sand stone streaks & Gravel	2	20	
Grey clay	20	26	
Coarse gravel	26	60	
Grey clay	60	72	
Sand	72	77	
Grey clay	77	85	
Brown clay	85	107	
Gravel (3/4)	107	109	
Brown Sandstone	109	113	
Gravel	113	148	
Sandy brown clay	148	160	
Sandy brown clay	160	328	
Brown clay & gravel	328	340	
Coarse Sand	340	349	
Grey-Blue clay gravel & sand	349	400	

Work started 6/17 19 74 Completed 7/18 19 74
Date well drilling machine moved off of well 7/18 19 74

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision.
Materials used and information reported above are true to my
best knowledge and belief.

[Signed] Rex Reynolds Date 8/5, 1974
(Drilling Machine Operator)

Drilling Machine Operator's License No. 947

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is
true to the best of my knowledge and belief.

Name C & C Enloe Drilling Co.
(Person, firm or corporation) (Type or print)

Address

[Signed] Carl V. Enloe
(Water Well Contractor)

Contractor's License No. 503 Date 8/5, 1974

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-45058-119

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 13808

Checked by: <u>JBW</u> Date: <u>9/1/21</u> Fee Received: <u>2850.00</u> Calculated Fee: <u>2930.00</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution Gov Action	Supplemental to Primary Surface to Ground	<input checked="" type="checkbox"/> POU USE	POD POA	APOD <input checked="" type="checkbox"/> APOA
Additional Observations: _____ _____ _____		How many rights to be Transferred? Certificate # <u>46978</u>				

If OK and complete, check box to the left; if NOT, fill in.

- ☒ 1. Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom?
If no, what is missing? Whose signature is missing? _____
- ☒ 2. Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? ☐ N/A.
Name of the district: _____
- ☒ 3. Part 5 of application, has the applicant(s) completed the entire page and does the information match the description of the explanation of the reasons for transfer on Part 4 of the application?
If no, you may need to contact the applicant or agent? _____
- ☒ 4. Is there only one (1) water right included in this transfer application?
If no, are the criteria of OAR 690-380-3220 for more than one WR met? Yes or No _____
If no, then the transfer application **CANNOT** be accepted. See attached "3220" Decision Tree Flowchart.
- ☒ 5. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2?
If no, which certificate(s) are missing a separate Part 5 tables 1 & 2? _____
- ☒ 6. Is the map prepared and signed by a CWRE? Does the map meet requirements?
If no, what is missing? _____. Map waiver included? ☐ Yes ☒ No
- ☒ 7. If a change in point of appropriation (POA), have the well logs been included? ☐ N/A.
- ☒ 8. If a change in place of use (POU) within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
- ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), **ACCEPT** the application.
Put this application intake completeness check sheet in the transfer folder.

OR: ☐ If all boxes to the left are **NOT** checked, then this application is deficient and **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.

Actions taken: contacted CWRE & received proof Date: 8/31/21

Permanent Transfer Application Intake Completion Checklist

[illegible]

Land Use Information Form



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

RECEIVED

AUG 30 2021

OWRD

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Oregon Water Resources Department
Transfer Fee Calculation for Permanent (Non-District) Transfer[Main](#) [Help](#)
[Return](#) [Contact Us](#)

Today's Date: Wednesday, September 1, 2021	Fee Calculation
Base Fee (includes one type of change to one water right for up to 1 cfs)	\$1,360.00
Fill in information below— Check each box that applies.	
Types of Change Proposed:	
<input checked="" type="checkbox"/> Place of Use	
<input checked="" type="checkbox"/> Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD	
<input type="checkbox"/> Character of Use	\$1,090.00
Enter total number of water rights included in transfer. <input type="text" value="1"/>	\$0.00
<input checked="" type="checkbox"/> Check this box if you propose to add or change a well, or change from a surface water POD to a well.	\$480.00
Enter total number of groundwater wells (POAs) included in transfer. <input type="text" value="1"/>	\$0.00
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for a NON-irrigation right.	
<input type="checkbox"/> Check this box if you propose to change the place of use or character of use for an irrigation right.	
Total Transfer CFS(rounded up to the next whole cfs):	
Subtotal:	\$2,930.00
Check each box that applies.	
<input type="checkbox"/> The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.	
<input type="checkbox"/> The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.	
Discount:	
Transfer Fee:	\$2,930.00
<input type="button" value="Return to Edit"/> <input type="button" value="Clear"/>	



Oregon
Kate Brown, Governor

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

September 7, 2021

JUSTIN & JAYNA FERRELL
29261 ABERT RIM RD
LAKEVIEW, OR 97630

Reference: Application T-13808

On August 30, 2021, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$2850.00. Our receipt number 136309 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.

