

District

Name Ochoco Irrigation District

Address 1001 NW Deer Street  
Prineville Oregon 97554

Change in ADU  
Date Filed 9/27/2021  
Initial notice date 10/12/2021  
DPD issued date  
PD issued date  
PD notice date  
Date of FO 11/21/2022 Vol 122 Page 358-61  
11/15/2023 129 285-287

C-Date  
COBU due date  
COBU Received date 10/18/2023  
Certificate issued

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Ochoco Creek, McKay, Dry, Little,  
Johnson Cr, waste water, Ochoco Res, Crooked R.  
Trib. of Crooked river, Ochoco Cr, Deschutes

Use Irrigation, industrial County Crook  
Quantity of water (CFS) No. of Acres  
Name of ditch  
App# 54788 Per # 55420 Cert # 822410 PR Date  
App# 532041 Per # 525991 Cert # 82241 PR Date  
App# Per # Cert # PR Date  
App# Per # Cert # PR Date

FEES PAID		
Date	Amount	Receipt #
9-27-2021	\$1,970.00	136490
FEES REFUNDED		
Date	Amount	Receipt #

Assignments:

Irrigation District 1302  
Agent  
CWRE  
CC's list

☐ - Oversized map - Location



# 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

November 15, 2023

City of Prineville  
ATTN: Eric Klann  
387 NE 3RD ST  
Prineville, OR 97754

Reference: Transfer Application T-13838

Enclosed is a copy of the Determination of Satisfactory Proof Final Order.

If you have any questions related to the completion of this Claim of Beneficial Use, you may contact Ann Reece, by telephone at (503) 979-3214 or by e-mail at [Ann.L.Reece@water.oregon.gov](mailto:Ann.L.Reece@water.oregon.gov).

Sincerely,

Elyse Richman  
Water Rights Services Support  
Transfers and Conservation Section

cc: Watermaster Dist. #24, Bill D. Nashem (via email)  
U.S. Bureau of Reclamation

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT  
FOR THE  
STATE OF OREGON

In the Matter of the Completion of a Change	)	DETERMINATION OF SATISFACTORY
in Place of Use Under Transfer Application	)	PROOF OF COMPLETION FOR A
T-13838, Crook County	)	PERMANENT DISTRICT TRANSFER

**Authority**

Oregon Administrative Rule (OAR) 690-385-7400 describes the documentation the district must file with the Department in order to provide proof of use.

OAR 690-385-7600 provides in pertinent part that satisfactory proof shall be (a) a determination by the Department that application of water to beneficial use under the terms of the transfer final order was completed to the extent authorized, or (b) a determination by the Department that the application of water to a beneficial use under the terms of the transfer final order was completed to an extent less than authorized.

Oregon Revised Statute (ORS) 540.530(2)(a) and OAR 690-385-7600 authorize the Department to issue or modify a certificate of water right upon satisfactory proof of completion of the change or changes authorized by a final order approving a permanent district transfer.

**Applicant**

OCHOCO IRRIGATION DISTRICT  
1001 NW DEER ST,  
PRINEVILLE, OREGON 97754

**Findings of Fact**

1. On January 26, 2022, the Department signed a final order, which was mailed on January 27, 2022, and recorded in Special Order Volume 122, Pages 385-361, approving Transfer Application T-13838 involving Certificates 82246 and 82247. The final order established October 1, 2023, as the date for completion of the authorized changes in place of use.
2. On October 18, 2023, the Department received a Claim of Beneficial Use (CBU) and associated maps from the applicant for Transfer Application T-13838 satisfying the requirements for providing proof of use under OAR 690-385-7400.

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

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

3. The Department reviewed the CBU and maps submitted by the applicant for Transfer Application T-13838.
4. The CBU did not contain a map of the point of diversion from the source. However, since the transfer involved the transfer of places of use only within an irrigation district and did not involve a change in the point of diversion, the existing maps on file with the Department are sufficient to identify the point of diversion from the source.
5. The proposed place of use for Certificate 82246 as approved the final order for Transfer Application T-13838, and as recorded in Special Order Volume 122, Pages 385-361 is shown in Table 1, below:

**Table 1:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User	Notice
13 S	15 E	WM	33	NW NE	0.2	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SW NE	7.1	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	NE NW	0.3	109	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SE NW	9.5	109	DEHLER	1-21; 2-21
14 S	15 E	WM	5	NW SW	2.0	300	GUTHRIE	6-21
14 S	15 E	WM	17	SW NW	2.5	400	FAHLSTROM	3-21
14 S	16 E	WM	26	NW NW	10.2	200	PETERSON	4-21; 5-21
TOTAL					31.8			

6. The proposed place of use for Certificate 82247 as approved the final order for Transfer Application T-13838, and as recorded in Special Order Volume 122, Pages 385-361 is shown in Table 2, below:

**Table 2:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User	Notice
13 S	15 E	WM	33	NW NE	0.2	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SW NE	7.1	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	NE NW	0.3	109	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SE NW	9.5	109	DEHLER	1-21; 2-21
14 S	15 E	WM	5	NW SW	2.0	300	GUTHRIE	6-2
14 S	15 E	WM	17	SW NW	2.5	400	FAHLSTROM	3-21; 4-21
TOTAL					21.6			

7. Based on the review of evidence submitted by the applicant, the Department finds that the application of water to beneficial use under the terms of the transfer final order for T-13838 was completed to the extent authorized in the transfer as described in Tables 1 and 2.

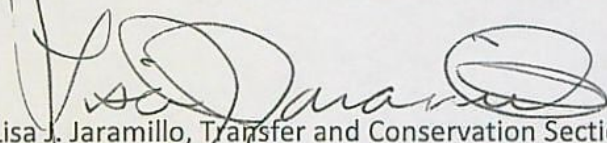
## Conclusions of Law

1. The Applicant has submitted proof of use pursuant to OAR 690-385-7400.
2. Application of water to a beneficial use under the terms of the transfer final order has been made to the extent shown in Tables 1 and 2, above.
3. The applicant has demonstrated proof of completion under T-13838 to the satisfaction of the Department.
4. The Department is authorized to issue or modify certificates of water rights involved in transfer T-13838 consistent with this determination of satisfactory proof of completion.

### Now, therefore, it is ORDERED:

Water right Certificates 82246, and 82247 are modified as shown in Tables 1 and 2, above. The Department will issue superseding certificates describing these rights when it determines it is necessary for record keeping.

Signed at Salem, Oregon on NOV 15 2023.

  
Lisa J. Jaramillo, Transfer and Conservation Section Manager for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department

Mailing Date: NOV 16 2023



Oregon Water Resources Department  
Attn: Ann Reece  
725 Summer Street NE, Suite A  
Salem, Oregon 97301

10/9/2023

Dear Ann,

I hope this letter finds you safe and doing well. Attached is a Claim of Beneficial Use for Ochoco Irrigation District. Transfer number- T-13838.

I will be traveling back to Uganda on the 17<sup>th</sup> of this month and returning December 12<sup>th</sup>.

Please let me know if you have any questions or comments. District staff will know how to reach me while I am away. I have provided both my emails below as well.

Thank you,  
Russ Rhoden

541-420-4221

[ochocoid@crestviewcable.com](mailto:ochocoid@crestviewcable.com)  
[rhodenruss@gmail.com](mailto:rhodenruss@gmail.com)

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OCT 13 2023  
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Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, Oregon 97301-1266  
(503) 986-0900  
www.wrd.state.or.us

# District Permanent Water Right Transfer Claim of Beneficial Use

## 1. APPLICANT INFORMATION

District: Ochoco Irrigation District

Contact Person: Russell Rhoden

Phone: 541-447-6449

Mailing Address: 1001 NW Deer Street

City: Prineville State: Oregon Zip: 97754

E-Mail address: ochocoid@crestviewcable.com

Transfer Number: T - 13838

## 2. WATER RIGHT(S)

Pursuant to OAR Chapter 690, Division 385, the district is submitting to the Water Resources Department this claim of beneficial use, with the appropriate fee, for the following water right(s):

*NOTE: Fees do not apply if the priority date is prior to July 9, 1987.*

PERMIT NUMBER	CERTIFICATE NUMBER	DECREE (name, volume, and page)	PRIMARY (P) OR SUPP (S)
-	82246		X P <input type="checkbox"/> S
-	82247		P X S
-			P S
-			<input type="checkbox"/> P <input type="checkbox"/> S

## 3. AUTHORIZED POINT(S) OF DIVERSION (POD) / APPROPRIATION (POA)

The authorized point(s) of diversion / appropriation for the water right modified by the transfer are as follows:

PERMIT NUMBER	DECREE or CERTIFICATE	POD / POA #	SOURCE	LOCATION - MEASURED DISTANCES
-	82246	54		500' N, 250' E of W 1/4 Corner
-	82247	9		60' N, 1940' W of SE Corner
-				
-				

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#### 4. AUTHORIZED PLACE OF USE

The summary of the perfected change in place of use authorized by the final order approving the water right transfer is listed in Table 1.

TABLE 1 – AUTHORIZED PLACE OF USE (POU)												
CERTIFICATE DECREE or PERMIT	POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME
				TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT		
82246	54	1916	IR	13 S	15 E	33	NE NW			109	0.3	John Dehler
82247	9	1914	IS	13 S	15 E	33	NE NW			109	0.3	John Dehler
82246	54	1916	IR	13 S	15 E	33	SE NW			109	9.5	John Dehler
82247	9	1914	IS	13 S	15 E	33	SE NW			109	9.5	John Dehler
82246	54	1916	IR	13 S	15 E	33	NW NE			110	0.2	John Dehler
82247	9	1914	IS	13 S	15 E	33	NW NE			110	0.2	John Dehler
82246	54	1916	IR	13 S	15 E	33	SW NE			110	7.1	John Dehler
82247	9	1914	IS	13 S	15 E	33	SW NE			110	7.1	John Dehler
82246	54	1916	IR	14 S	15 E	17	SW NW			400	2.5	John Fahlstrom
82247	9	1914	IS	14 S	15 E	17	SW NW			400	2.5	John Fahlstrom
82246	54	1916	IR	14 S	16 E	26	NW NW			200	10.2	James Petersen
82246	54	1916	IR	14 S	15 E	5	NW SW			300	2.0	William Guthrie
82247	9	1914	IS	14 S	15 E	5	NW SW			300	2.0	William Guthrie

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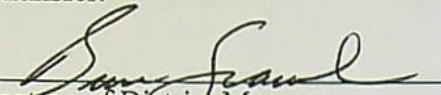
## MAP AND SITE REPORT X

Attached is a map and site report for each water right listed in Table 1 that satisfies the requirements of OAR 690-385-7400.

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## 6. SIGNATURES

The district certifies that it has inspected the place of use listed in Table I, and confirms the change in place of use has been completed consistent with the terms and conditions of the final order approving the transfer.

  
Signature of District Manager  
or District Board Chairperson

10/9/2023  
Date

Bruce Scanlon  
Type or Print Name of District Manager  
or District Board Chairperson

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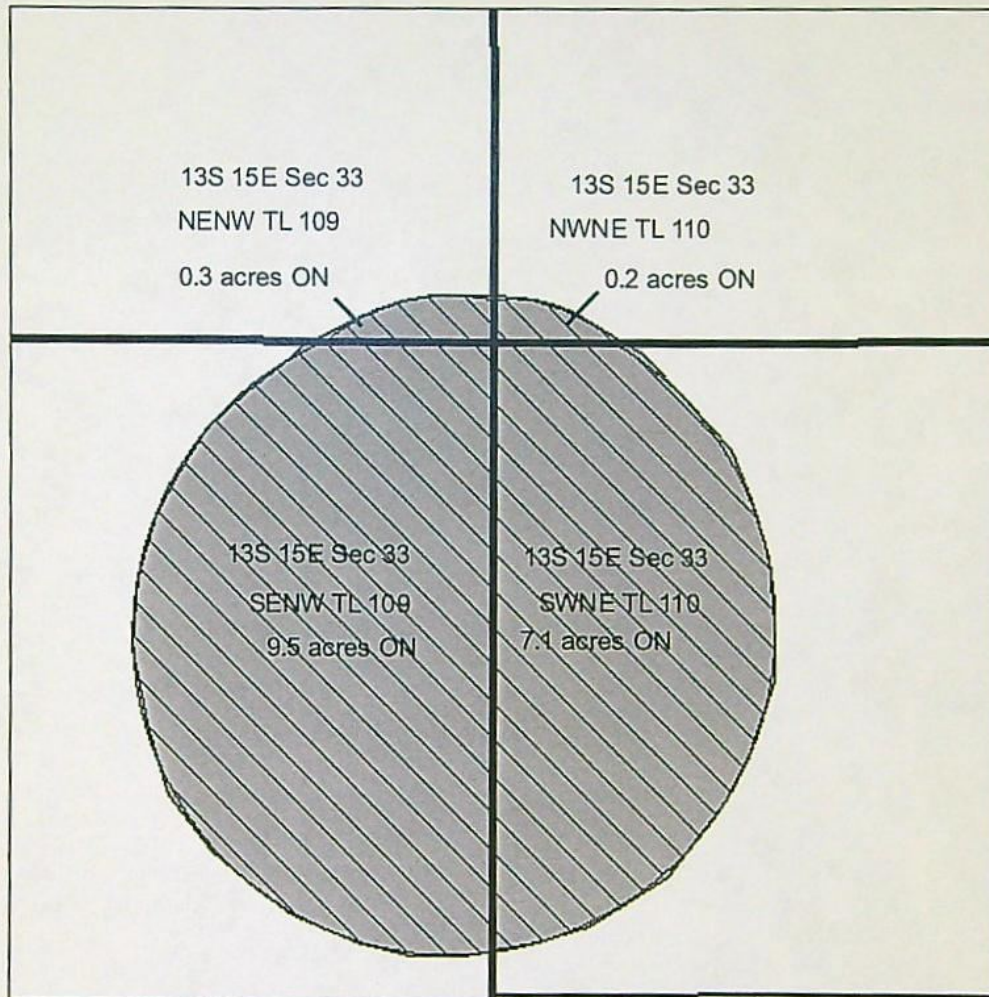
# Crook County

T 14 R 15 Sec. 33 Tax Lot 109, 110

NE, SE, NW, SW Of The NW, NW, NE, NE



## ON Map



1 in = 400 ft

Certificate #: 82246 IR - 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



*Beneficial use*

John Dehler

Acres: 17.1 acres ON

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## CLAIM OF BENEFICIAL USE Site Report

Transfer Number: T - 13838 District Internal Notice #: 1-21; 2-21

User Name: John Dehler

### Place of Use:

USE	POD #	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT	ACRES
IR	54	13S	15E	33	NENW			109	0.3
IS	9	13S	15E	33	NENW			109	0.3
IR	54	13S	15E	33	SEnw			109	9.5
IS	9	13S	15E	33	SEnw			109	9.5
IR	54	13S	15E	33	NWNE			110	0.2
IS	9	13S	15E	33	NWNE			110	0.2
IR	54	13S	15E	33	SWSE			110	7.1
IS	9	13S	15E	33	SWSE			110	7.1

### District Conveyance System:

Description of Delivery System: Grimes Flat West Canal to Pump to Pivot

Headgate: W9 Canal Grimes Flat West Canal

### Beneficial Use:

Description of Beneficial Use: Irrigation

Method Used to Apply Water: Pump and Pivot

Method Used to Calculate Beneficial Use: GIS Computer- Site Visit

User Interviewed: ( X ) Yes ( ) No

Beneficial Use Made as Authorized: ( X ) Yes ( ) No

Description of Beneficial Use if Less than Authorized:

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Inspected By: Russell Rhoden

Date: 5/17/23

**Instructions:** Attach and label the corresponding final proof map.

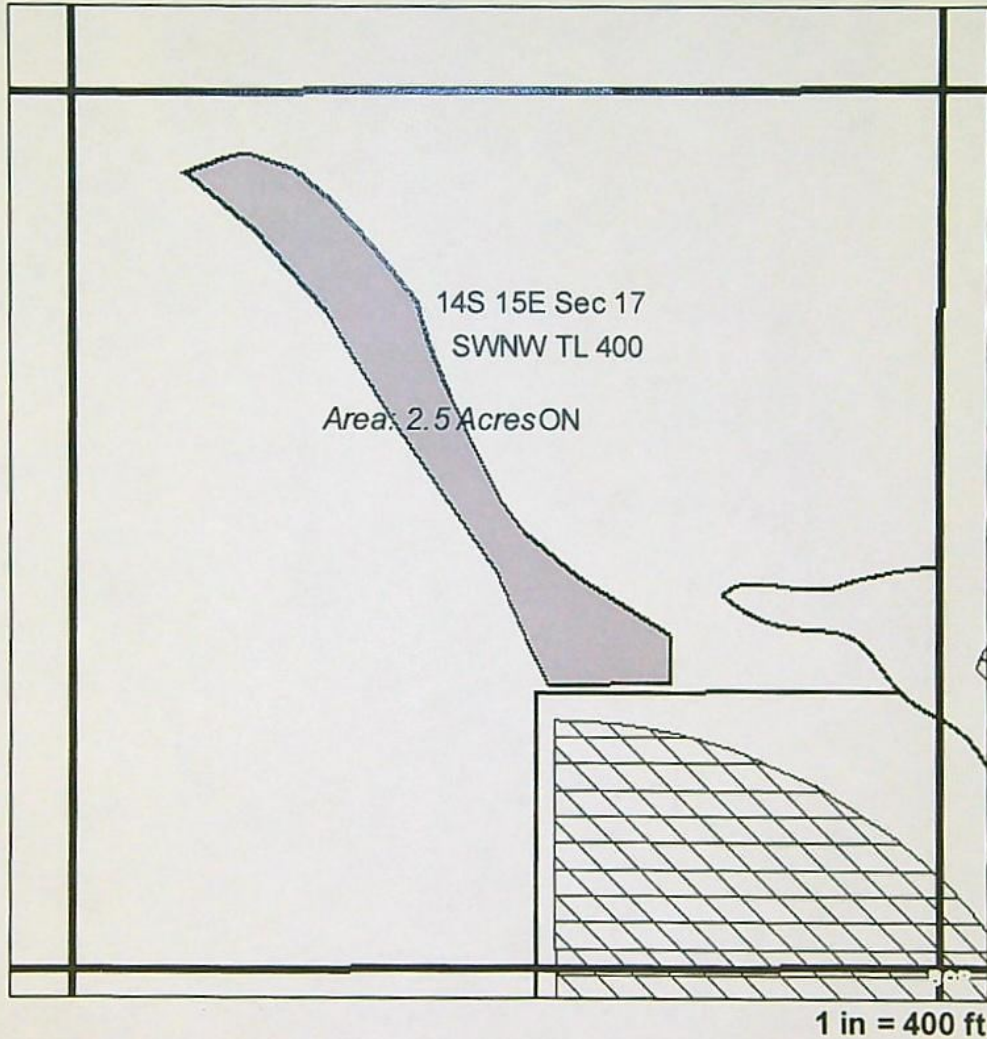
# Crook County

T 14S R 15E Sec. 17 Tax Lot 400

SW Of The NW



## ON Map



Certificate #: 82246 IR - 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Beneficial Use

John Fahlstrom

Acres: 2.5

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## CLAIM OF BENEFICIAL USE Site Report

Transfer Number: T - 13838 District Internal Notice #: 3-21

User Name: John Fahlstrom

### Place of Use:

USE	POD #	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT	ACRES
IR	54	14S	15E	17	SWNW			400	2.5
IS	9	14S	15E	17	SWNW			400	2.5

### District Conveyance System:

Description of Delivery System: Ochoco Main Canal to Pump and Sprinklers

Headgate: 461 Canal: Ochoco Main Canal

### Beneficial Use:

Description of Beneficial Use: Irrigation

Method Used to Apply Water: Pump and Sprinkler

Method Used to Calculate Beneficial Use: GIS Computer – Site Visit

User Interviewed: ( X ) Yes ( ) No

Beneficial Use Made as Authorized: ( X ) Yes ( ) No

Description of Beneficial Use if Less than Authorized:

Inspected By: Russell RHOEN

Date: 9/11/23

**Instructions:** Attach and label the corresponding final proof map.

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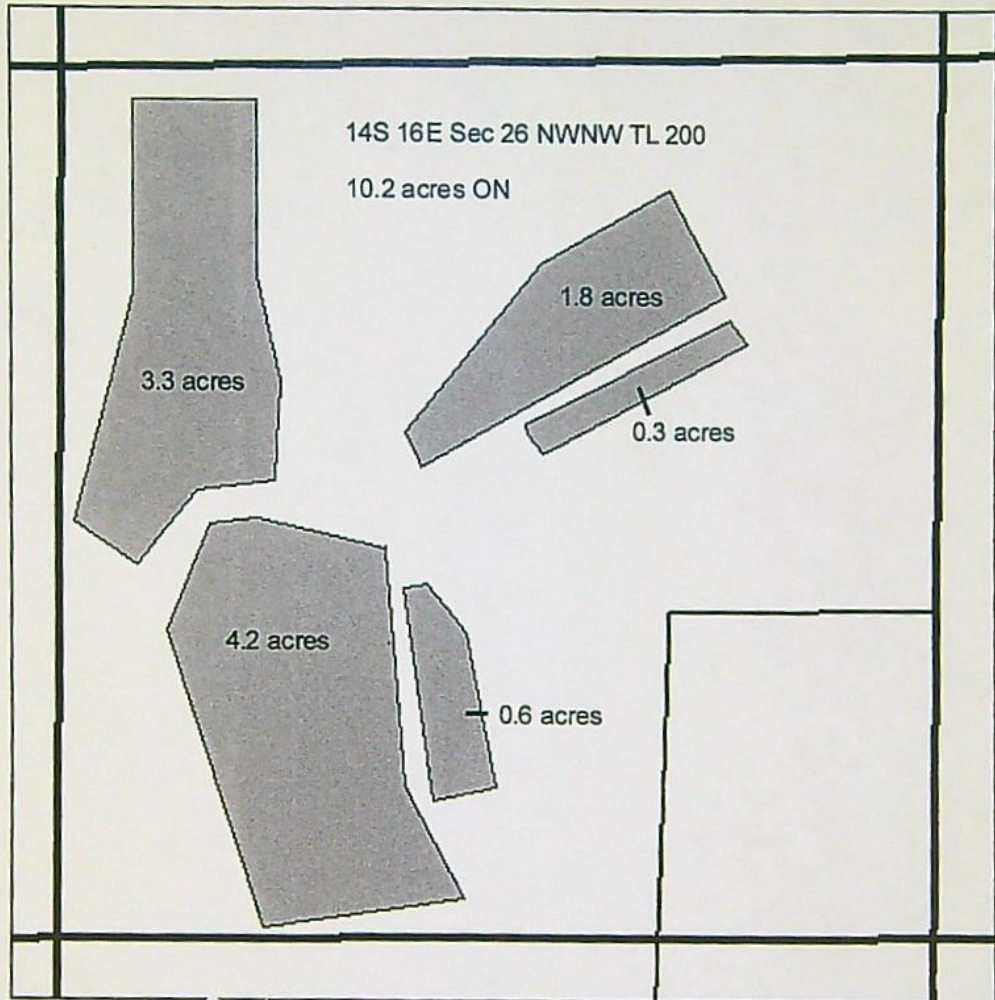
# Crook County