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

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

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

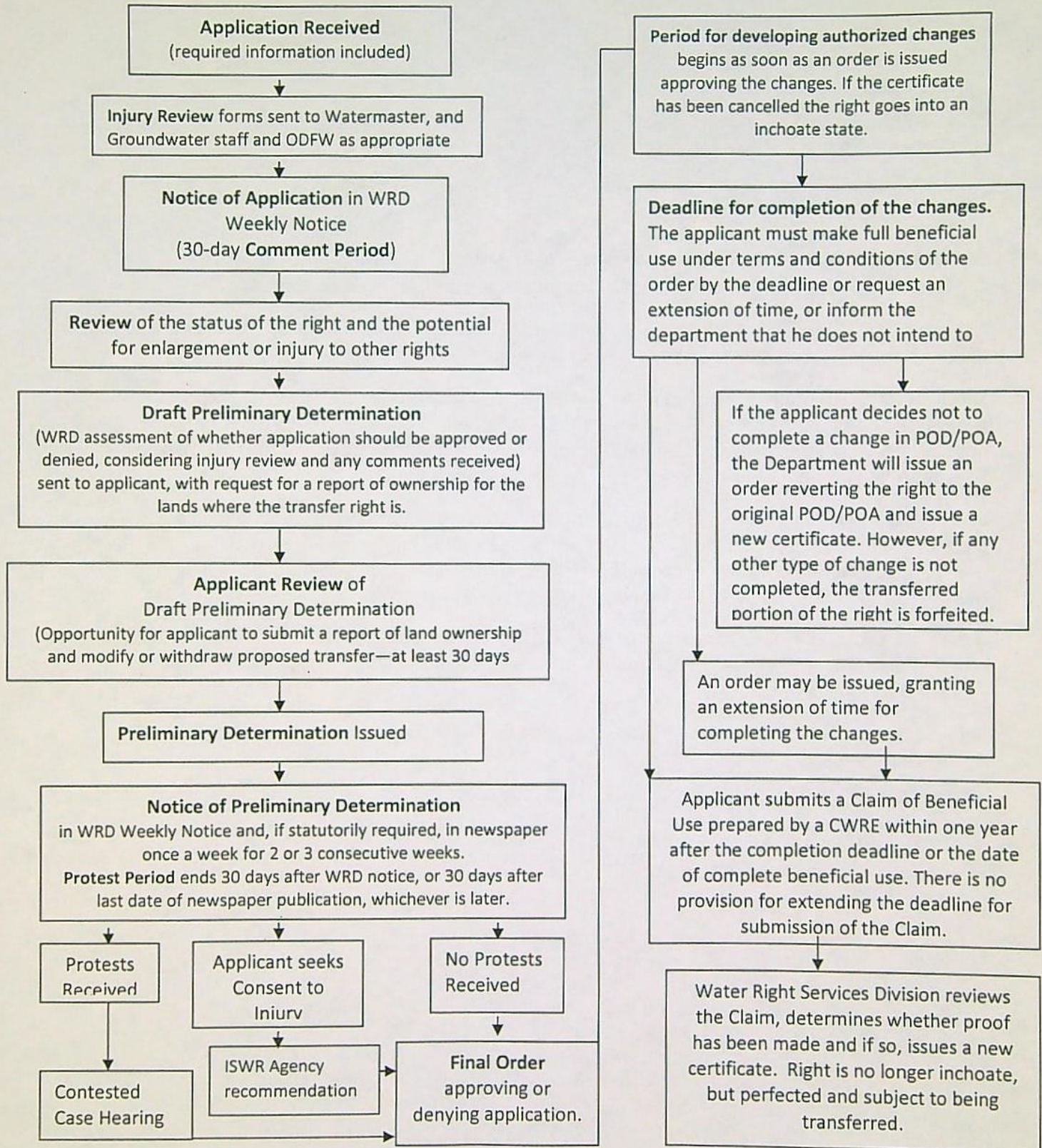
If you have any questions, please contact the Transfer Section at (503) 986-0815.

Cc: Watermaster Dist. #12, Brian M. Mayer (*via email*)
Lake County Planning Department
Hollie Cannon, Agent

Enclosure

Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380



**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 # **136607**

INVOICE # _____

RECEIVED FROM: Houret Cattle Co, Inc.

BY: _____

CASH: ☐ CHECK: ☒ 1259 OTHER: (IDENTIFY) ☐ _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-13808</u>

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 811338-23 \$ _____
0412 OTHER: (IDENTIFY) Transfer Reimbursement Authority \$ 125.00

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$ _____
0410	RESEARCH FEES	\$ _____
0408	MISC REVENUE: (IDENTIFY) _____	\$ _____
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$ _____
0240	EXTENSION OF TIME	\$ _____

WATER RIGHTS:

0201	SURFACE WATER	\$ _____	0202	\$ _____
0203	GROUND WATER	\$ _____	0204	\$ _____
0205	TRANSFER	\$ _____		

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
	LANDOWNER'S PERMIT		0220	\$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$ _____	CARD#	_____
0210	MONITORING WELLS	\$ _____	CARD#	_____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **136607**

DATED: 10-14-2021 BY: Mindy Carlson



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



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

Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate from Transfer fees.