T 14 R 16 Sec. 26 Tax Lot 200

NW Of The NW



## ON Map



1 in = 400 ft

Certificate #: 82246 IR

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



*Beneficial use*  
James Petersen  
Acres: 10.2 ON

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## CLAIM OF BENEFICIAL USE Site Report

Transfer Number: T - 13838 District Internal Notice #: 4-21, 5-21

User Name: James Petersen

### Place of Use:

USE	POD #	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT	ACRES
IR	54	14S	16E	26	NWNW			200	10.2

### District Conveyance System:

Description of Delivery System: Johnson Creek Canal to Pump and Sprinklers/Pods

Headgate: JC 24 Canal: Johnson Creek Canal

### Beneficial Use:

Description of Beneficial Use: Irrigation

Method Used to Apply Water: Pump and Sprinkler/Pods

Method Used to Calculate Beneficial Use: GIS Computer - Site Visit

User Interviewed: (X) Yes ( ) No

Beneficial Use Made as Authorized: (X) Yes ( ) No

Description of Beneficial Use if Less than Authorized:

Inspected By: Russell Rhoden Date: 9/20/23

**Instructions:** Attach and label the corresponding final proof map.

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## CLAIM OF BENEFICIAL USE Site Report

Transfer Number: T - 13838 District Internal Notice #: 6-21

User Name: William Guthrie

### Place of Use:

USE	POD #	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT	ACRES
IR	54	14S	15E	5	NWSW			300	2.0
IS	9	14S	15E	17	NWSW			300	2.0

### District Conveyance System:

Description of Delivery System: Ochoco Main Canal to Pump and Sprinklers

Headgate: 447 Canal: Ochoco Main Canal

### Beneficial Use:

Description of Beneficial Use: Irrigation

Method Used to Apply Water: Pump and Sprinkler

Method Used to Calculate Beneficial Use: GIS Computer - Site Visit

User Interviewed: (X) Yes ( ) No

Beneficial Use Made as Authorized: (X) Yes ( ) No

Description of Beneficial Use if Less than Authorized:

Inspected By: Russell Rhoden Date: 9/5/23

**Instructions:** Attach and label the corresponding final proof map.

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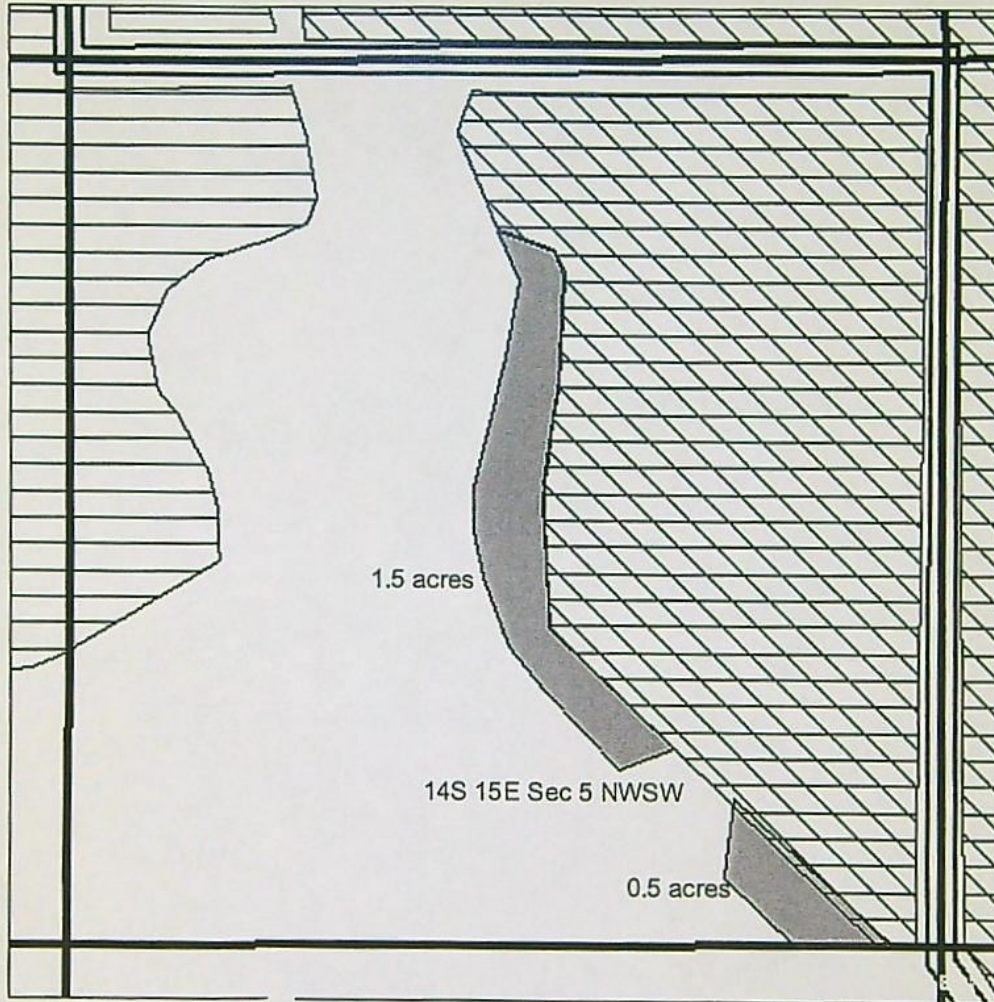
Crook County

T 14S R 15E Sec. 5 Tax Lot 300

NW Of The SW



ON Map



1 in = 400 ft

Certificate #: 82246 IR 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



*Beneficial Use*  
William Guthrie  
Acres: 2.0 acres ON

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OCT 13 2023

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# Crook County

E-RECEIVED  
10/18/2023  
OWRD

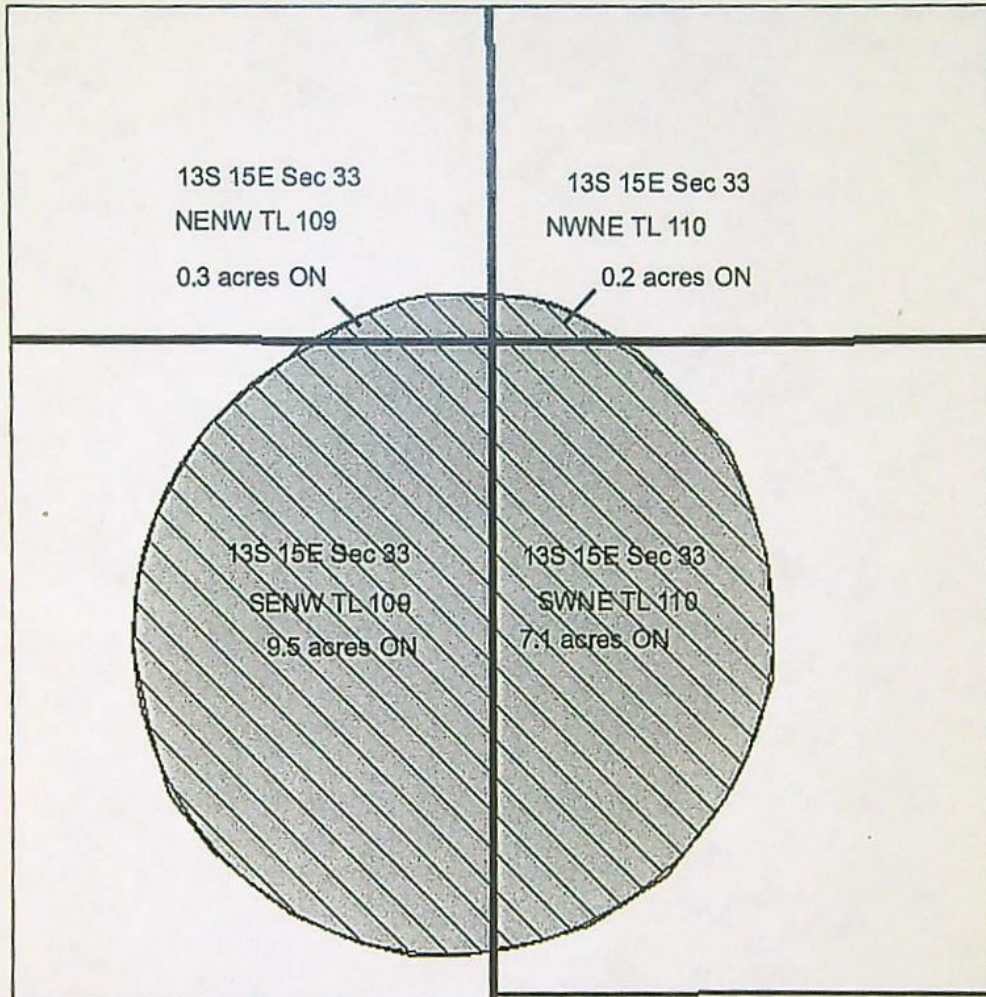
T-13838

T 14 R 15 Sec. 33 Tax Lot 109, 110

NE, SE, NW, SW Of The NW, NW, NE, NE



## ON Map



1 in = 400 ft

Certificate #: 82246 IR - 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ

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10/15/23



*Beneficial use*

John Dehler

Acres: 17.1 acres ON

# Crook County

T 14S R 15E Sec. 17 Tax Lot 400

T-13838

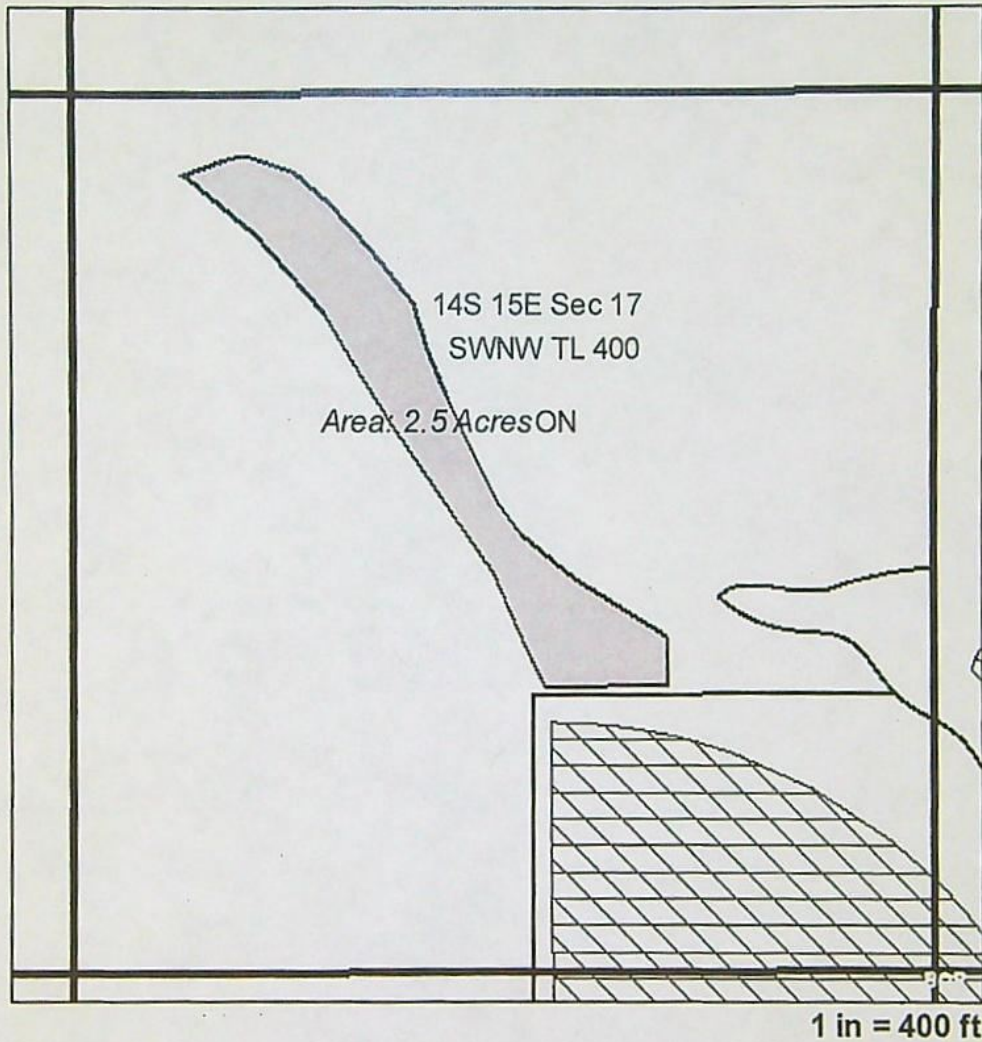
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RECEIVED  
10/15/23

SW Of The NW



ON Map



Certificate #: 82246 IR - 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Beneficial Use

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# Crook County

T 14 R 16 Sec. 26 Tax Lot 200

E-RECEIVED  
10/18/2023  
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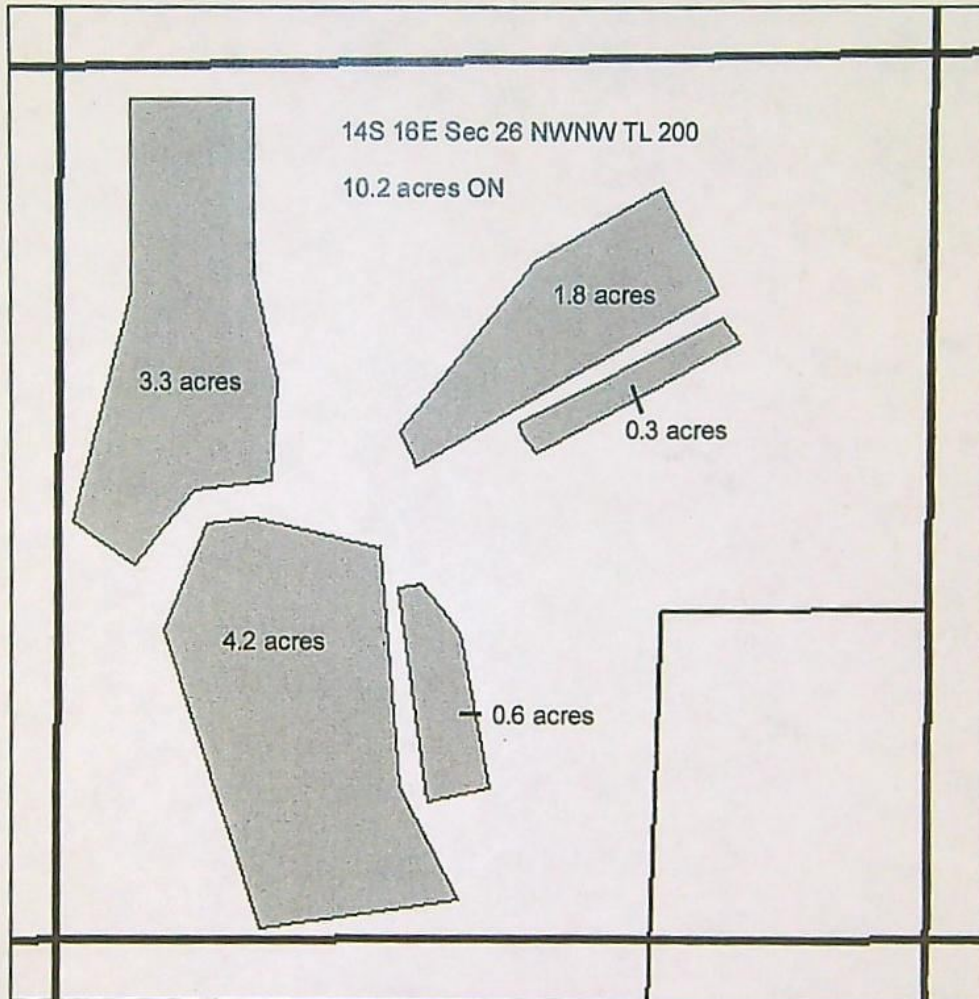
T-13838

NW Of The NW

RECEIVED  
10/15/23



## ON Map



1 in = 400 ft

Certificate #: 82246 IR

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



*Beneficial use*

James Petersen

Acres: 10.2 ON

# Crook County

T 14S R 15E Sec. 5 Tax Lot 300

NW Of The SW

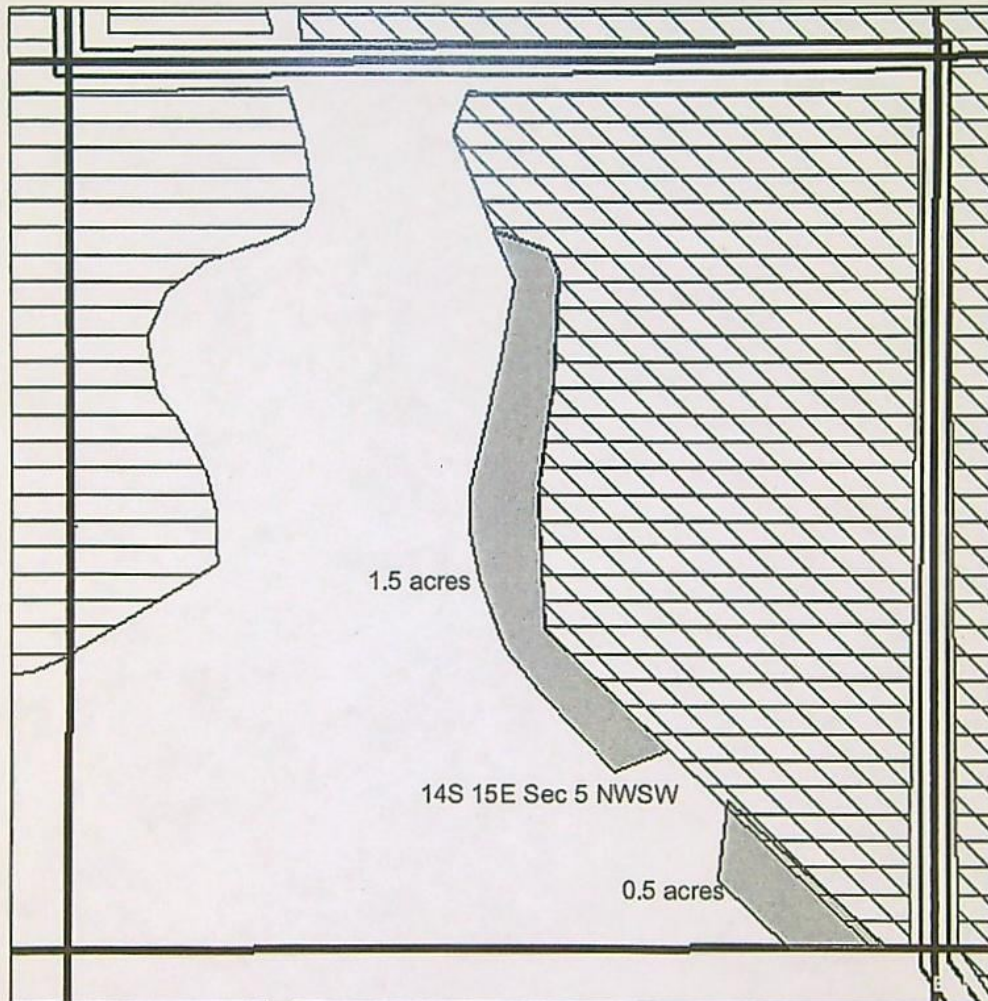
T-13838



RECEIVED  
10/15/23

E-RECEIVED  
10/18/2023  
OWRD

ON Map



1 in = 400 ft

Certificate #: 82246 IR 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



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Acres: 2.0 acres ON

BEFORE THE WATER RESOURCES DEPARTMENT  
FOR THE  
STATE OF OREGON

In the Matter of the Completion of a Change	)	DETERMINATION OF SATISFACTORY
in Place of Use Under Transfer Application	)	PROOF OF COMPLETION FOR A
T-13838, Crook County	)	PERMANENT DISTRICT TRANSFER

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**Applicant**

OCHOCO IRRIGATION DISTRICT  
1001 NW DEER ST,  
PRINEVILLE, OREGON 97754

**Findings of Fact**

1. On January 26, 2022, the Department signed a final order, which was mailed on January 27, 2022, and recorded in Special Order Volume 122, Pages 385-361, approving Transfer Application T-13838 involving Certificates 82246 and 82247. The final order established October 1, 2023, as the date for completion of the authorized changes in place of use.
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13 S	15 E	WM	33	SE NW	9.5	109	DEHLER	1-21; 2-21
14 S	15 E	WM	5	NW SW	2.0	300	GUTHRIE	6-21
14 S	15 E	WM	17	SW NW	2.5	400	FAHLSTROM	3-21
14 S	16 E	WM	26	NW NW	10.2	200	PETERSON	4-21; 5-21
TOTAL					31.8			

6. The proposed place of use for Certificate 82247 as approved the final order for Transfer Application T-13838, and as recorded in Special Order Volume 122, Pages 385-361 is shown in Table 2, below:

**Table 2:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User	Notice
13 S	15 E	WM	33	NW NE	0.2	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SW NE	7.1	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	NE NW	0.3	109	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SE NW	9.5	109	DEHLER	1-21; 2-21
14 S	15 E	WM	5	NW SW	2.0	300	GUTHRIE	6-2
14 S	15 E	WM	17	SW NW	2.5	400	FAHLSTROM	3-21; 4-21
TOTAL					21.6			

7. Based on the review of evidence submitted by the applicant, the Department finds that the application of water to beneficial use under the terms of the transfer final order for T-13838 was completed to the extent authorized in the transfer as described in Tables 1 and 2.

### Conclusions of Law

1. The Applicant has submitted proof of use pursuant to OAR 690-385-7400.
2. Application of water to a beneficial use under the terms of the transfer final order has been made to the extent shown in Tables 1 and 2, above.
3. The applicant has demonstrated proof of completion under T-13838 to the satisfaction of the Department.
4. The Department is authorized to issue or modify certificates of water rights involved in transfer T-13838 consistent with this determination of satisfactory proof of completion.

### Now, therefore, it is ORDERED:

Water right Certificates 82246, and 82247 are modified as shown in Tables 1 and 2, above. The Department will issue superseding certificates describing these rights when it determines it is necessary for record keeping.

Signed at Salem, Oregon on \_\_\_\_\_.

Lisa J. Jaramillo, Transfer and Conservation Section Manager for  
Douglas E. Woodcock, Acting Director  
Oregon Water Resources Department

Mailing Date: \_\_\_\_\_



# Oregon

Kate Brown, Governor

## Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

January 26, 2022

OCHOCO IRRIGATION DISTRICT  
1001 NW DEER ST  
PRINEVILLE, OR 97754

REFERENCE: District Transfer T-13838

Enclosed is a copy of the final order approving your District Transfer.

The time allowed to complete the transfer is specified in the final order. You are required to submit a claim of beneficial use to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized final order whichever comes first. If necessary, you may request more time by filing for transfer extension. All extensions are subject to approval.

To file a claim please include:

1. A CLAIM OF BENEFICIAL USE form
2. A CLAIM OF BENEFICIAL USE SITE REPORT
3. A Claim of Beneficial Use Map (this map does not need to be prepared by a Certified Water Rights Examiner (CWRE))

All forms needed to file a claim for a district transfer are available at

<https://www.oregon.gov/OWRD/programs/WaterRights/Transfers/DistTransfer/Pages/Forms.aspx>

If you have any questions related to the approval of this transfer, you may contact your caseworker Ann Reece by telephone at (503) 979-3214 or by e-mail at [Ann.L.Reece@water.oregon.gov](mailto:Ann.L.Reece@water.oregon.gov).

Sincerely,

Julie C. Baustian

Water Right Services Support  
Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)  
U.S. Bureau of Reclamation

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT  
OF THE  
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-13838, Crook County	)	A DISTRICT PERMANENT TRANSFER FOR
	)	PLACE OF USE

**Authority**

Oregon Revised Statutes (ORS) 540.570 through 540.580 establish the process in which a district may submit a request to transfer a water right within district boundaries. Oregon Administrative Rule (OAR) Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

**Applicant**

OCHOCO IRRIGATION DISTRICT  
1001 NW DEER STREET  
PRINEVILLE, OR 97754

**Findings of Fact**

1. On September 27, 2021, OCHOCO Irrigation District (OID) filed a district transfer application to permanently change the place of use under Certificates 82246 and 82247. The Department assigned the application number T-13838.
2. Notice of the District Permanent Transfer Application was published on October 12, 2021, pursuant to ORS 540.580 and OAR 690-385-4400. No comments were filed in response to the notice.
3. January 3, 2022, OID submitted maps with minor corrections, and on January 4, 2022, OID submitted corrected place of use tables.
4. The U.S. Bureau of Reclamation was notified of the transfer application on October 12, 2021; no comments were received within 90 days of the notification.
5. On February 1, 2017, OID modified the application to include supplemental water right certificates, and on February 16, 2017, OID submitted superseding correcting maps.

This final order in a contested case and 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(2) 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.

Within 20 days after this final order is issued (i.e., mailing date), the district or any protestant may file with the commission exceptions to the final order. The commission shall issue an order granting or denying the exceptions within 30 days after receiving the exceptions. ORS 540.580(10).

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

**Certificate:** 82246 in the name of OCHOCO IRRIGATION DISTRICT (perfected under Permit S-5426)

**Use:** IRRIGATION of 31.8 acres

**Priority Dates:** MARCH 13, 1916 (McKay Creek), and AUGUST 10, 1917 (all other sources named on the water right)

**Rate & Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) for each acre irrigated and shall be further limited to 4.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

**Sources:** The OCHOCO, MCKAY, DRY, LYTLE AND JOHNSON CREEKS, and ALL WASTE AND RETURN WATER FLOWING IN ALL UNNAMED WATERWAYS, and OCHOCO RESERVOIR (constructed under Permit R-528), all tributary to the CROOKED RIVER.

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	17 E	WM	5	SW NW	OCHOCO FEED CANAL POD 1: 500 FEET NORTH AND 250 FEET EAST FROM THE W¼ CORNER OF SECTION 5

**Authorized Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User	Notice
14 S	15 E	WM	9	NE NE	2.0	100	GUTHRIE	6-21
14 S	15 E	WM	17	NE SW	0.8	403	FAHLSTROM	3-21
14 S	15 E	WM	17	NW SW	1.7	403	FAHLSTROM	3-21
14 S	16 E	WM	26	NW NW	2.2	200	PETERSEN	5-21
14 S	16 E	WM	27	NE NW	8.0	201	S AND S HAY RANCH LLC	4-21
14 S	16 E	WM	31	NW NE	14.9	100	SMITH LANDING LLC	1-21
14 S	16 E	WM	31	NE NW	2.2	100	SMITH LANDING LLC	2-21
TOTAL					31.8			

7. Transfer Application T-13838 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User	Notice
13 S	15 E	WM	33	NW NE	0.2	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SW NE	7.1	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	NE NW	0.3	109	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SE NW	9.5	109	DEHLER	1-21; 2-21
14 S	15 E	WM	5	NW SW	2.0	300	GUTHRIE	6-21
14 S	15 E	WM	17	SW NW	2.5	400	FAHLSTROM	3-21
14 S	16 E	WM	26	NW NW	10.2	200	PETERSON	4-21; 5-21
TOTAL					31.8			

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

**Certificate:** 82247 in the name of U.S. BUREAU OF RECLAMATION (perfected under Permit S-25991)

**Use:** SUPPLEMENTAL IRRIGATION of 21.6 acres

**Priority Date:** APRIL 8, 1914

**Rate & Duty:** The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) for each acre irrigated and shall be further limited to 4.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

**Sources:** CROOKED RIVER and PRINEVILLE RESERVOIR (constructed under Permit R-2223), tributary to the CROOKED RIVER

**Authorized Points of Diversion:**

POD	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2	15 S	15 E	WM	36	SW SE	60 FEET SOUTH AND 1940 FEET WEST FROM THE SE CORNER OF SECTION 36

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User	Notice
14 S	15 E	WM	9	NE NE	2.0	100	GUTHRIE	6-21
14 S	15 E	WM	17	NE SW	0.8	403	FAHLSTROM	4-21
14 S	15 E	WM	17	NW SW	1.7	403	FAHLSTROM	3-21
14 S	16 E	WM	31	NW NE	14.9	100	SMITH LANDING LLC	1-21
14 S	16 E	WM	31	NE NW	2.2	100	SMITH LANDING LLC	1-21
TOTAL					21.6			

9. Transfer Application T-13838 proposes to change the place of use to:

**Proposed Place of Use:**

SUPPLEMENTAL IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User	Notice
13 S	15 E	WM	33	NW NE	0.2	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SW NE	7.1	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	NE NW	0.3	109	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SE NW	9.5	109	DEHLER	1-21; 2-21
14 S	15 E	WM	5	NW SW	2.0	300	GUTHRIE	6-2
14 S	15 E	WM	17	SW NW	2.5	400	FAHLSTROM	3-21; 4-21
TOTAL					21.6			

10. The Department finds that the district permanent transfer application was submitted according to ORS 540.580 and OAR 690-385-4000, contains the information required under OARs 690-385-4200 and 690-385-2000, and includes maps meeting the requirements of OARs 690-385-4300 and 690-385-2200.

11. The Department finds that the proposed district permanent transfer meets all the criteria set forth in ORS 540.580 and OAR 690-385-4000.
12. The water right is subject to transfer as defined in OAR 690-385-0100(17).
13. The proposed changes in places of use will not result in enlargement of the right as defined in OAR 690-385-0100(4).
14. The proposed changes in places of use will not result in injury to other water rights as defined in OAR 690-385-0100(6).
15. Any other applicable requirements for district permanent water right transfers are met as required in OAR 690-385-4500.

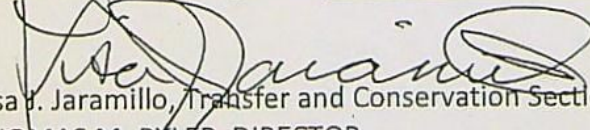
#### Conclusions of Law

The proposed changes in places of use as proposed in Transfer Application T-13838 comply with and satisfy the requirements of ORS 540.580 and OAR 690-385-4500.

#### Now, therefore, it is ORDERED:

1. The proposed changes in places of use to the water rights evidenced by Certificates 82246 and 82247 are approved.
2. The places of use from which the water rights are transferred off by Transfer T-13838 shall no longer be irrigated, and are cancelled from Certificates 82246 and 82247.
3. The right to the use of the water at the place of use NOT modified by this order is restricted to beneficial and is subject to all other conditions and limitations contained in Certificates 82246 and 82247 and any related decree.
4. The water users shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
5. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2023**. A Claim of Beneficial Use shall be submitted by OID to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
6. Water right Certificates 82246 and 82247 are modified. After satisfactory proof of completion has been determined by the Department, superseding water right certificates will be issued when the Department determines it is necessary for record keeping.

Dated in Salem, Oregon on JAN 26 2022

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

Mailing Date: JAN 27 2022

### **Application For A Minor Hydroelectric Project**

The Oregon Water Resources Department seeks public comment on the following application for a new minor hydroelectric project in Baker County. Comments must be submitted within 30 days of publication of the original notice. The application and supporting documents can be viewed at the Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you would like a copy of the application please contact Craig Kohanek (503) 986-0823 or [ron.c.kohanek@oregon.gov](mailto:ron.c.kohanek@oregon.gov) A copying fee will be assessed as allowed in ORS Chapter 536.050(1)(e).

Application:	HE 620
Applicant:	Brent Kerns
Address:	45298 Pocahontas Road, Haines, OR 97833
Amount of water:	0.11 cubic feet per second,
Source of water:	Willow Creek, tributary to Powder River
Location of the	
Points of Diversion:	SW ¼ NE ¼ of Section 4, Township 8 South, Range 38 East, W.M., Baker County
Place of Use:	SE ¼ NW ¼ of Section 4, Township 8 South, Range 38 East, W.M., Baker County
Power developed:	3.8 Theoretical horsepower for onsite use.

**Comments are Due March 2, 2022**

Crook County

T 14S R 16E Sec. 31 Tax Lot 100

NW Of The NE

RECEIVED

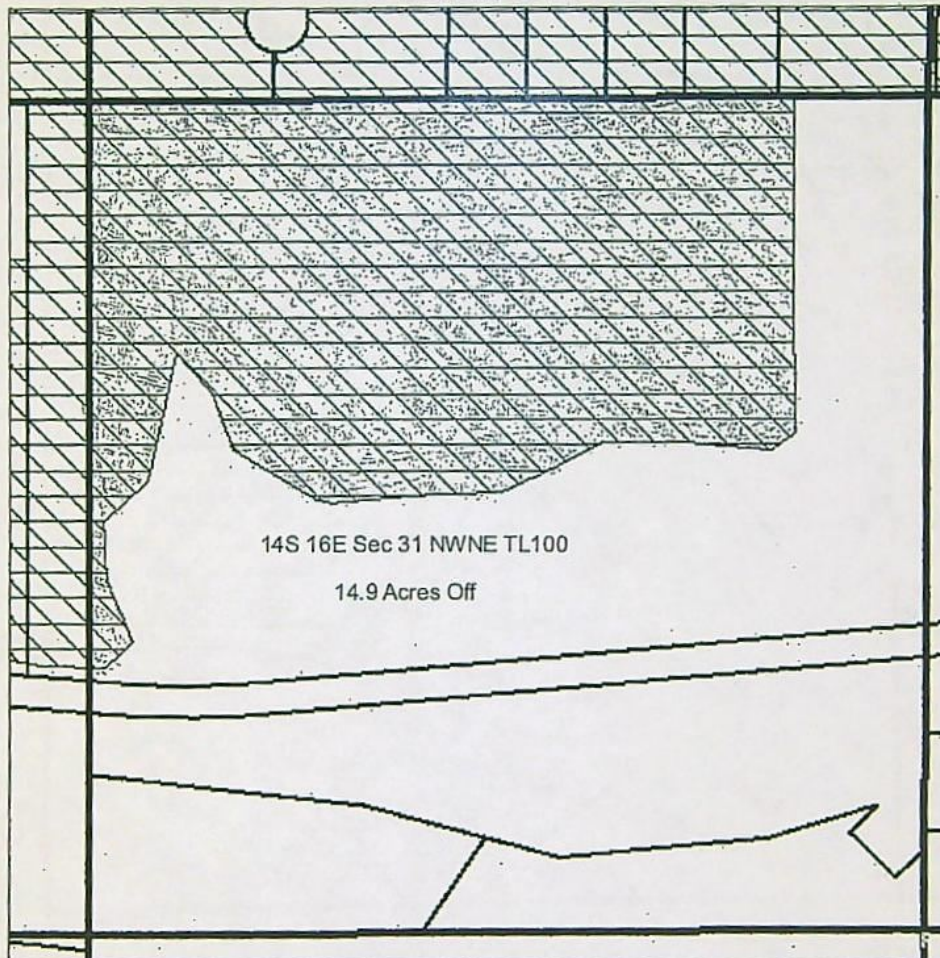
SEP 27 2021

OWRD

WORK  
COPY



OFF Map





Prepared: 12/16/2020


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
District Internal Notice #: 1-21


Certificate #: 82246 IR 82247 IS


 Transfer


 Less than 5 acres


 Cert 82246 IR

 Cert 82247 IR

 Tax Lot

 Cert 82246 IR / 82247 IS

 Cert 82249 IS

 QQ



Permanent Transfer

Smith Landing LLC

Acres: 14.9

13838

# Crook County

T 14S R 16E Sec. 31 Tax Lot 100

NE Of The NW

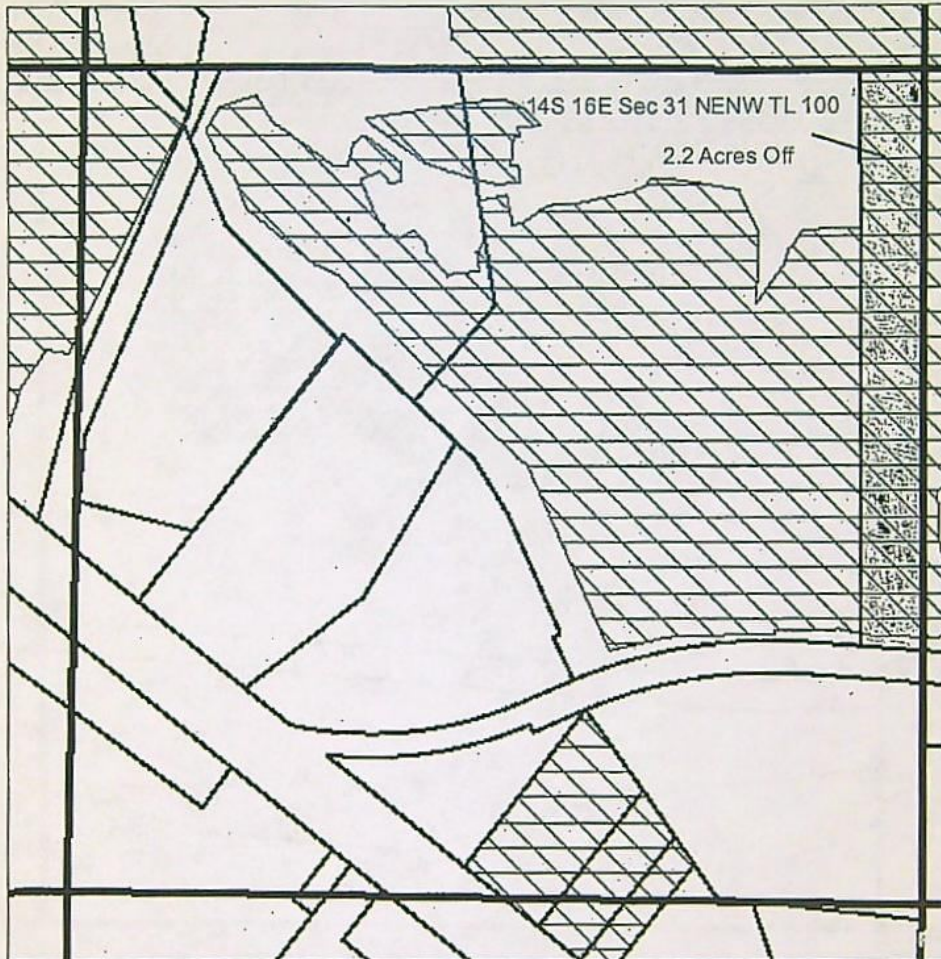


RECEIVED

SEP-27 2021

OWRD

## OFF Map





Prepared: 12/16/2020


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
District Internal Notice #: 2-21


Certificate #: 82246 IR 82247 IS


 Transfer


 Less than 5 acres


 Cert 82246 IR

 Cert 82247 IR

 Tax Lot

 Cert 82246 IR / 82247 IS

 Cert 82249 IS

 QQ



Permanent Transfer

Smith Landing LLC

Acres: 2.2

13838

# Crook County

T 14 R 15 Sec. 33 Tax Lot 109, 110

RECEIVED

NE,SE, NW,SW Of The NW,NW,NE,NE

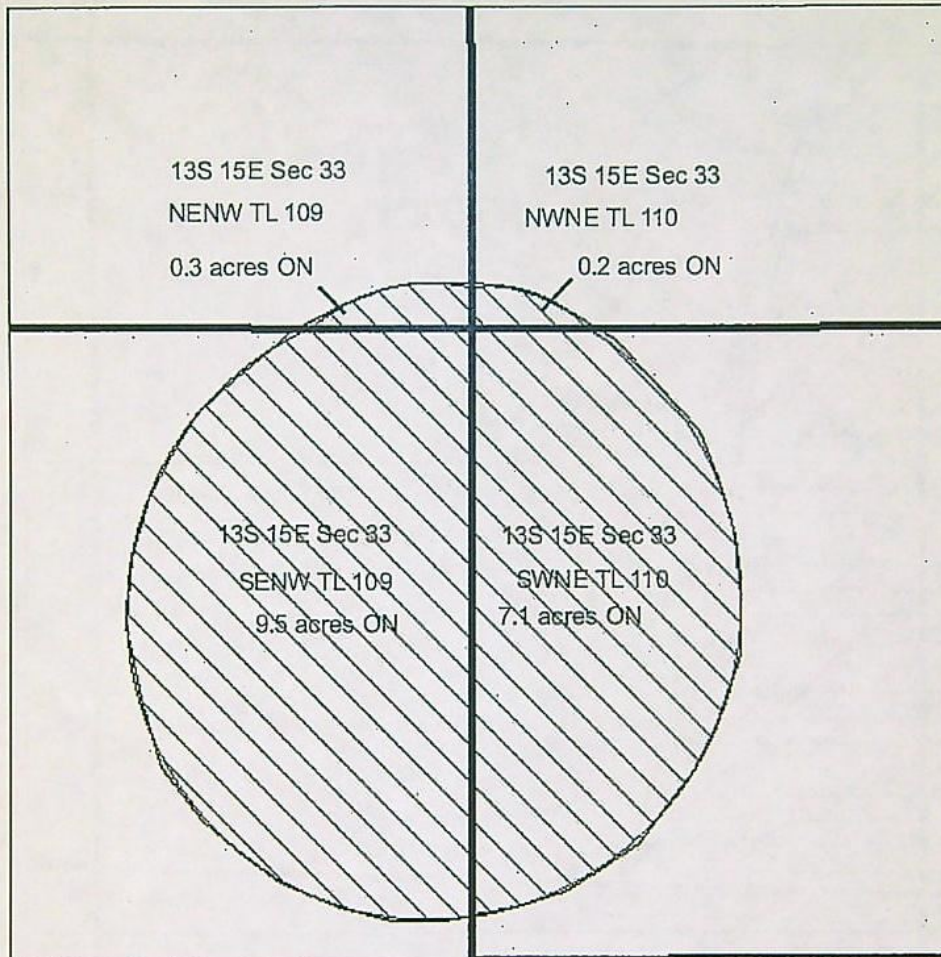
SEP 27 2021



OWRD

acres involved in transfer  
need shading to match legend

## ON Map











Prepared: 8/24/2021

1 in = 400 ft

District Internal Notice #: 1-21, 2-21

Certificate #: 82246 IR - 82247 IS

- |   |   |  |
|---|---|--|
|  Transfer          |  Cert 82246 IR |  Cert 82246 IR / 82247 IS |
|  Less than 5 acres |  Cert 82247 IR |  Cert 82249 IS            |
|   |  Tax Lot       |  QQ                       |