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number T-13808

	Applicant Information	Applicant's Representative/Contact
Name:	Justin R. and Jayna L. Ferrell	Hollie Cannon/Water Right Solutions, LLC
Address:	29261 Abert Rim Rd.	3246 Hammer Street
	Lakeview, OR 97630	Klamath Falls, OR 97603
Phone:	541-947-2598	541-821-5848
Fax:		
E-Mail Address:	lakecountyswcd@hotmail.com	hcannon@waterrightsolutions.com

I understand the following:

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

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

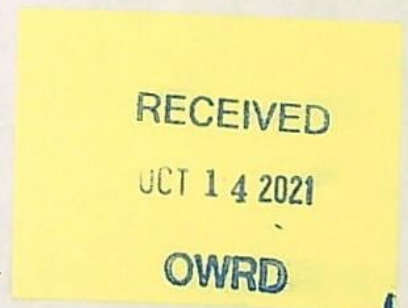
I certify that I am the (check one):

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

Name: Hollie Cannon/Water Right Solutions, LLC

Signature: _____

OWRD USE ONLY: Reimbursement Authority Number: R11-328 -23



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **136738**

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

INVOICE # _____

RECEIVED FROM: Justin Ferrell
BY: Jayna Ferrell

APPLICATION	
PERMIT	
TRANSFER	<u>T-13808</u>

CASH: ☐ CHECK # 4725 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 998.79

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R11 328-23 \$
0412 OTHER: Transfer Reimbursement Authority \$ 998.79

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) _____	\$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$
0240	EXTENSION OF TIME	\$

WATER RIGHTS:

0201	SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$		\$

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
	LANDOWNER'S PERMIT	\$	0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD#	
0210	MONITORING WELLS	\$	CARD#	

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **136738**

DATED: 11-1-2021 BY: [Signature]

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-328-23**

RECEIVED

NOV 01 2021

OWRD

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and Justin and Jayna Ferrell, hereafter Applicant, hereafter known together as the parties.

OWRD Information

Contact: **Kelly Starnes**
Title: Transfer Advisor
Address: 725 Summer Street, NE, Suite A
Salem, OR 97301-1266

Phone: 503 986-0886
Fax: 503 986-0901
Email: patrick.k.starnes@oregon.gov

Applicant's Information

Name: Justin and Jayna Ferrell
Contact:
Address: 29261 Abert Rim Rd.
Lakeview, OR 97630

Phone: (541) 947-2598
Fax:
Email: lakecountyswcd@hotmail.com

Applicant's Representative

Name: Water Right Solutions, LLC
Contact: Hollie Cannon
Address: 3246 Hammer St.
Klamath Falls, OR 97630

Phone: (541) 821-5848
Fax:
Email: hcannon@waterightsolutions.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (**Application Number: T-13808**)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$998.79**. Applicant agrees to pay the full amount of **\$998.79** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately** 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:

Justin Wayne Farrell / Applicant
Name/Title:

10/29/21
Date

For OWRD:

Dwight French
Dwight French – Administrator

11/15/2021
Date

Mail signed Agreement to:

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

FERREL RA R11-328-23 T-13808				
Front Desk Staff receipts received AA funds				
Transfer Support process Application				
Administrator signs AA				
NRS 1 Support enters workflow record in WRIS and updates RA spreadsheet				
NRS 2 completes initial review of file for deficiencies				
NRS 2 consults with Kelly and/or Lisa				
Watermaster completes review				
Groundwater completes review				
NRS 2 completes DPD, PN				
Transfer staff peer reviews DPD, PN				
Transfer Analyst completes policy check at DPD stage				
NRS 2 sends DPD to app/agent by email and/or mail				
NRS 2 reviews report of ownership				
NRS 2 completes PD				
Transfer Staff peer reviews PD				
Transfer Analyst peer reviews PD				
Data Center reviews PD				
Transfer Analyst completes peer review of PN review for newspaper noticing				
Transfer Support requests newspaper quote for PN publishing				
NRS 2 sends publishing fee request to applicant				
Transfer Support processes fee and newspaper publishing				
Transfer Support processes public notice (dept notice)				
Administrator signs PD				
NRS 2 completes FO				
Transfer Staff peer reviews FO				
Transfer Staff peer reviews FO				
Administrator signs FO				
Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy				
NRS 1 closes out RA Contract				
TOTAL ESTIMATE HOURS		18.95		
			TOTAL	\$998.79