Permanent

John Dehler

Acres: 17.1 acres ON

13838

Crook County

T 14S R 15E Sec. 17 Tax Lot 403

NE Of The SW

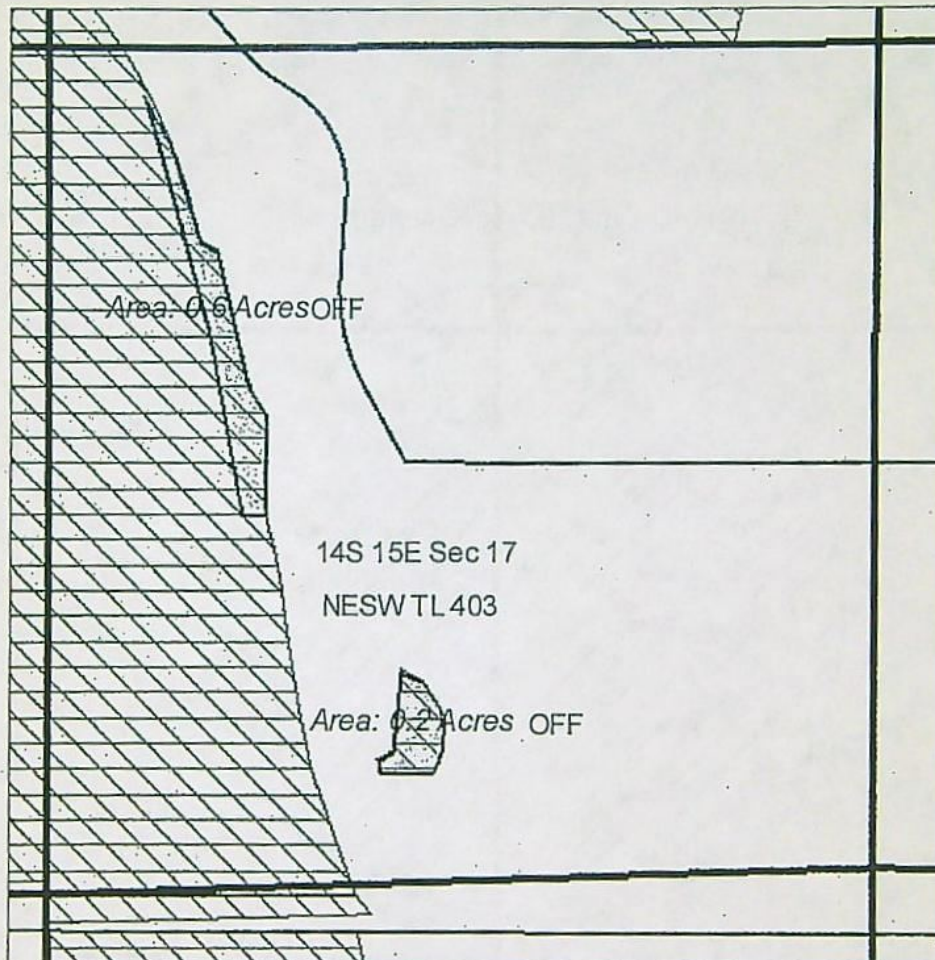
RECEIVED

SEP 27 2021

OWRD



OFF Map



1 in = 400 ft

District Internal Notice #: 3-21

Certificate #: 82246 IR - 82247 IS



Transfer



Less than 5 acres



Cert 82246 IR



Cert 82247 IR



Tax Lot



Cert 82246 IR / 82247 IS



Cert 82249 IS



QQ



Permanent Transfer

John Fahlstrom

Acres: 0.8 Acres OFF

13838

Crook County

T 14S R 15E Sec. 17 Tax Lot 403

NW Of The SW

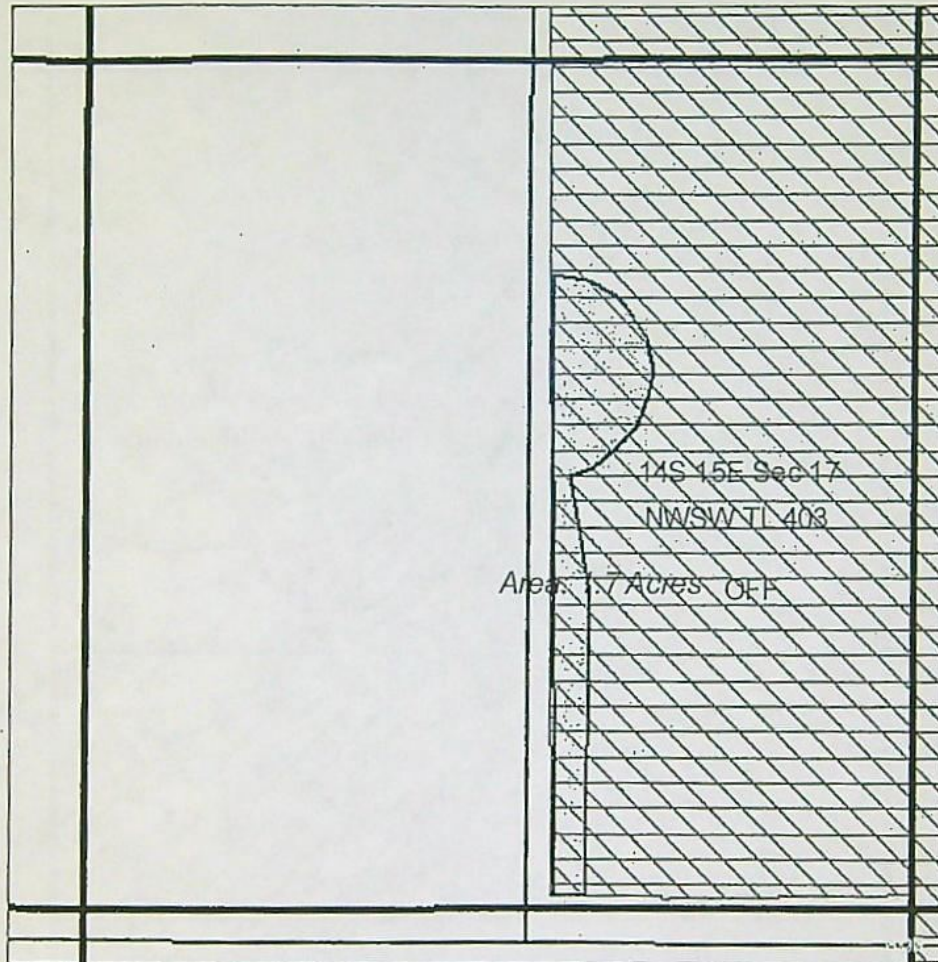


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SEP 27 2021

OWRD

OFF Map



1 in = 400 ft

District Internal Notice #: 3-21

Certificate #: 82246 IR - 82247 IS



Transfer



Less than 5 acres



Cert 82246 IR



Cert 82247 IR



Tax Lot



Cert 82246 IR / 82247 IS



Cert 82249 IS



QQ



Permanent Transfer

John Fahlstrom

Acres: 1.7 Acres OFF

13838

# Crook County

T 14 R 15 Sec. 17 Tax Lot 400

RECEIVED

SW Of The NW

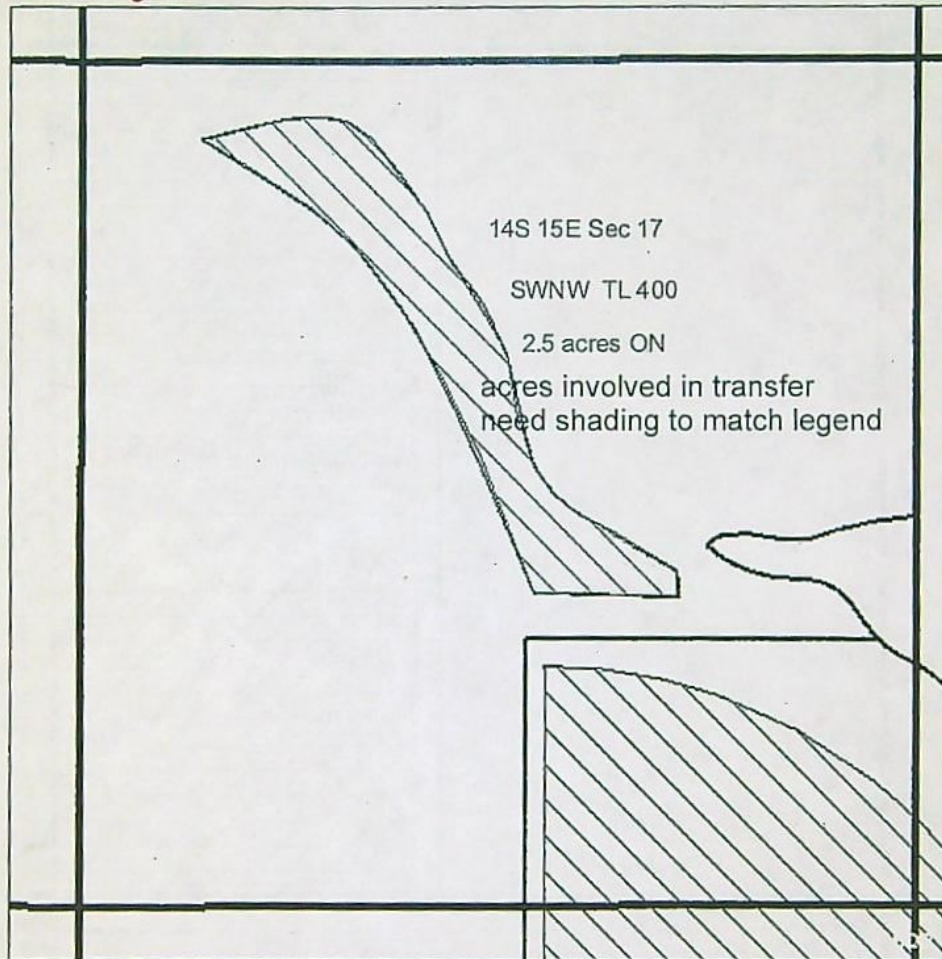
SEP 27 2021



OWRD

acres involved in transfer  
need shading to match legend

ON Map



Prepared: 8/24/2021

1 in = 400 ft

District Internal Notice #: 3-21

Certificate #: 82246 IR <sup>t</sup>

the table also references C. 82247



Transfer



Less than 5 acres



Cert 82246 IR



Cert 82247 IR



Tax Lot



Cert 82246 IR / 82247 IS



Cert 82249 IS



QQ



Permanent

John Fahlstrom

Acres: 2.5 acres ON

13888

# Crook County

T 14 R 16 Sec. 27 Tax Lot 201

RECEIVED

SEP 27 2021

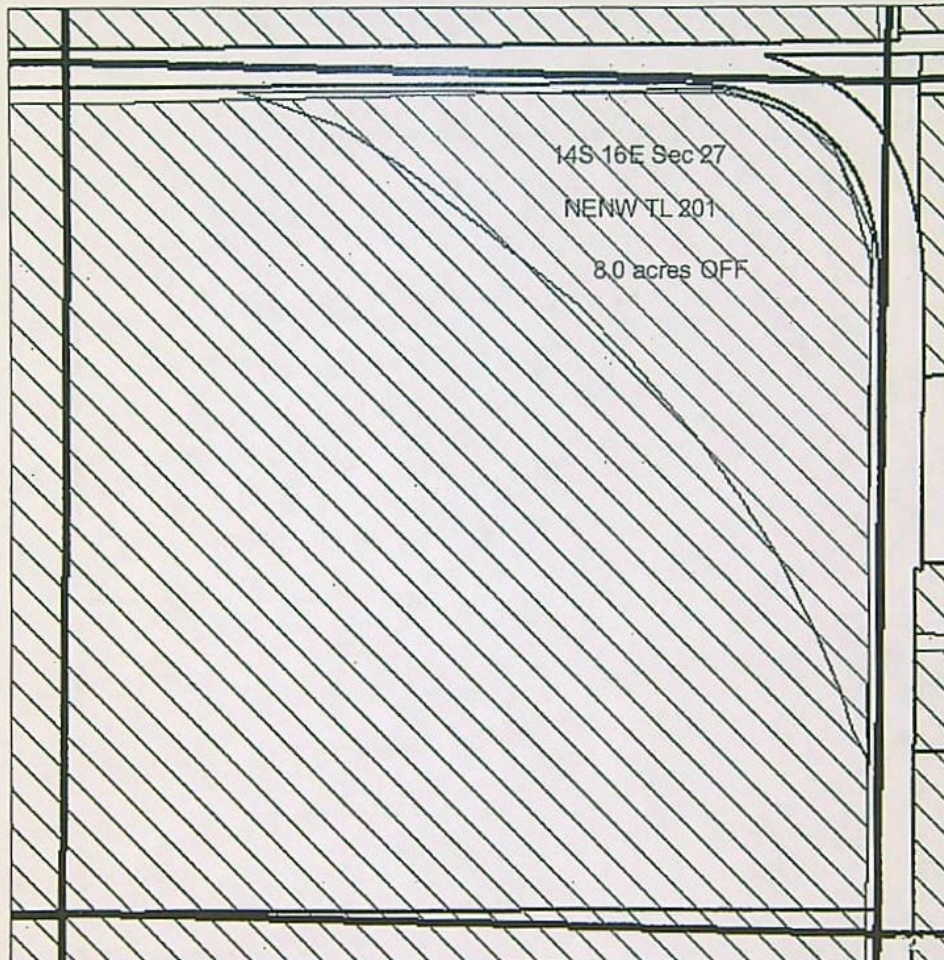
acres involved in transfer  
need shading to match legend

NE Of The NW

OWRD



## OFF Map

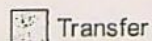


Prepared: 8/24/2021

1 in = 400 ft

District Internal Notice #: 4-21

Certificate #: 82246 IR



Transfer



Less than 5 acres



Cert 82246 IR



Cert 82247 IR



Tax Lot



Cert 82246 IR / 82247 IS



Cert 82249 IS



QQ



Permanent

S and S Hay Ranch LLC

Acres: 8.0 acres OFF

13838

# Crook County

T 14 R 16 Sec. 26 Tax Lot 200

NW Of The NW

RECEIVED

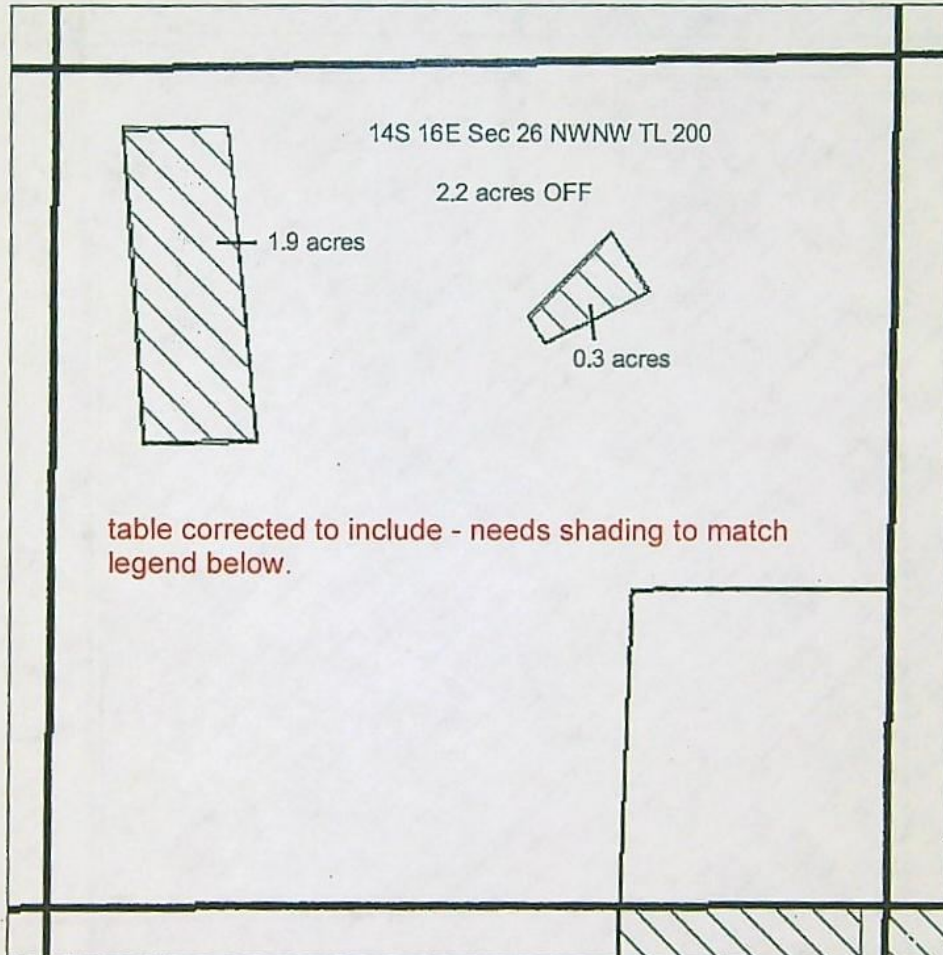
SEP-27 2021

OWRD

acres involved in transfer  
need shading to match legend



## OFF Map



Prepared: 8/24/2021

District Internal Notice #: 5-21

Certificate #: 82246 IR



Transfer



Less than 5 acres



Cert 82246 IR



Cert 82247 IR



Tax Lot



Cert 82246 IR / 82247 IS



Cert 82249 IS



QQ



Permanent

James Petersen

Acres: 2.2 acres OFF

13838

# Crook County

T 14 R 16 Sec. 26 Tax Lot 200

RECEIVED

SEP 27 2021

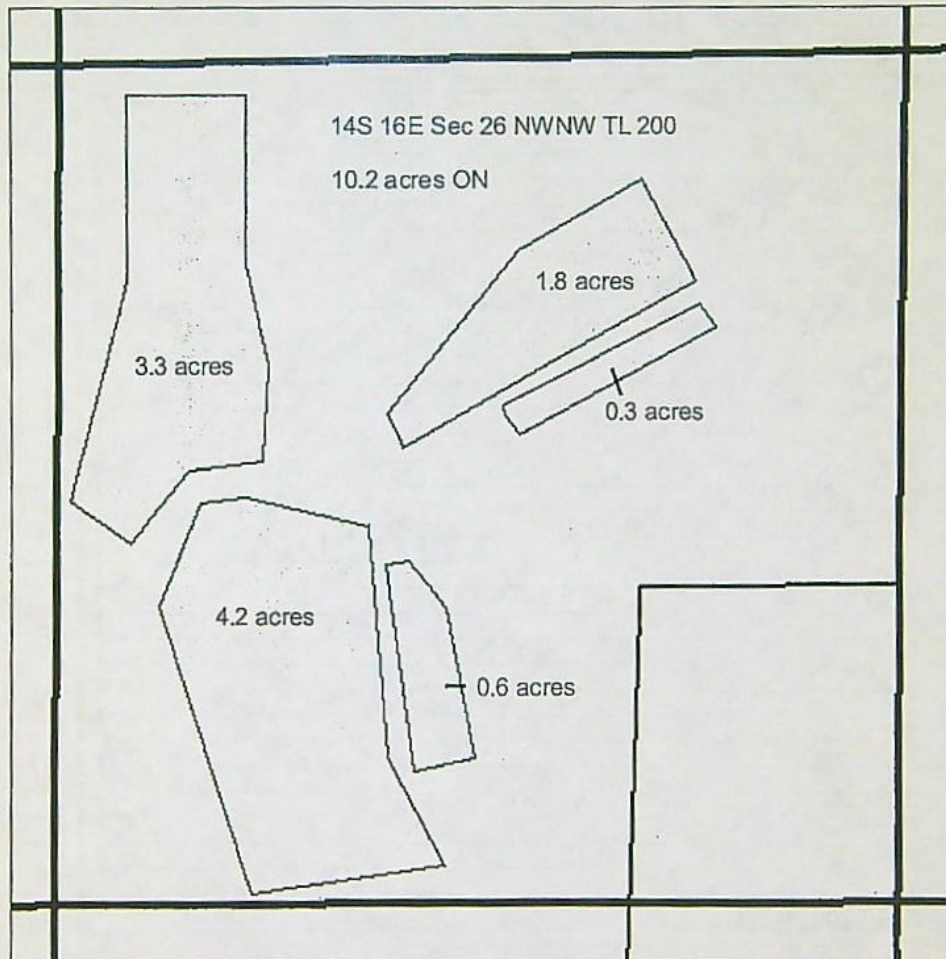
NW Of The NW

OWRD

acres involved in transfer  
need shading to match legend



## ON Map



Prepared: 8/24/2021

1 in = 400 ft

District Internal Notice #: 4-21 5-21

Certificate #: 82246 IR



Transfer



Less than 5 acres



Cert 82246 IR



Cert 82247 IR



Tax Lot



Cert 82246 IR / 82247 IS



Cert 82249 IS



QQ



Permanent

James Petersen

Acres: 10.2 ON

13838

# Crook County

T 14S R 15E Sec. 9 Tax Lot 100

RECEIVED

SEP 27 2021

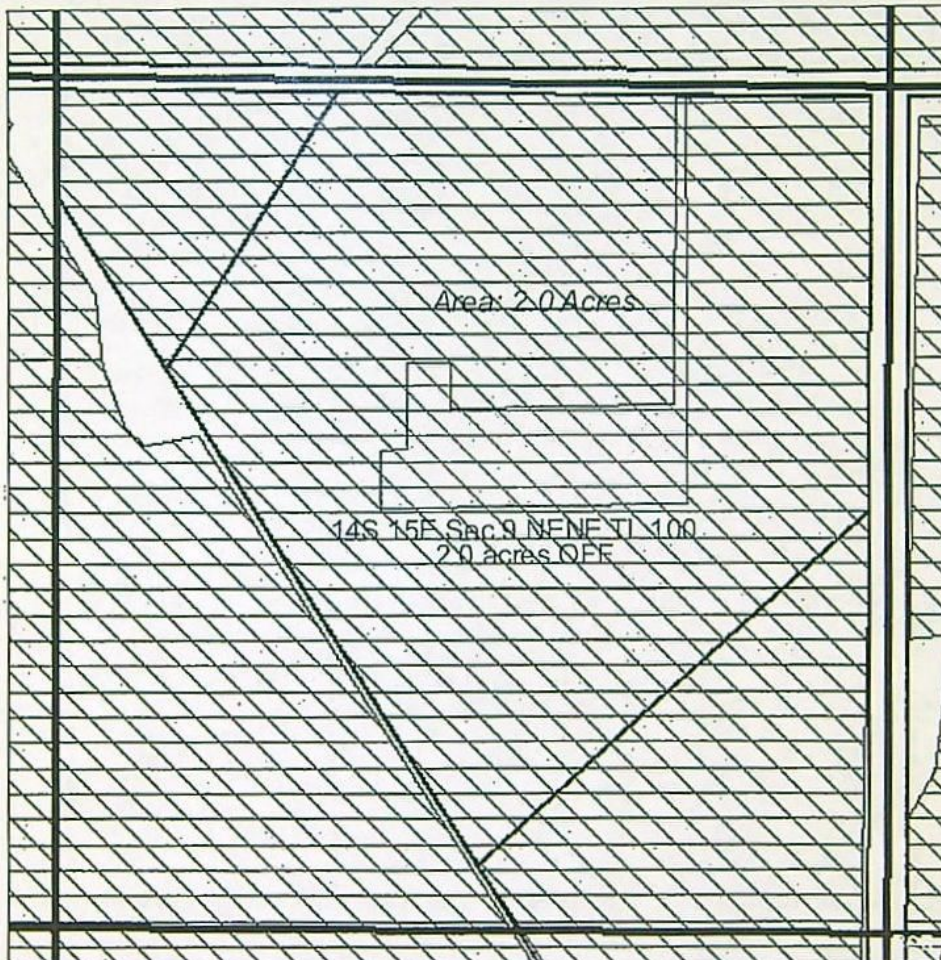
NE Of The NE

acres involved in transfer  
need shading to match legend

OWRD



## OFF Map



Prepared: 9/9/2021

1 in = 400 ft

District Internal Notice #: 6-21

Certificate #: 82246 IR 82247 IS



Transfer



Less than 5 acres



Cert 82246 IR



Cert 82247 IR

Tax Lot



Cert 82246 IR / 82247 IS



Cert 82249 IS



QQ



Permanent Transfer

William Guthrie

Acres: 2.0 OFF

13838

Crook County

T 14S R 15E Sec. 5 Tax Lot 300

NW Of The SW



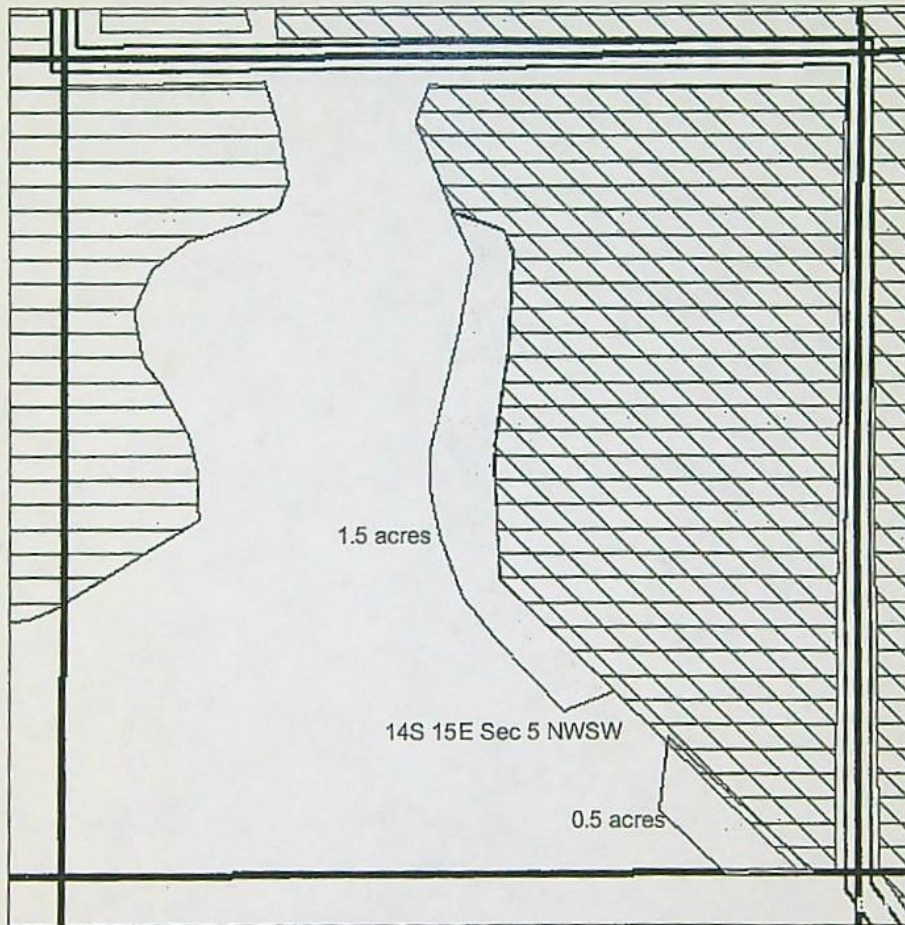
RECEIVED

SEP 27 2021

OWRD

acres involved in transfer  
need shading to match legend

ON Map

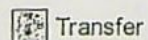


Prepared: 7/8/2021

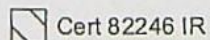
1 in = 400 ft

District Internal Notice #: 6-21

Certificate #: 82246 IR 82247 IS



Less than 5 acres



Cert 82247 IR

Tax Lot



Cert 82249 IS



Permanent Transfer

William Guthrie

Acres: 2.0 acres ON

13838

# Crook County

T 14S R 16E Sec. 31 Tax Lot 100

NW Of The NE

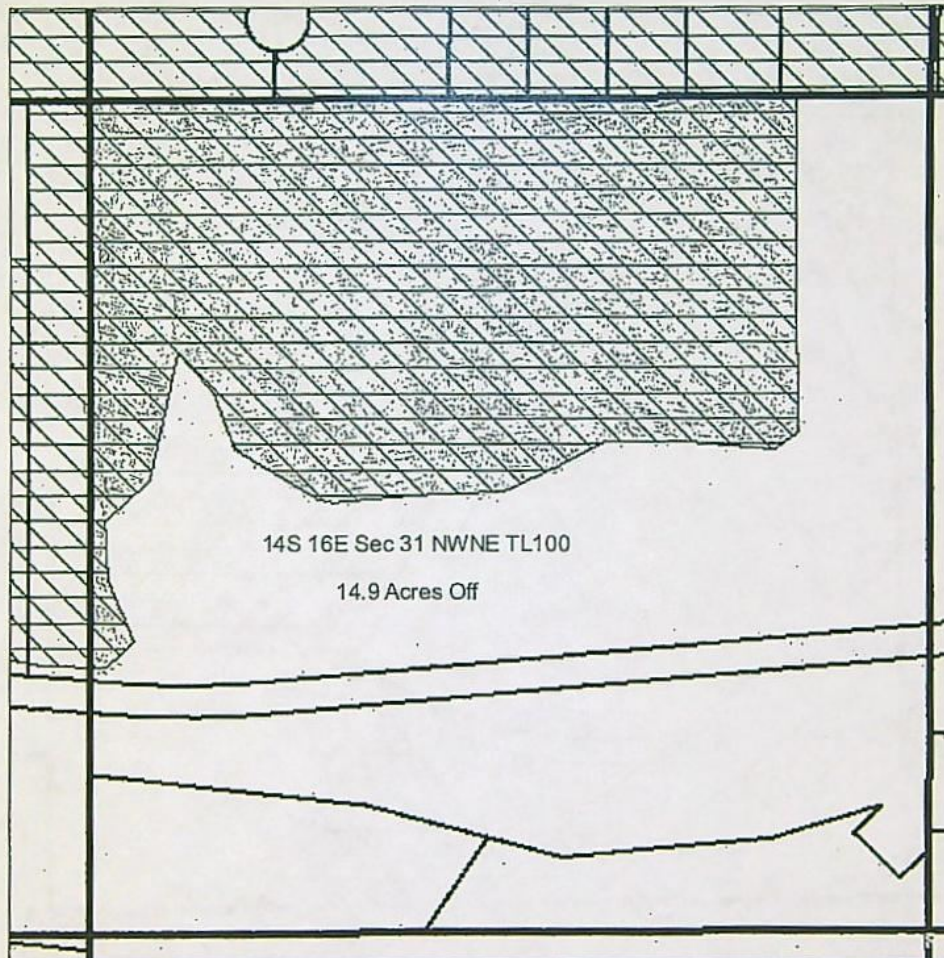
RECEIVED

SEP 27 2021

OWRD



## OFF Map



Prepared: 12/16/2020

1 in = 400 ft

District Internal Notice #: 1-21

Certificate #: 82246 IR 82247 IS



Transfer



Less than 5 acres



Cert 82246 IR



Cert 82247 IR



Tax Lot



Cert 82246 IR / 82247 IS



Cert 82249 IS



QQ



Permanent Transfer

Smith Landing LLC

Acres: 14.9

13838

# Crook County

T 14S R 16E Sec. 31 Tax Lot 100

NE Of The NW

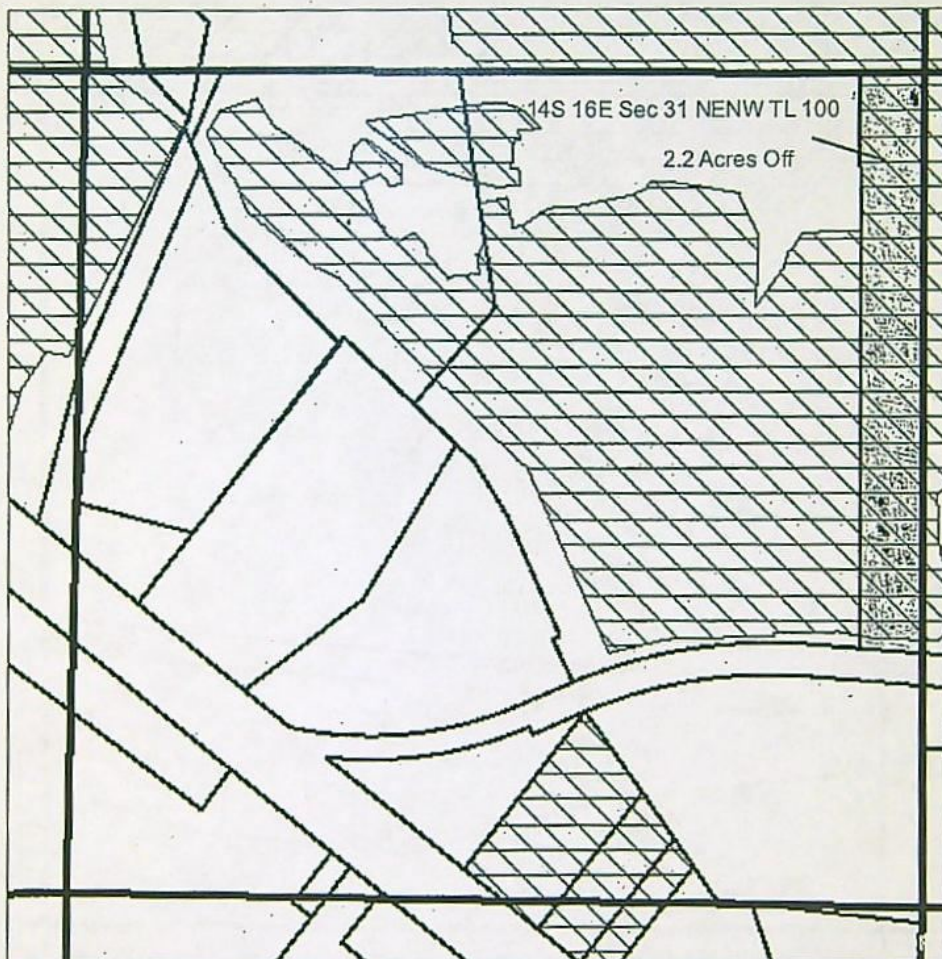
RECEIVED

SEP 27 2021

OWRD



## OFF Map



Prepared: 12/16/2020

1 in = 400 ft

District Internal Notice #: 2-21

Certificate #: 82246 IR 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent Transfer

Smith Landing LLC

Acres: 2.2

13838

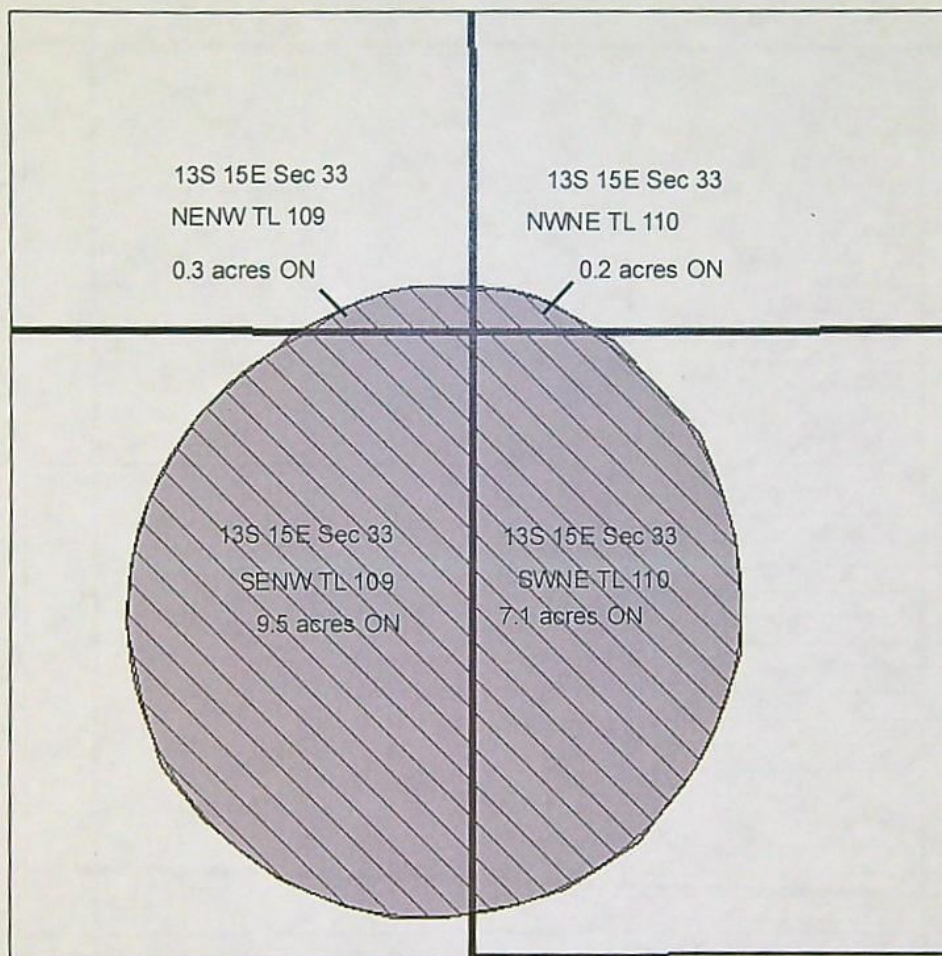
# Crook County

T 14 R 15 Sec. 33 Tax Lot 109, 110

NE,SE, NW,SW Of The NW,NW,NE,NE



## ON Map





Prepared: 8/24/2021


1 in = 400 ft


District Internal Notice #: 1-21, 2-21


Certificate #: 82246 IR - 82247 IS


 Transfer


 Less than 5 acres

 Cert 82246 IR

 Cert 82247 IR

 Tax Lot

 Cert 82246 IR / 82247 IS

 Cert 82249 IS

 QQ



Permanent

John Dehler

Acres: 17.1 acres ON

Crook County

T 14S R 15E Sec. 17 Tax Lot 403

NE Of The SW

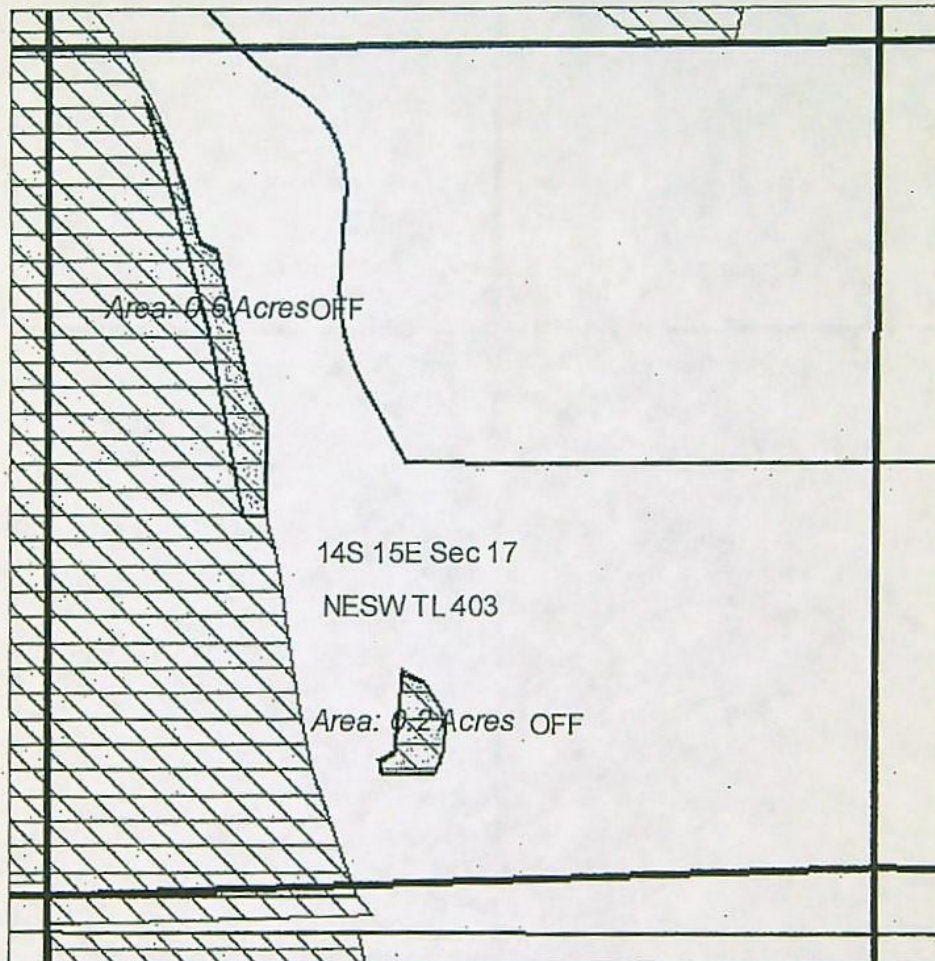
RECEIVED

SEP-27 2021

OWRD



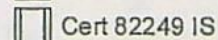
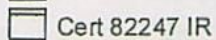
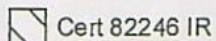
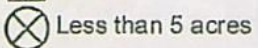
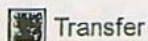
OFF Map



1 in = 400 ft

District Internal Notice #: 3-21

Certificate #: 82246 IR - 82247 IS



Permanent Transfer

John Fahlstrom

Acres: 0.8 Acres OFF

13838

Crook County

T 14S R 15E Sec. 17 Tax Lot 403

NW Of The SW

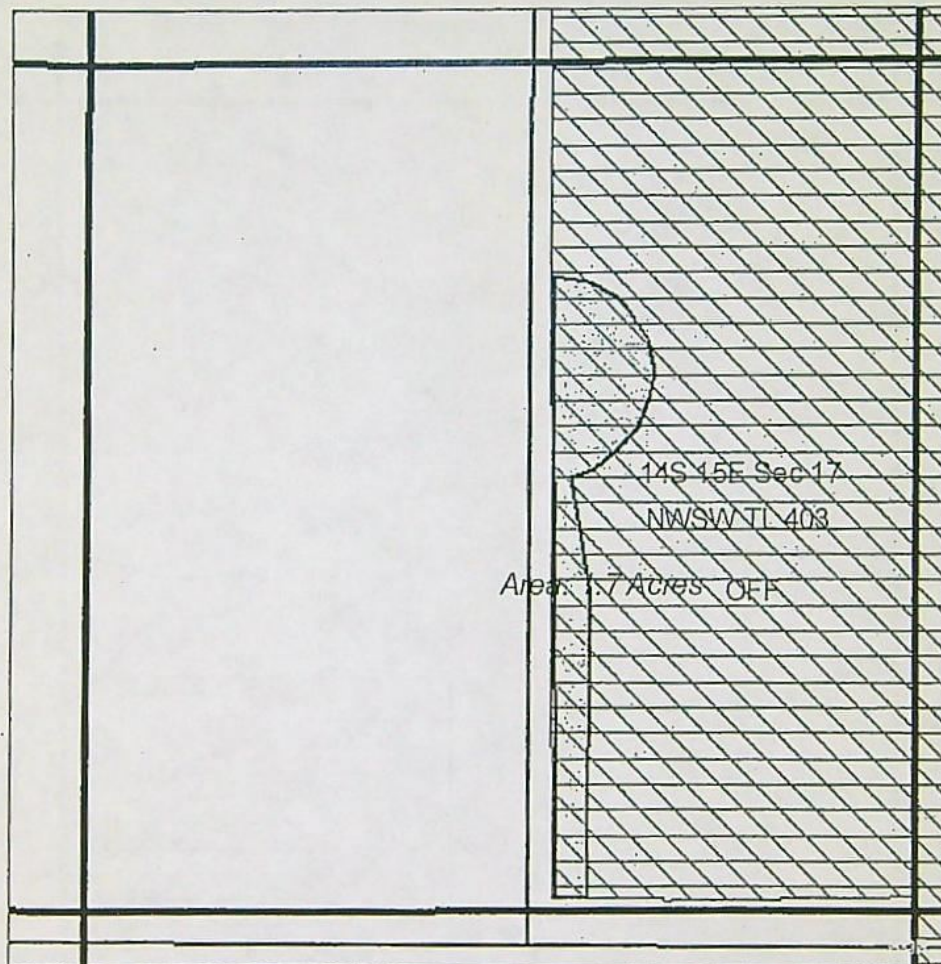
RECEIVED

SEP 27 2021

OWRD




OFF Map





1 in = 400 ft


District Internal Notice #: 3-21


Certificate #: 82246 IR - 82247 IS

 Transfer


 Less than 5 acres

 Cert 82246 IR

 Cert 82247 IR

 Tax Lot

 Cert 82246 IR / 82247 IS

 Cert 82249 IS

 QQ



Permanent Transfer

John Fahlstrom

Acres: 1.7 Acres OFF

13838

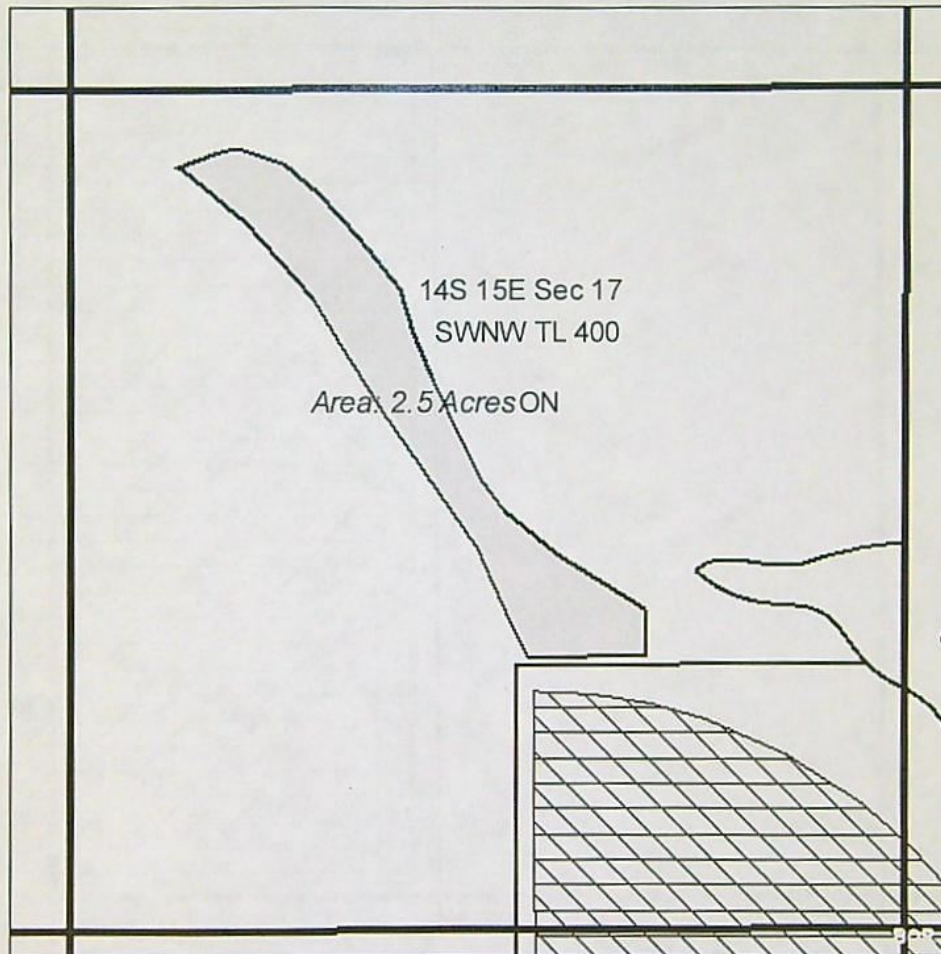
# Crook County

T 14S R 15E Sec. 17 Tax Lot 400

SW Of The NW



## ON Map



Prepared: 1/15/2021

1 in = 400 ft

District Internal Notice #: 3-21

Certificate #: 82246 IR - 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent Transfer

John Fahlstrom

Acres: 2.5

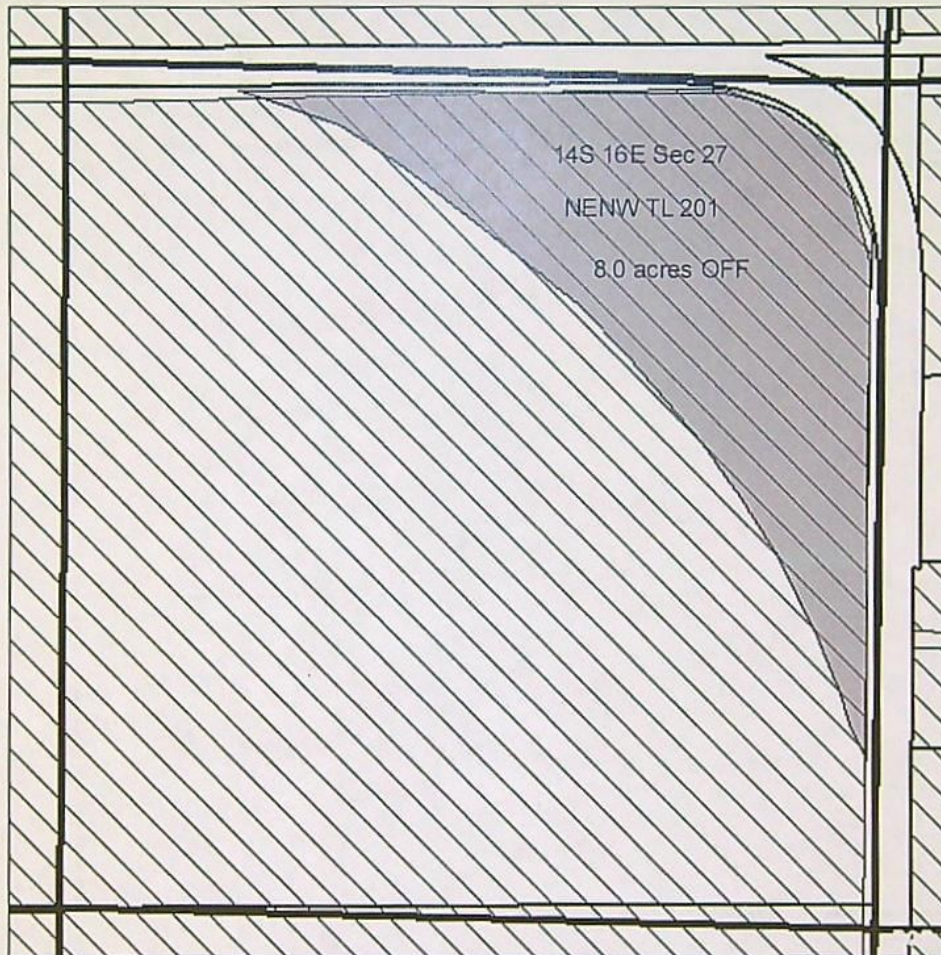
Crook County

T 14 R 16 Sec. 27 Tax Lot 201

NE Of The NW



OFF Map



Prepared: 8/24/2021

1 in = 400 ft

District Internal Notice #: 4-21

Certificate #: 82246 IR

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent

S and S Hay Ranch LLC

Acres: 8.0 acres OFF

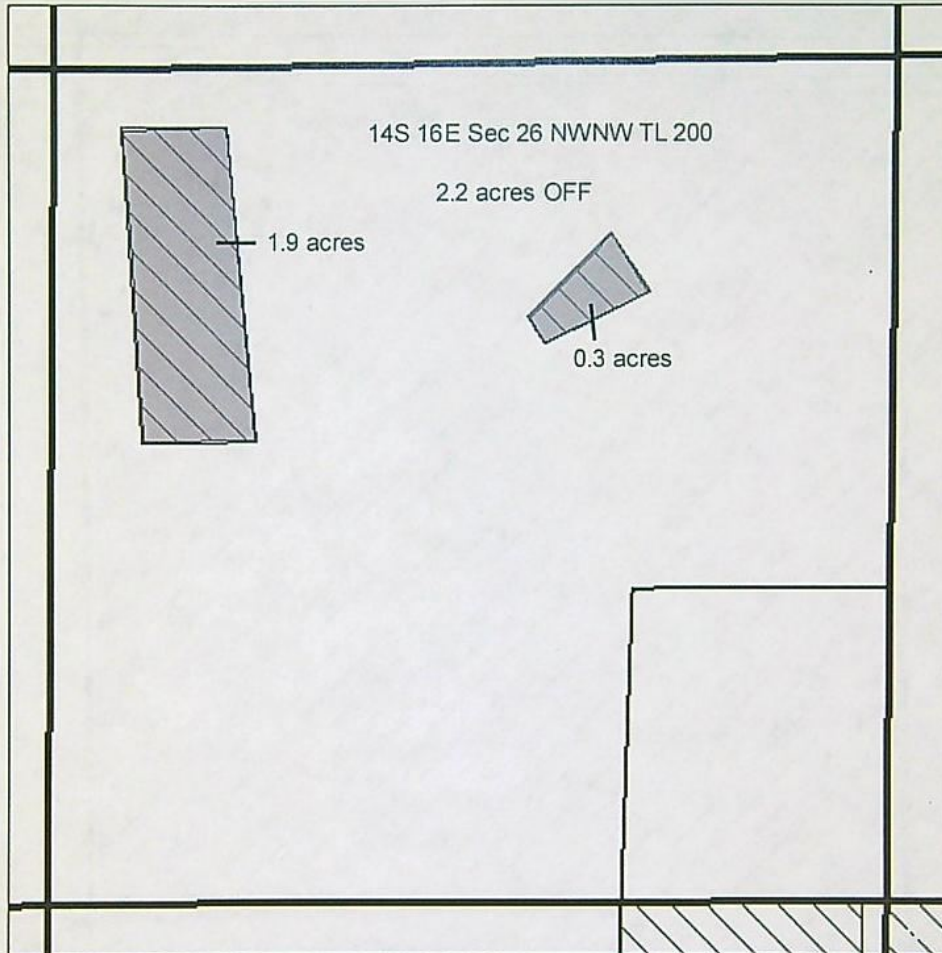
# Crook County

T 14 R 16 Sec. 26 Tax Lot 200

NW Of The NW



## OFF Map



Prepared: 8/24/2021

District Internal Notice #: 5-21

Certificate #: 82246 IR

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent

James Petersen

Acres: 2.2 acres OFF

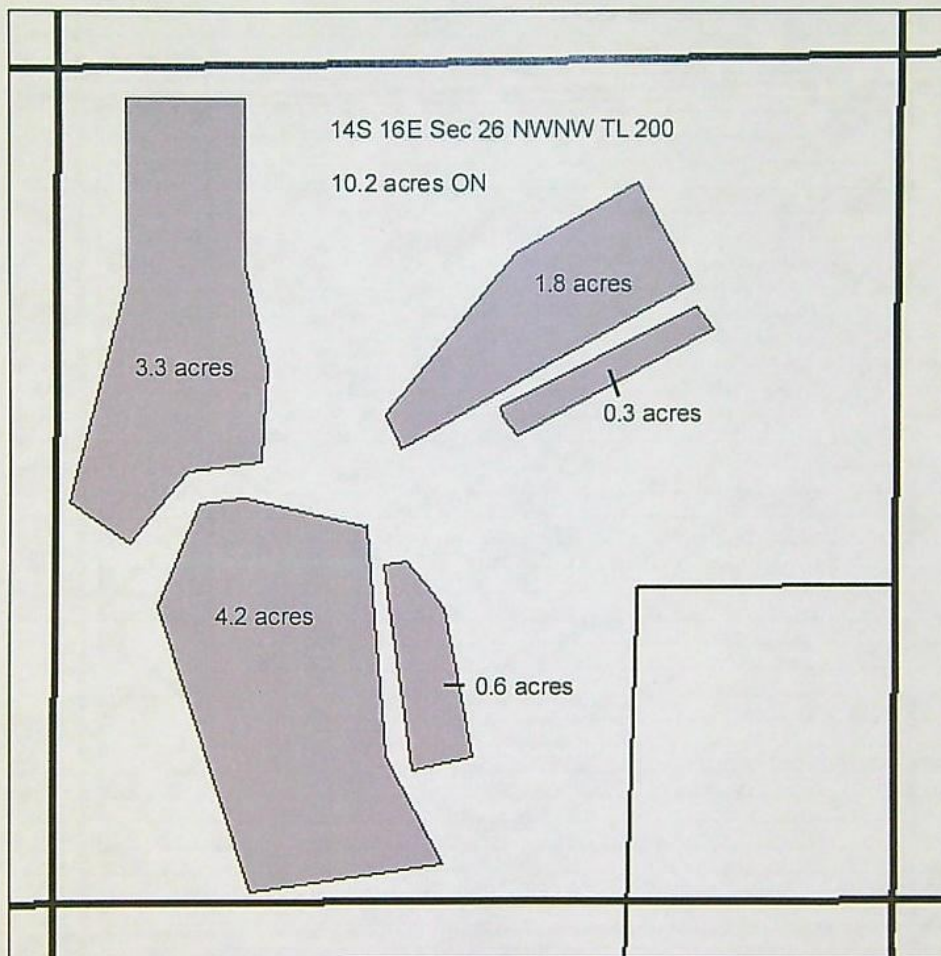
# Crook County

T 14 R 16 Sec. 26 Tax Lot 200

NW Of The NW



## ON Map



Prepared: 8/24/2021

1 in = 400 ft

District Internal Notice #: 4-21

Certificate #: 82246 IR

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent

James Petersen

Acres: 10.2 ON

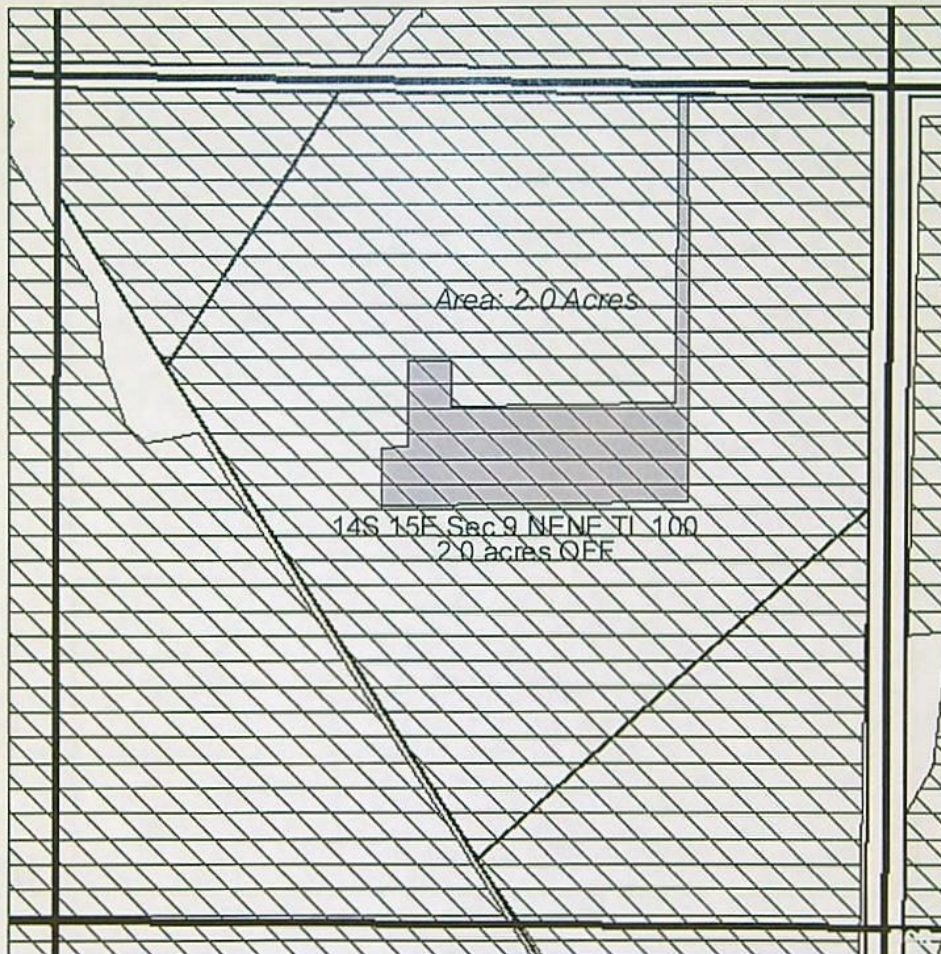
# Crook County

T 14S R 15E Sec. 9 Tax Lot 100

NE Of The NE



OFF Map



Prepared: 9/9/2021

1 in = 400 ft

District Internal Notice #: 6-21

Certificate #: 82246 IR 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent Transfer

William Guthrie

Acres: 2.0 OFF

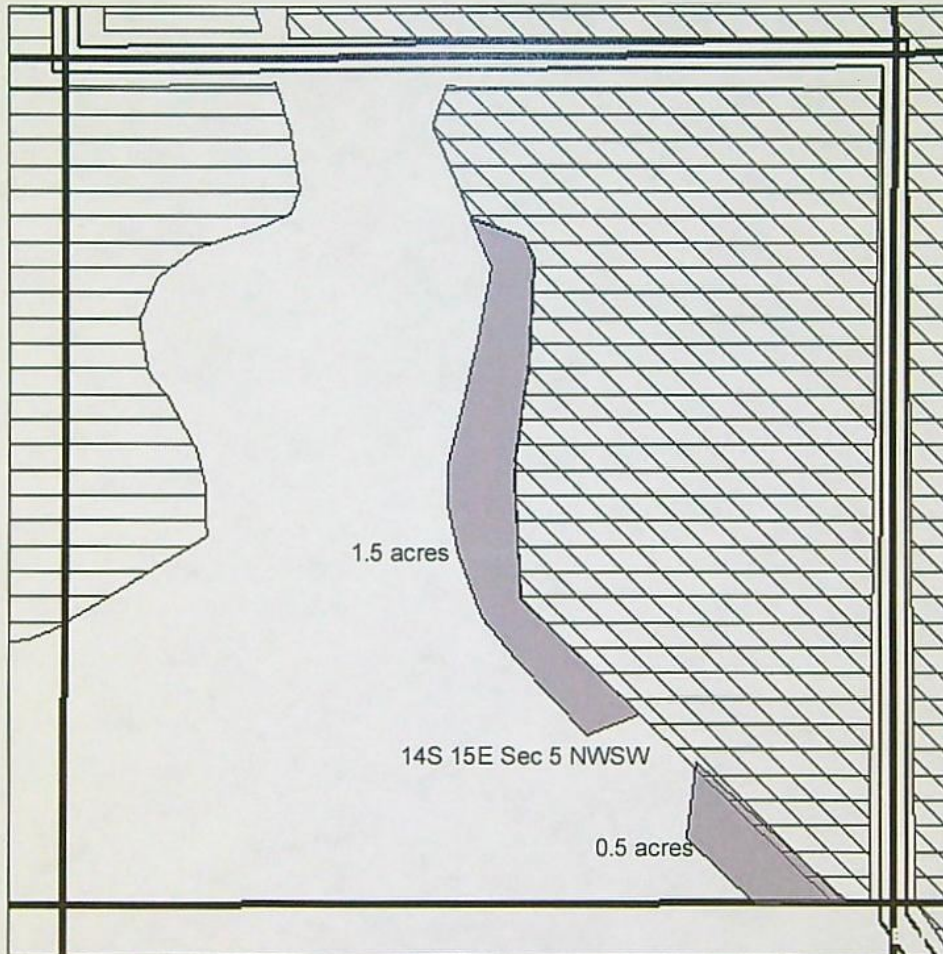
# Crook County

T 14S R 15E Sec. 5 Tax Lot 300

NW Of The SW



ON Map



Prepared: 7/8/2021

District Internal Notice #: 6-21

Certificate #: 82246 IR 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent Transfer

William Guthrie

Acres: 2.0 acres ON

**REECE Ann L \* WRD**

**From:** REECE Ann L \* WRD  
**Sent:** Friday, November 19, 2021 10:59 AM  
**To:** Ochoco Irrigation District; 'Russ Rhoden'  
**Subject:** corrections needed for T-13838  
**Attachments:** T-13838 Map with notes.pdf

Hi Russ & Bruce,

I have completed by review of T-13838. There are some corrections needed on the maps. I made notes on the attached copy. Also, the table does not match the maps for each POU, and some of the notice numbers are inconsistent with the maps, and will also need some updates.

I think your intended transfer is as indicated below. Ann

C82246 IR & C82247 IS

C82246 IR & no IS

**Authorized Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User	Notice
14 S	15 E	WM	9	NE NE	2.0	100	GUTHRIE	6-21
14 S	15 E	WM	17	NE SW	0.8	403	FAHLSTROM	3-21
14 S	15 E	WM	17	NW SW	1.7	403	FAHLSTROM	3-21
14 S	16 E	WM	26	NW NW	2.2*	200	S AND S HAY RANCH LLC	5-21
14 S	16 E	WM	27	NE NW	8.0	201	S AND S HAY RANCH LLC	4-21
14 S	16 E	WM	31	NW NE	14.9	100	SMITH LANDING LLC	1-21
14 S	16 E	WM	31	NE NW	2.2	100	SMITH LANDING LLC	2-21
TOTAL					31.8			

\*not on table

1. Transfer Application T-13838 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User	Notice
13 S	15 E	WM	33	NW NE	0.2	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SW NE	7.1	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	NE NW	0.3	109	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SE NW	9.5	109	DEHLER	1-21; 2-21
14 S	15 E	WM	5	NW SW	2.0	300	GUTHRIE	6-21
14 S	15 E	WM	17	SW NW	2.5	400	FAHLSTROM	3-21
14 S	16 E	WM	26	NW NW	10.2*	200	PETERSON	4-21; 5-21
TOTAL					31.8			

\*8.0 on table

Please note email address update: [Ann.L.Reece@water.oregon.gov](mailto:Ann.L.Reece@water.oregon.gov)

Best Regards,

Ann Reece | District Transfer Program Advisor  
725 Summer St NE Suite A | Salem OR 97301 | Cell Phone 503-979-3214



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

**\*\*\*Teleworking \*\*\* Mon, Tu, Wed, Thurs 7:00 to 4:45; Fri 7:00 to 11AM**

email: [Ann.L.Reece@water.oregon.gov](mailto:Ann.L.Reece@water.oregon.gov) Web: <https://www.oregon.gov/OWRD/>

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

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

OWRD RECEIVED

Ann Reece, 12/8/2021, 3:34:39 PM

Hi Russ & Bruce,

I have completed by review of T-13838. There are some corrections needed on the maps. I made notes on the attached copy. Also, the table does not match the maps for each POU, and some of the notice numbers are inconsistent with the maps, and will also need some updates.

I think your intended transfer is as indicated below. Ann **OID response to email in red**

C82246 IR & C82247 IS

C82246 IR & no IS

**Authorized Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User	Notice
14 S	15 E	WM	9	NE NE	2.0	100	GUTHRIE	6-21
14 S	15 E	WM	17	NE SW	0.8	403	FAHLSTROM	3-21
14 S	15 E	WM	17	NW SW	1.7	403	FAHLSTROM	3-21
14 S	16 E	WM	26	NW NW	2.2*	200	<b>JAMES PETERSEN</b>	5-21
14 S	16 E	WM	27	NE NW	8.0	201	S AND S HAY RANCH LLC	4-21
14 S	16 E	WM	31	NW NE	14.9	100	SMITH LANDING LLC	1-21
14 S	16 E	WM	31	NE NW	2.2	100	SMITH LANDING LLC	2-21
TOTAL					31.8			

**\*not on table – I MISSED GETTING THE 2.2 OFF FOR JAMES PETERSEN ON THE TABLE – BUT THE MAP IS THERE 5-21.**

1. Transfer Application T-13838 proposes to change the place of use to:

**Proposed Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User	Notice
13 S	15 E	WM	33	NW NE	0.2	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SW NE	7.1	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	NE NW	0.3	109	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SE NW	9.5	109	DEHLER	1-21; 2-21
14 S	15 E	WM	5	NW SW	2.0	300	GUTHRIE	6-21
14 S	15 E	WM	17	SW NW	2.5	400	FAHLSTROM	3-21
14 S	16 E	WM	26	NW NW	10.2*	200	PETERSON	4-21; 5-21
TOTAL					31.8			

**\*8.0 on table – 10.2 FOR PETERSEN ON IS CORRECT**

**(2.2 FROM PETERSEN OFF AND 8.0 FROM S&S HAY OFF)**

# Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13838

Review Due Date: 11/04/2021

Applicant Name: Ochoco Irrigation District

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

Reviewer(s): Giffin

Date of Review: 10/08/2021

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:  
Not on this section of the river.
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:

13. What alternatives may be available for addressing any issues identified above:

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  
☐ Parshall Flume  
☐ Other: \_\_\_\_\_

☐ Submerged Orifice  
☐ Flow Restrictor

## Oregon Water Resources Department

## Measurement Condition Information for the Applicant

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

Transfer #: T-

- ☐ In order to avoid enlargement of the right or injury to other rights, a \_\_\_\_\_ will be required to be installed prior to diversion of water, as a condition of this transfer:
- ☐ at each point of diversion/appropriation (new and existing) **OR**
- ☐ at each new point of diversion/appropriation.

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

Watermaster name:

District:

Address:

City/State/Zip:

Phone:

Email:

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

\*\*\*\*\*

## Approval of an Alternate Measurement Device

T-

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

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

---



---



---

 Watermaster signature

---

 District

---

 Date

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

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



**Oregon**  
Kate Brown, Governor

**Water Resources Department**

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

October 5, 2021

OCHOCO IRRIGATION DISTRICT  
1001 NW DEER ST  
PRINEVILLE, OR 97754

Reference: District Permanent Transfer T-13838

On September 27, 2021, we received your district transfer application requesting PLACE OF USE changes. The application was accompanied by \$1970.00. Your receipt number 136490 is enclosed.

By copy of this letter, we are asking the Watermaster for their report regarding the potential for injury to existing water rights which may be caused by the change.

This application will be published on the Department's weekly notice dated October 5, 2021, viewable at [http://apps.wrd.state.or.us/apps/misc/wrd\\_notice\\_view/?notice\\_id=21](http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21). A copy of the application can be assessed through this public notice link. Pursuant to Oregon administrative rules, the Department is requesting public comments on the recently filed district transfer application listed above. Comments may be submitted by any interested persons within 30 days of the weekly notice publication date. Comments must be received by the Department on or before November 4, 2021. For details on how to file comments please refer to the Department's weekly notice. Details for filing protests, if applicable, are also noted on the weekly notice.

If you have any questions, please call the Transfer Section, (503) 979-9931.

cc: Watermaster # 11, Jeremy T. Giffin (*via email*)  
Bureau of Reclamation  
File

Enclosure



RECEIVED

SEP 27 2021

OWRD

OWRD

Attn: Ann Reece

725 Summer Street NE Suite A

Salem, Oregon 97301

Hello Ann,

Hope you are doing well. Enclosed are Ochoco Irrigation Districts Permanent Transfer application, Supplemental A forms and maps for 2021. Also a check for \$1,970 transfer fee. Any questions please contact me by my email address below, as well as Julie Vaughn at her district email address [julieoid@crestviewcable.com](mailto:julieoid@crestviewcable.com).

Thank you,

Russ Rhoden

[rhodenruss@gmail.com](mailto:rhodenruss@gmail.com)

541-420-4221

T-13838



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

Application for  
District Permanent **RECEIVED**  
Water Right SEP 27 2021

# Transfer OWRD

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to the application is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml#app\\_criteria\\_review](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#app_criteria_review).

Change in Place of Use Only

## 1A. APPLICANT INFORMATION

IRRIGATION DISTRICT Ochoco Irrigation District			PHONE NO. 541-447-6449	ADDITIONAL CONTACT NO.
ADDRESS 1001 NW Deer Street			COUNTY Crook	
CITY Prineville	STATE Oregon	ZIP 97754	E-MAIL ochocoid@crestviewcable.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.				

## 1B. AGENT INFORMATION

AGENT/BUSINESS NAME Same			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

## 2. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List all water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: (Attach additional pages as necessary.)

	Certificate	Permit / Previous Transfer	Decree
1.	82246	-	
2.	82247	-	
3.		-	
4.		-	
5.		-	
6.		-	

### 3. ATTACHMENTS

Check each of the following attachments included with this application. The application will be returned if all required attachments are not included.

<b>Supplemental Form A –</b> <b>Description of Proposed Change(s) to a Water Right</b> <input checked="" type="checkbox"/> A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer. <b>Map</b> <input checked="" type="checkbox"/> Permanent Transfer A map meeting the requirements of OAR 690-385-3300 must be included but need not be prepared by a Certified Water Right Examiner (CWRE).	<b>Fees:</b> <input checked="" type="checkbox"/> Amount enclosed: \$ <u>1,970</u> See the Department's Fee Schedule at <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> or call (503) 986-0900. <b>Land Use Compatibility Statement</b> <input type="checkbox"/> The Land Use Information Form is <u>not</u> required if water is to be diverted, conveyed and/or used only on federal lands or if <u>ALL</u> of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, 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.
---	--

### 4. SIGNATURES

The district certifies the following:

- (1) The water rights proposed for transfer are water rights subject to transfer and are not subject to forfeiture for nonuse under ORS 540.610;
- (2) Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district;
- (3) For lands which are no longer irrigated or susceptible of irrigation that are included in this transfer under the authority of ORS 540.572 and OAR 690-385-5000, notices as required under ORS 572 and OAR 690-385-5100 have been given to the user and any security interest holder of record of intent to transfer the right and the user was provided an opportunity to resolve the matter in the manner described by ORS 540.572 and OAR 690-385-5400 and 690-385-5600.
- (4) On behalf of the district, I affirm to the best of my knowledge the information contained in this application is true and accurate.

\_\_\_\_\_  
District Manager signature

\_\_\_\_\_  
name (print)

\_\_\_\_\_  
date

OR

Russell Rhoden  
Authorized District Representative signature

Russell Rhoden  
name (print)

\_\_\_\_\_  
date

**Before submitting your application to the Department, be sure you have:**

- Answered each question completely.
- Included all the required attachments.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

13838



District Permanent Water Right Transfer Application  
Supplemental Form A

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DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

1. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	82246	
	Certificate Number	
<input type="checkbox"/> Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	-	
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	-	
	Previous Transfer Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Permit for Supplemental Irrigation	-	
	Permit Number	

- Name on Permit, Certificate, or Decree: Ochoco Irrigation District
- Priority Date(s): 1916

If there are **multiple Priority Dates** identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: Ochoco, McKay, Dry, Lytle, and Johnsons Creeks, all waste and return water flowing in unnamed waterways and Ochoco Reservoir

Tributary to: Crooked River

- Are there **other water rights**, Permits or Ground Water Registrations associated with this land?  
☒ Yes ☐ No

If "Yes", what are the Permit, Registration or Certificate Numbers? 82247

Any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled.**

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▪ Certificate Number or other identifying number: 82246

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below only if the information is reflected on the existing water right.

**Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):**  
(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA)							
POD# or POA#	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	MEASURED DISTANCES
WRD54	15 S	17 E					500' N, 250' E of W 1/4 Corner
WRD9	15 S	15 E					60' N, 1940' W of SE Corner

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Ann Reece, 1/4/2022, 11:06:25 AM

**Authorized Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User	Notice
14 S	15 E	WM	9	NE NE	2.0	100	GUTHRIE	6-21
14 S	15 E	WM	17	NE SW	0.8	403	FAHLSTROM	3-21
14 S	15 E	WM	17	NW SW	1.7	403	FAHLSTROM	3-21
14 S	16 E	WM	26	NW NW	2.2	200	JAMES PETERSEN	5-21
14 S	16 E	WM	27	NE NW	8.0	201	S AND S HAY RANCH LLC	4-21
14 S	16 E	WM	31	NW NE	14.9	100	SMITH LANDING LLC	1-21
14 S	16 E	WM	31	NE NW	2.2	100	SMITH LANDING LLC	2-21
TOTAL					31.8			

**Proposed Place of Use:**

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Taxlot	Water User	Notice
13 S	15 E	WM	33	NW NE	0.2	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SW NE	7.1	110	DEHLER	1-21; 2-21
13 S	15 E	WM	33	NE NW	0.3	109	DEHLER	1-21; 2-21
13 S	15 E	WM	33	SE NW	9.5	109	DEHLER	1-21; 2-21
14 S	15 E	WM	5	NW SW	2.0	300	GUTHRIE	6-21
14 S	15 E	WM	17	SW NW	2.5	400	FAHLSTROM	3-21
14 S	16 E	WM	26	NW NW	10.2	200	PETERSON	4-21; 5-21
TOTAL					31.8			

**SUPERSEDED**

▪ Certificate Number or other identifying number: 82246

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below only if the information is reflected on the existing water right.

TABLE I. - AUTHORIZED PLACE OF USE												
POD# or POA#	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT			
54	1916	IR	14 S	16 E	31	NW NE			100	14.9	Smith Landing LLC	1-21
9	1914	IS	14 S	16 E	31	NW NE			100	14.9	Smith Landing LLC	1-21
54	1916	IR	14 S	16 E	31	NE NW			100	2.2	Smith Landing LLC	2-21
9	1914	IS	14 S	16 E	31	NE NW			100	2.2	Smith Landing LLC	2-21
54	1916	IR	14 S	15 E	17	NW SW			403	1.7	John Fahlstrom	3-21
9	1914	IS	14 S	15 E	17	NW SW			403	1.7	John Fahlstrom	3-21
54	1916	IR	14 S	15 E	17	NE SW			403	0.8	John Fahlstrom	4-21
9	1914	IS	14 S	15 E	17	NE SW			403	0.8	John Fahlstrom	4-21
54	1916	IR	14 S	16 E	27	NE NW			201	8.0	S and S Hay Ranch LLC	5-21
54	1916	IR	14 S	15 E	9	NE NE			100	2.0	William Guthrie	6-21
54	1914	IS	14 S	15 E	9	NE NE			100	2.0	William Guthrie	6-21

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**SUPERSEDED**

[illegible]

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District Permanent Transfer Application  
Supplemental Form A

Page 5 of 7

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QWRD

revised - 2/1/2010



**SUPERSEDED**

[illegible]

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# OCHOCO IRRIGATION DISTRICT

Oregon Water Resources Dept.

Date 9/22/2021  
Type Bill  
Reference

Original Amt.  
1,970.00

Balance Due  
1,970.00

Check Amount

9/22/2021  
Discount

Payment  
1,970.00  
1,970.00

24374

General Fund Checkin

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SEP 27 2021  
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1,970.00

## 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 # 136490

INVOICE #

RECEIVED FROM: Ochoco Irrigation District  
BY:

APPLICATION  
PERMIT  
TRANSFER 1-13838

CASH: ☐ CHECK: # 24374 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,970.00

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:

EXAM FEE

RECORD FEE

0201 SURFACE WATER \$ 0202 \$  
0203 GROUND WATER \$ 0204 \$  
0205 TRANSFER \$ 1970.00

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

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

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION \$

RECEIPT: 136490

DATED: 9-27-2021 BY: Mindy Carlsen

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



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

Application for **RECEIVED**  
District Permanent Water Right **SEP 27 2021**  
**Transfer** **OWRD**

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to the application is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml#app\\_criteria\\_review](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#app_criteria_review).

Change in Place of Use Only

**1A. APPLICANT INFORMATION**

IRRIGATION DISTRICT Ochoco Irrigation District			PHONE NO. 541-447-6449	ADDITIONAL CONTACT NO.
ADDRESS 1001 NW Deer Street			COUNTY Crook	
CITY Prineville	STATE Oregon	ZIP 97754	E-MAIL ochocoid@crestviewcable.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.				

**1B. AGENT INFORMATION**

AGENT/BUSINESS NAME Same			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

**2. PROPOSED CHANGE(S) TO WATER RIGHT(S)**

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: (Attach additional pages as necessary.)

	Certificate	Permit / Previous Transfer	Decree
1.	82246	-	
2.	82247	-	
3.		-	
4.		-	
5.		-	
6.		-	

### 3. ATTACHMENTS

Check each of the following **attachments** included with this application. The application will be returned if all required attachments are not included.

<b>Supplemental Form A –</b> <b>Description of Proposed Change(s) to a Water Right</b> <input checked="" type="checkbox"/> A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer. <b>Map</b> <input checked="" type="checkbox"/> Permanent Transfer A map meeting the requirements of OAR 690-385-3300 must be included but need not be prepared by a Certified Water Right Examiner (CWRE).	<b>Fees:</b> <input checked="" type="checkbox"/> Amount enclosed: \$ <u>1,970</u> See the Department's Fee Schedule at <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> or call (503) 986-0900. <b>Land Use Compatibility Statement</b> <input type="checkbox"/> The Land Use Information Form is <u>not</u> required if water is to be diverted, conveyed and/or used only on federal lands or if <u>ALL</u> of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, 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.
---	--

### 4. SIGNATURES

The district certifies the following:

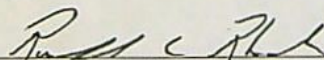
- (1) The water rights proposed for transfer are water rights subject to transfer and are not subject to forfeiture for nonuse under ORS 540.610;
- (2) Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district;
- (3) For lands which are no longer irrigated or susceptible of irrigation that are included in this transfer under the authority of ORS 540.572 and OAR 690-385-5000, notices as required under ORS 540.572 and OAR 690-385-5100 have been given to the user and any security interest holder of record of intent to transfer the right and the user was provided an opportunity to resolve the matter in the manner described by ORS 540.572 and OAR 690-385-5400 and 690-385-5600.
- (4) On behalf of the district, I affirm to the best of my knowledge the information contained in this application is true and accurate.

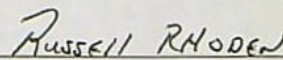
\_\_\_\_\_  
District Manager signature

\_\_\_\_\_  
name (print)

\_\_\_\_\_  
date

OR

  
\_\_\_\_\_  
Authorized District Representative signature

  
\_\_\_\_\_  
name (print)

\_\_\_\_\_  
date

#### **Before submitting your application to the Department, be sure you have:**

- Answered each question completely.
- Included all the required attachments.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

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**District Permanent Water Right Transfer Application**  
**Supplemental Form A**

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**DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT**

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

**1. CURRENT WATER RIGHT INFORMATION**

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	82246	
	Certificate Number	
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____	_____
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	-	
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	-	
	Previous Transfer Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Permit for Supplemental Irrigation	-	
	Permit Number	

- Name on Permit, Certificate, or Decree: Ochoco Irrigation District
- Priority Date(s): 1916

If there are **multiple Priority Dates** identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: Ochoco, Mckay, Dry, Lytle, and Johnsons Creeks, all waste and return water flowing in unnamed waterways and Ochoco Reservoir

Tributary to: Crooked River

- Are there **other water rights**, Permits or Ground Water Registrations associated with this land?  
☒ Yes    ☐ No

If "Yes", what are the Permit, Registration or Certificate Numbers? 82247

Any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled.**

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- Certificate Number or other identifying number: 82246

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below **only** if the information is reflected on the existing water right.

**Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):**

(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA)							
POD# or POA#	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	MEASURED DISTANCES
WRD54	15 S	17 E					500' N, 250' E of W 1/4 Corner
WRD9	15 S	15 E					60' N, 1940' W of SE Corner

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▪ Certificate Number or other identifying number: 82246

Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

TABLE I. – AUTHORIZED PLACE OF USE												
POD# or POA#	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT			
54	1916	IR	14 S	16 E	31	NW NE			100	14.9	Smith Landing LLC	1-21
9	1914	IS	14 S	16 E	31	NW NE			100	14.9	Smith Landing LLC	1-21
54	1916	IR	14 S	16 E	31	NE NW			100	2.2	Smith Landing LLC	2-21
9	1914	IS	14 S	16 E	31	NE NW			100	2.2	Smith Landing LLC	2-21
54	1916	IR	14 S	15 E	17	NW SW			403	1.7	John Fahlstrom	3-21
9	1914	IS	14 S	15 E	17	NW SW			403	1.7	John Fahlstrom	3-21
54	1916	IR	14 S	15 E	17	NE SW			403	0.8	John Fahlstrom	4-21
9	1914	IS	14 S	15 E	17	NE SW			403	0.8	John Fahlstrom	4-21
54	1916	IR	14 S	16 E	27	NE NW			201	8.0	S and S Hay Ranch LLC	5-21
54	1916	IR	14 S	15 E	9	NE NE			100	2.0	William Guthrie	6-21
54	1914	IS	14 S	15 E	9	NE NE			100	2.0	William Guthrie	6-21

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▪ Certificate Number or other identifying number: 82246

TABLE II. – PROPOSED PLACE OF USE

POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT			
54	1916	IR	13 S	15 E	33	NE NW			109	0.3	John Dehler	1-21, 2-21
9	1914	IS	13 S	15 E	33	NE NW			109	0.3	John Dehler	1-21, 2-21
54	1916	IR	13 S	15 E	33	SE NW			109	9.5	John Dehler	1-21, 2-21
9	1914	IS	13 S	15 E	33	SE NW			109	9.5	John Dehler	1-21, 2-21
54	1916	IR	13 S	15 E	33	NW NE			110	0.2	John Dehler	1-21, 2-21
9	1914	IS	13 S	15 E	33	NW NE			110	0.2	John Dehler	1-21, 2-21
54	1916	IR	13 S	15 E	33	SW NE			110	7.1	John Dehler	1-21, 2-21
9	1914	IS	13 S	15 E	33	SW NE			110	7.1	John Dehler	1-21, 2-21
54	1916	IR	14 S	15 E	17	SW NW			400	2.5	John Fahlstrom	3-21, 4-21
9	1914	IS	14 S	15 E	17	SW NW			400	2.5	John Fahlstrom	3-21, 4-21
54	1916	IR	14 S	16 E	26	NW NW			200	8.0	James Petersen	5-21
54	1916	IR	14 S	15 E	5	NW SW			300	2.0	William Guthrie	6-2
9	1914	IS	14 S	15 E	5	NW SW			300	2.0	William Guthrie	6-2

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# Crook County

T 14S R 16E Sec. 31 Tax Lot 100

NW Of The NE

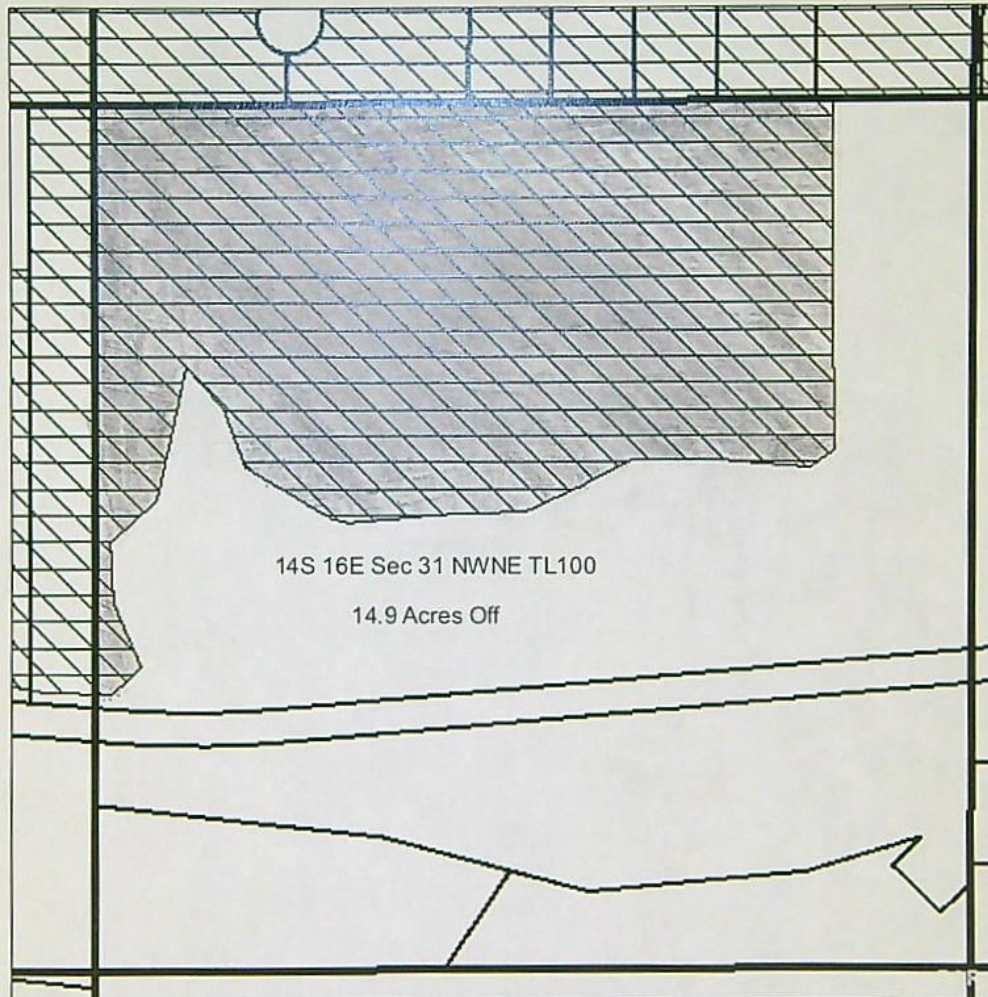


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## OFF Map



Prepared: 12/16/2020

1 in = 400 ft

District Internal Notice #: 1-21

Certificate #: 82246 IR 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent Transfer

Smith Landing LLC

Acres: 14.9

13838

# Crook County

T 14S R 16E Sec. 31 Tax Lot 100

NE Of The NW

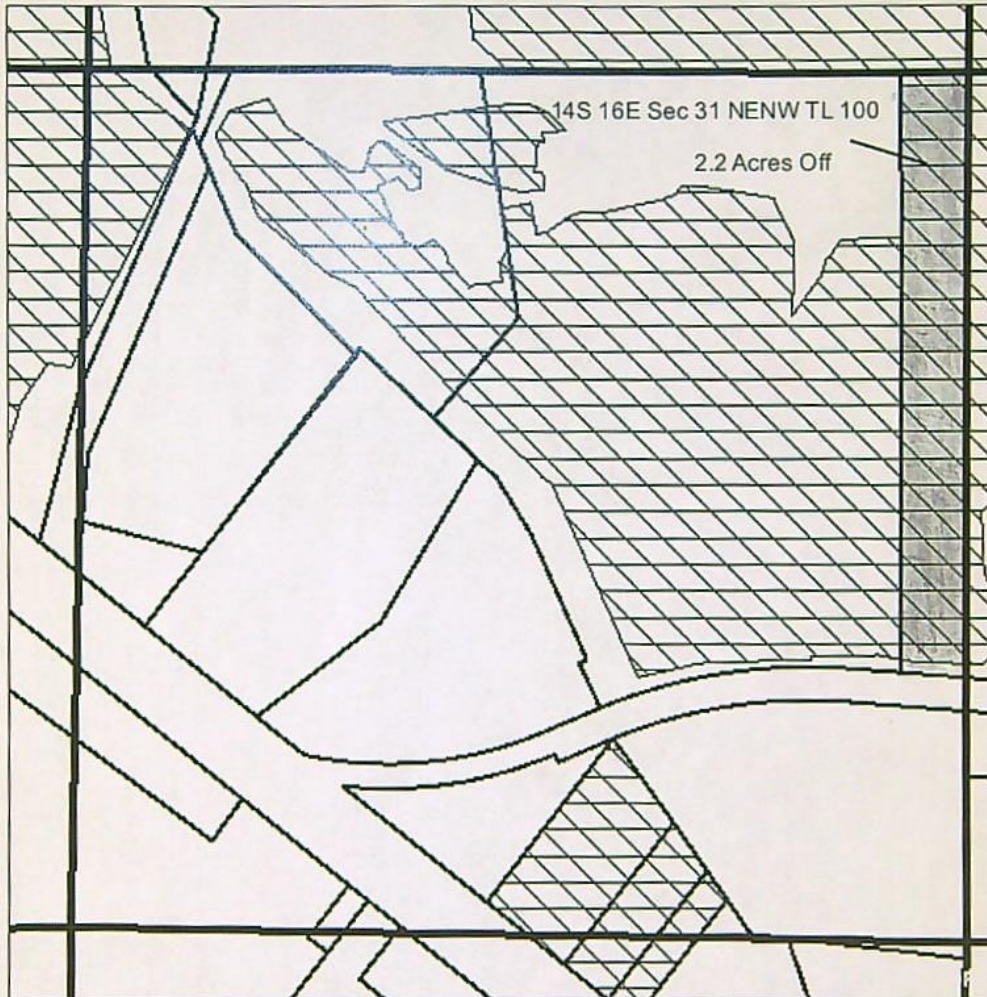
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## OFF Map



Prepared: 12/16/2020

1 in = 400 ft

District Internal Notice #: 2-21

Certificate #: 82246 IR 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent Transfer

Smith Landing LLC

Acres: 2.2

13838

# Crook County

T 14 R 15 Sec. 33 Tax Lot 109, 110

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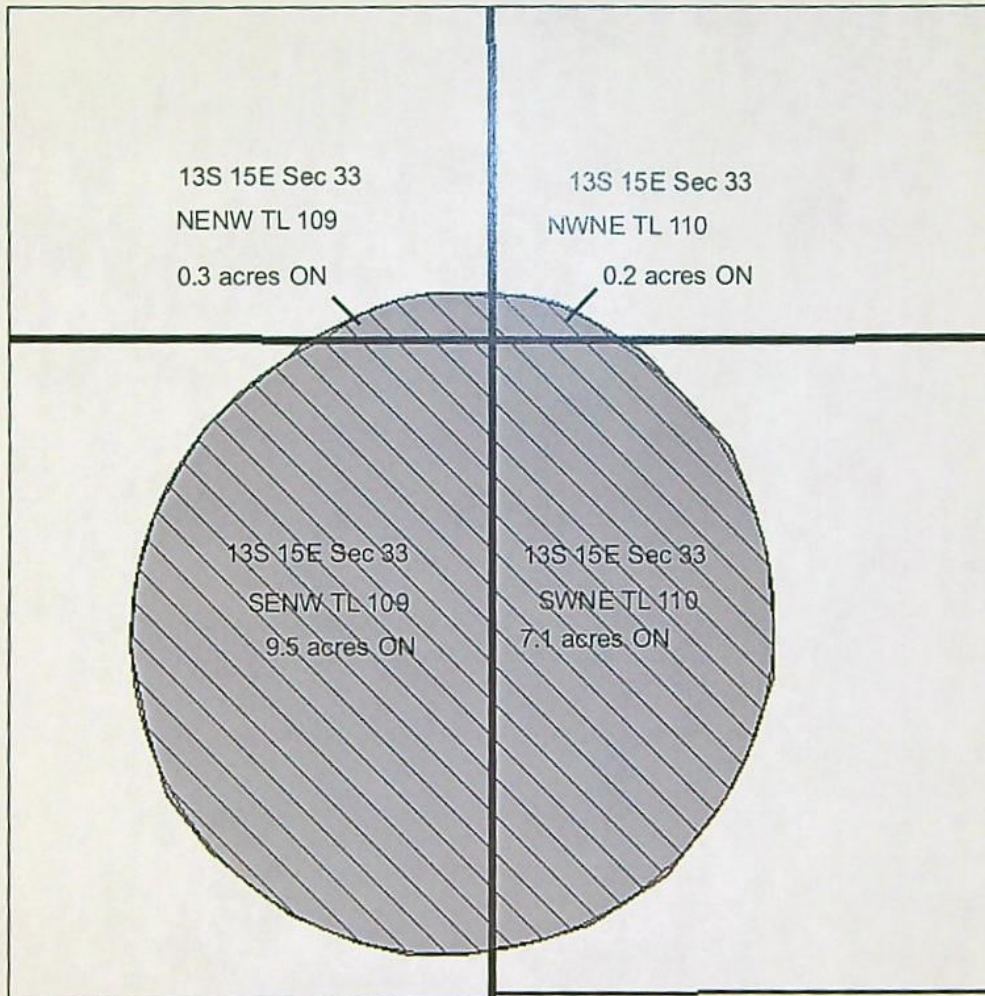
NE, SE, NW, SW Of The NW, NW, NE, NE

SEP 27 2021



OWRD

## ON Map



Prepared: 8/24/2021

1 in = 400 ft

District Internal Notice #: 1-21, 2-21

Certificate #: 82246 IR - 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent

John Dehler

Acres: 17.1 acres ON

13838

# Crook County

T 14S R 15E Sec. 17 Tax Lot 403

NE Of The SW

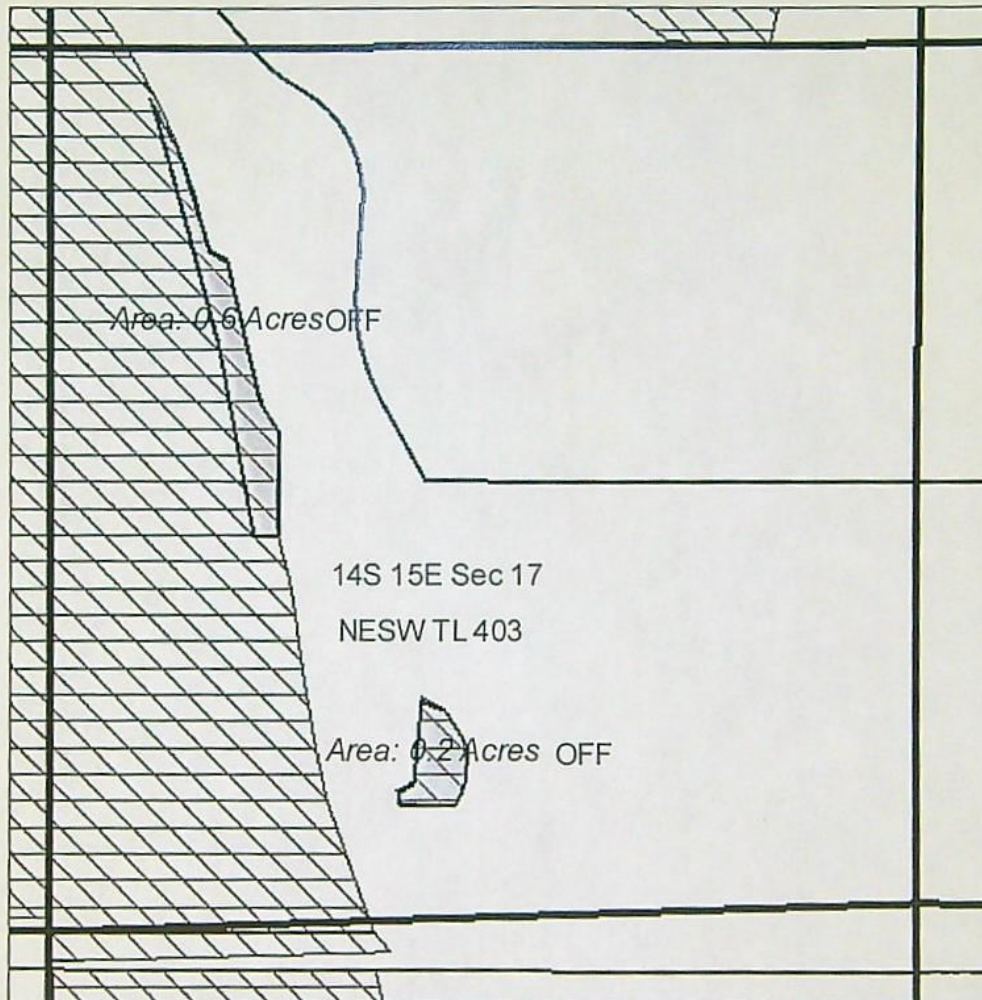


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SEP 27 2021

OWRD

## OFF Map



1 in = 400 ft

District Internal Notice #: 3-21

Certificate #: 82246 IR - 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent Transfer

John Fahlstrom

Acres: 0.8 Acres OFF

13838

# Crook County

T 14S R 15E Sec. 17 Tax Lot 403

NW Of The SW

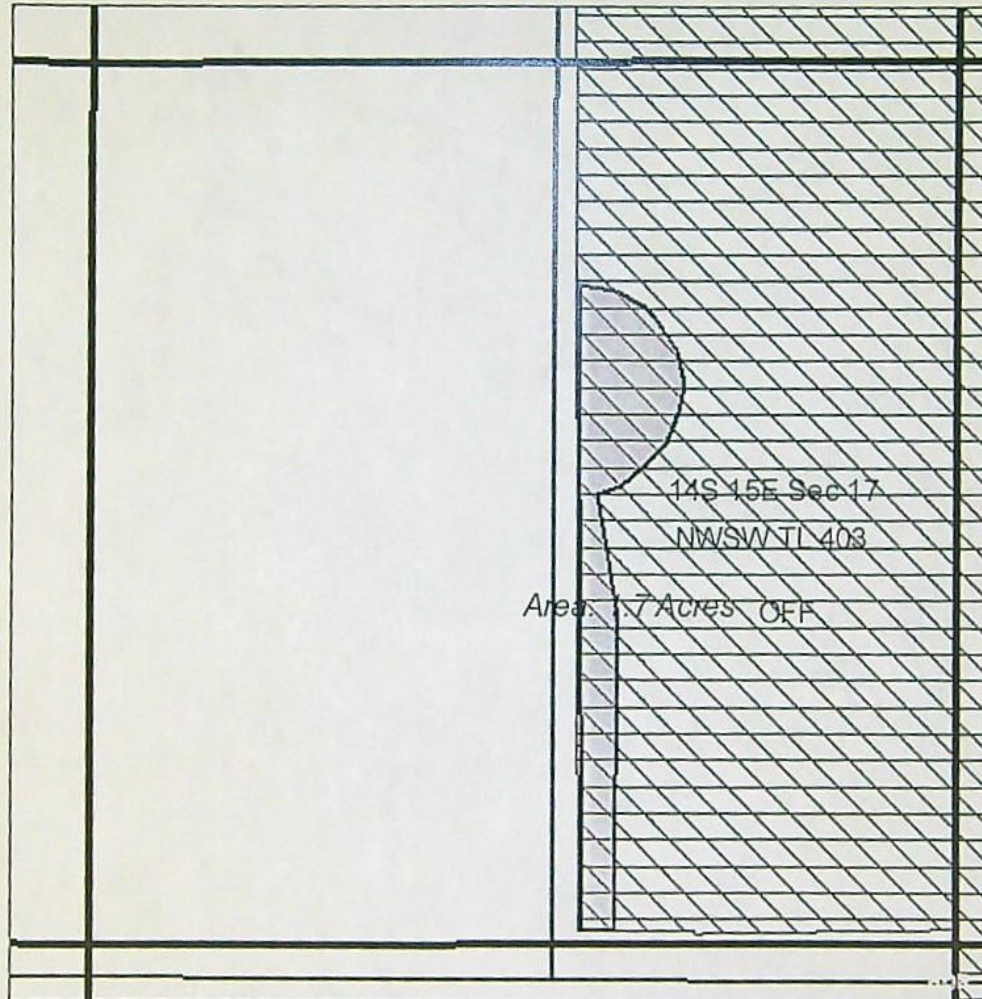


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SEP 27 2021

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## OFF Map



1 in = 400 ft

District Internal Notice #: 3-21

Certificate #: 82246 IR - 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent Transfer

John Fahlstrom

Acres: 1.7 Acres OFF

13838

# Crook County

T 14 R 15 Sec. 17 Tax Lot 400

SW Of The NW

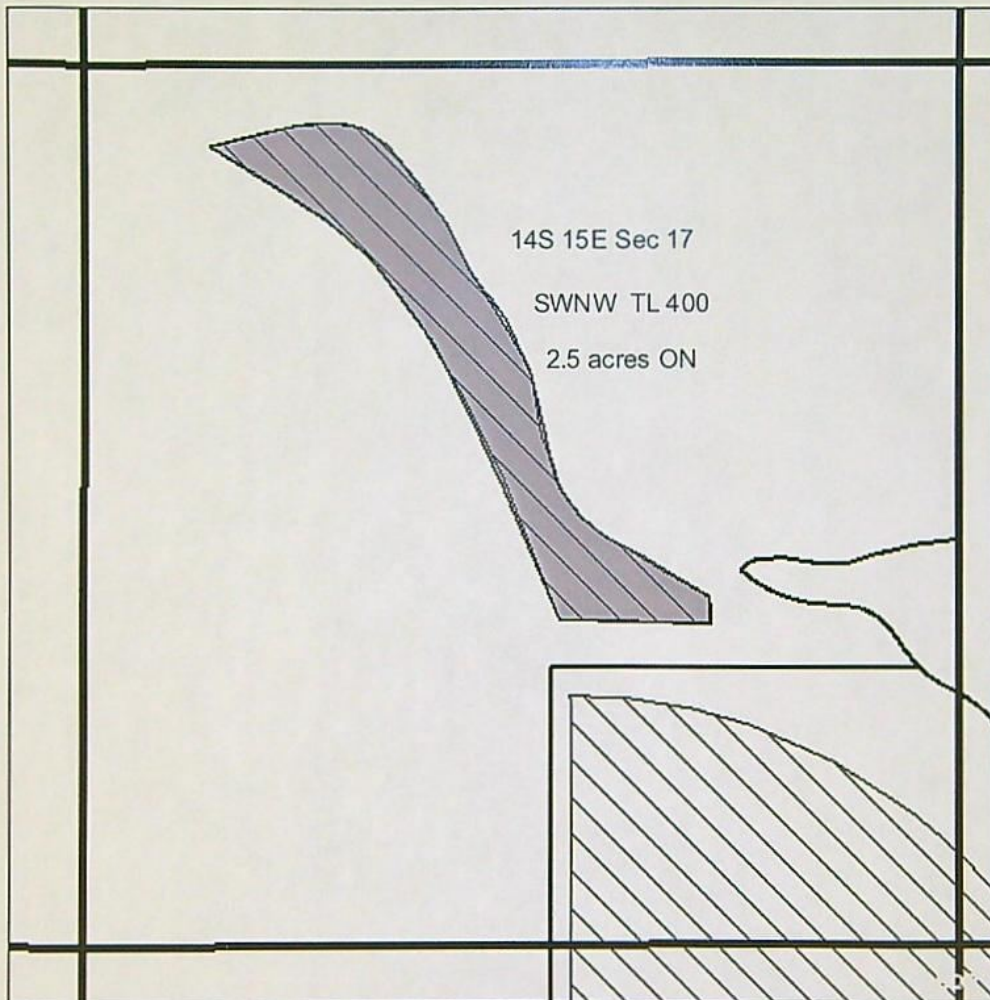
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## ON Map



Prepared: 8/24/2021

District Internal Notice #: 3-21

Certificate #: 82246 IR

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent

John Fahlstrom

Acres: 2.5 acres ON

13838

# Crook County

T 14 R 16 Sec. 27 Tax Lot 201

NE Of The NW

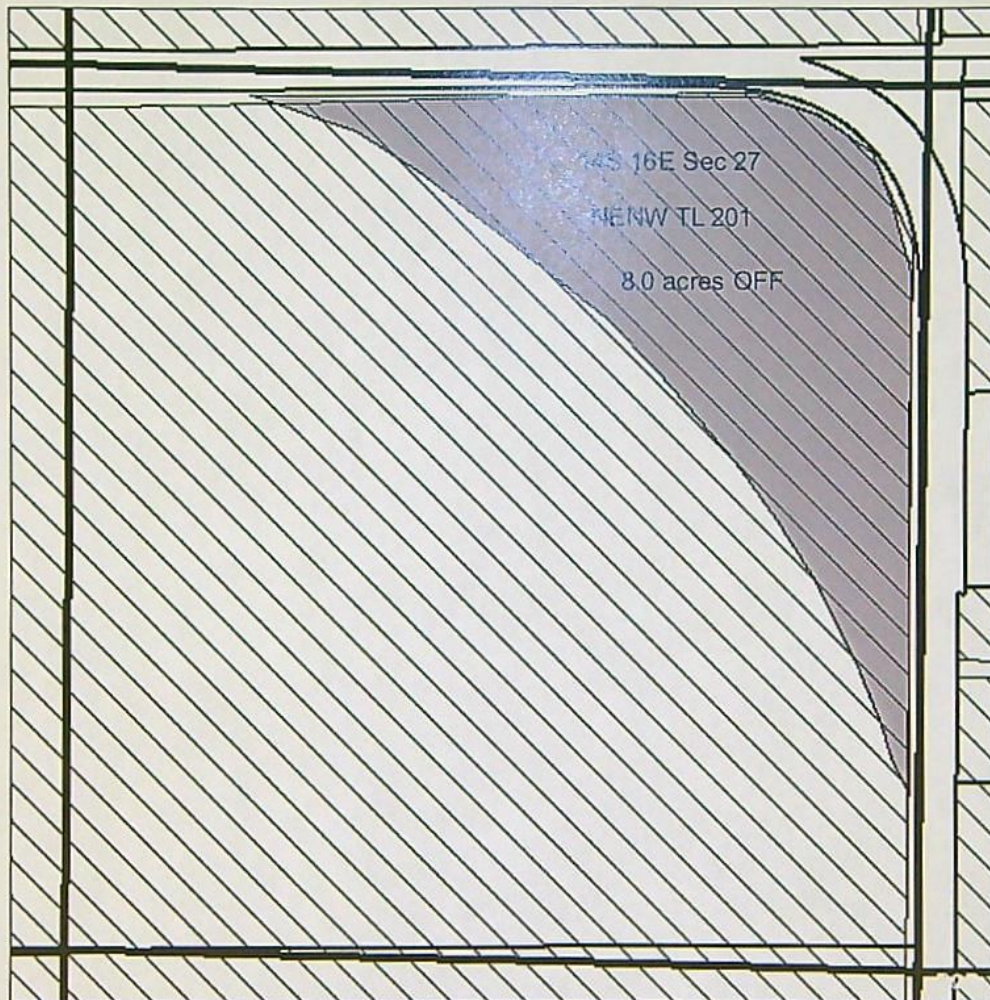
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SEP 27 2021

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## OFF Map



Prepared: 8/24/2021

1 in = 400 ft

District Internal Notice #: 4-21

Certificate #: 82246 IR

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent

S and S Hay Ranch LLC

Acres: 8.0 acres OFF

13838

# Crook County

T 14 R 16 Sec. 26 Tax Lot 200

NW Of The NW

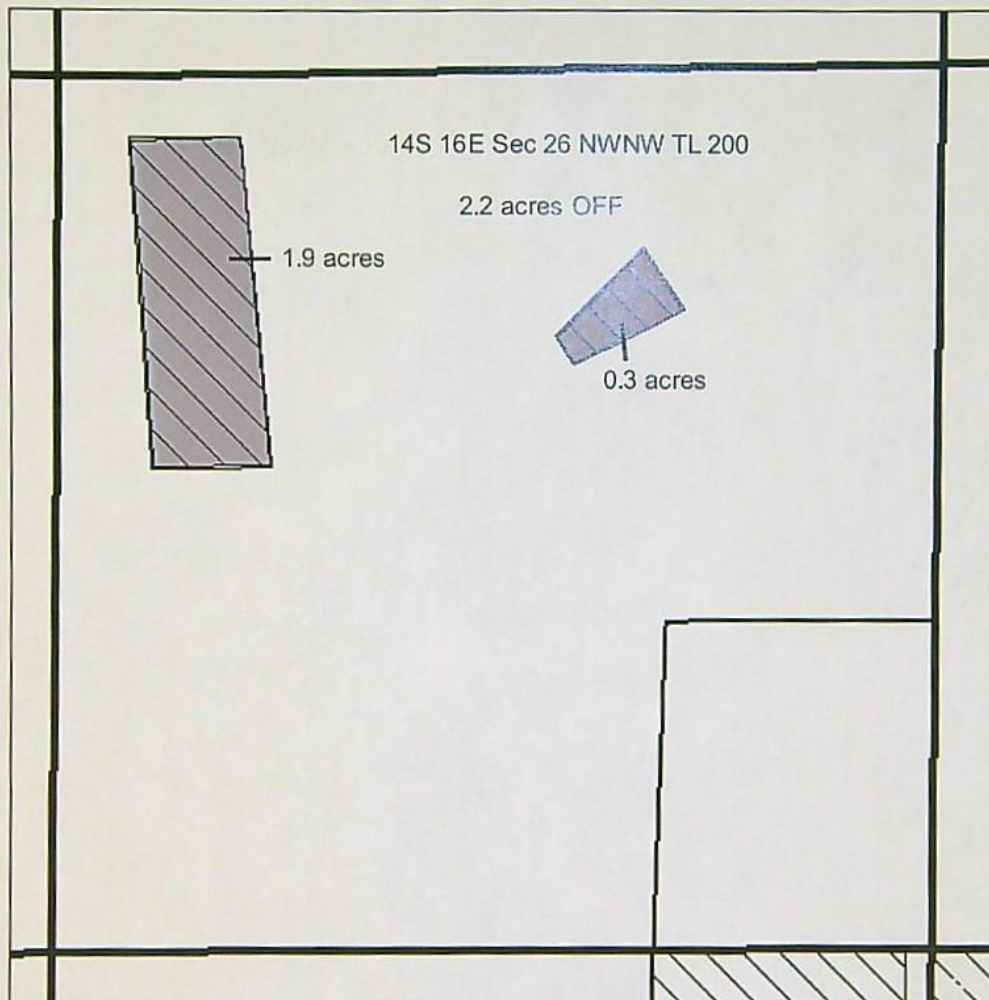
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SEP 27 2021

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## OFF Map



Prepared: 8/24/2021

1 in = 400 ft

District Internal Notice #: 5-21

Certificate #: 82246 IR

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent

James Petersen

Acres: 2.2 acres OFF

13838

# Crook County

T 14 R 16 Sec. 26 Tax Lot 200

NW Of The NW

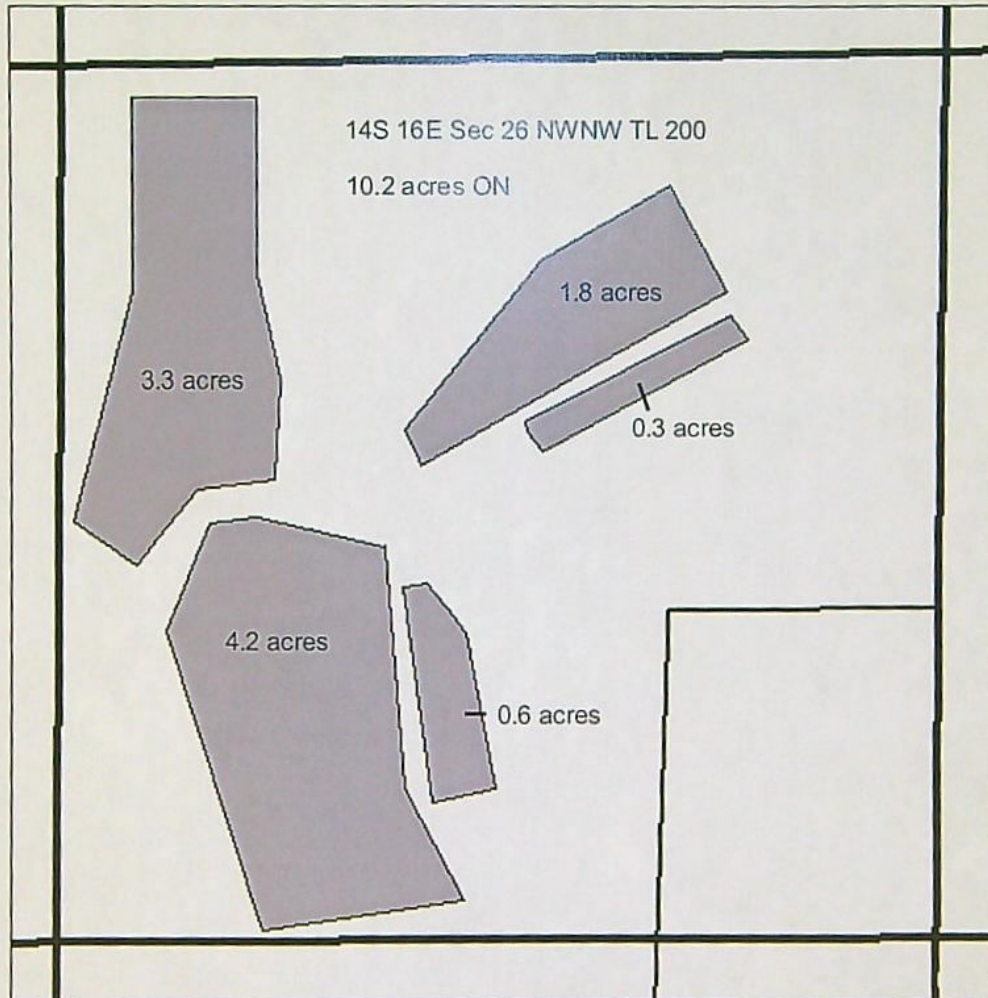
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## ON Map



Prepared: 8/24/2021

1 in = 400 ft

District Internal Notice #: 4-21 5-21

Certificate #: 82246 IR

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent

James Petersen

Acres: 10.2 ON

13838

# Crook County

T 14S R 15E Sec. 9 Tax Lot 100

NE Of The NE

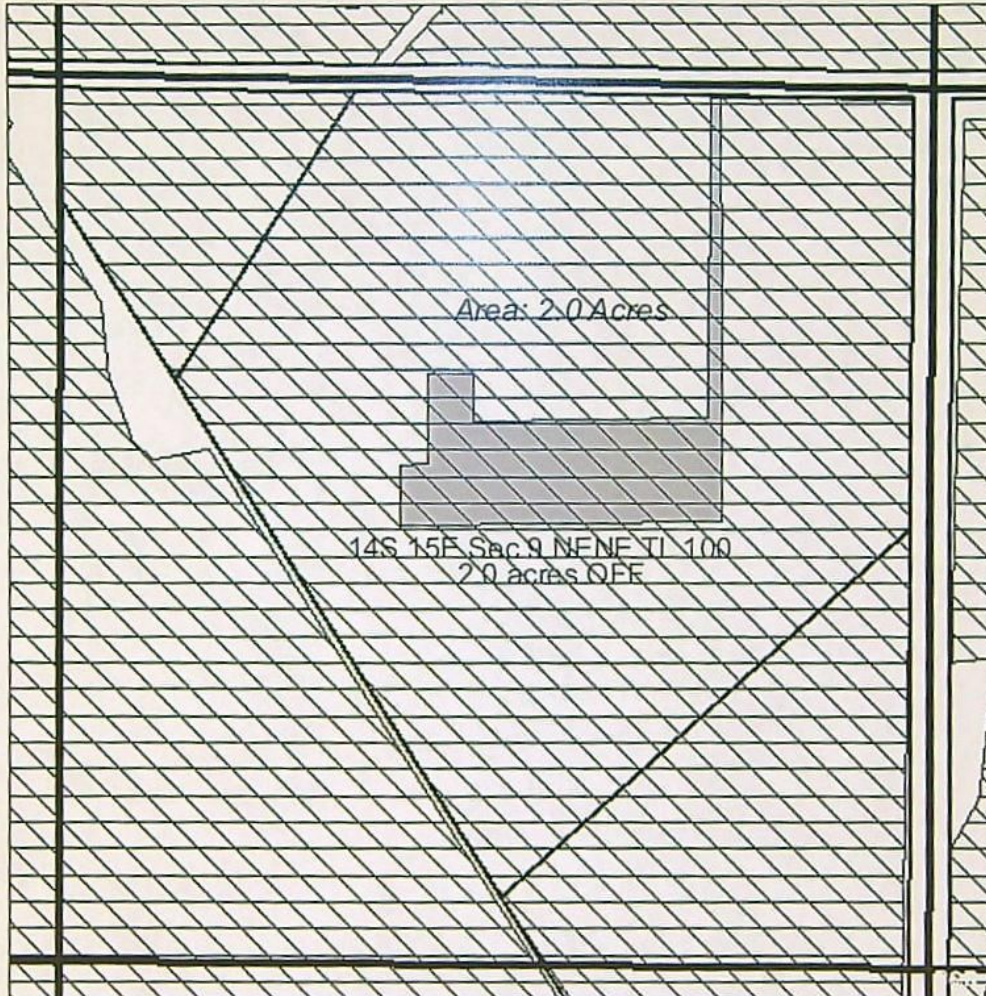
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## OFF Map



Prepared: 9/9/2021

1 in = 400 ft

District Internal Notice #: 6-21

Certificate #: 82246 IR 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent Transfer

William Guthrie

Acres: 2.0 OFF

13838

Crook County

T 14S R 15E Sec. 5 Tax Lot 300

NW Of The SW

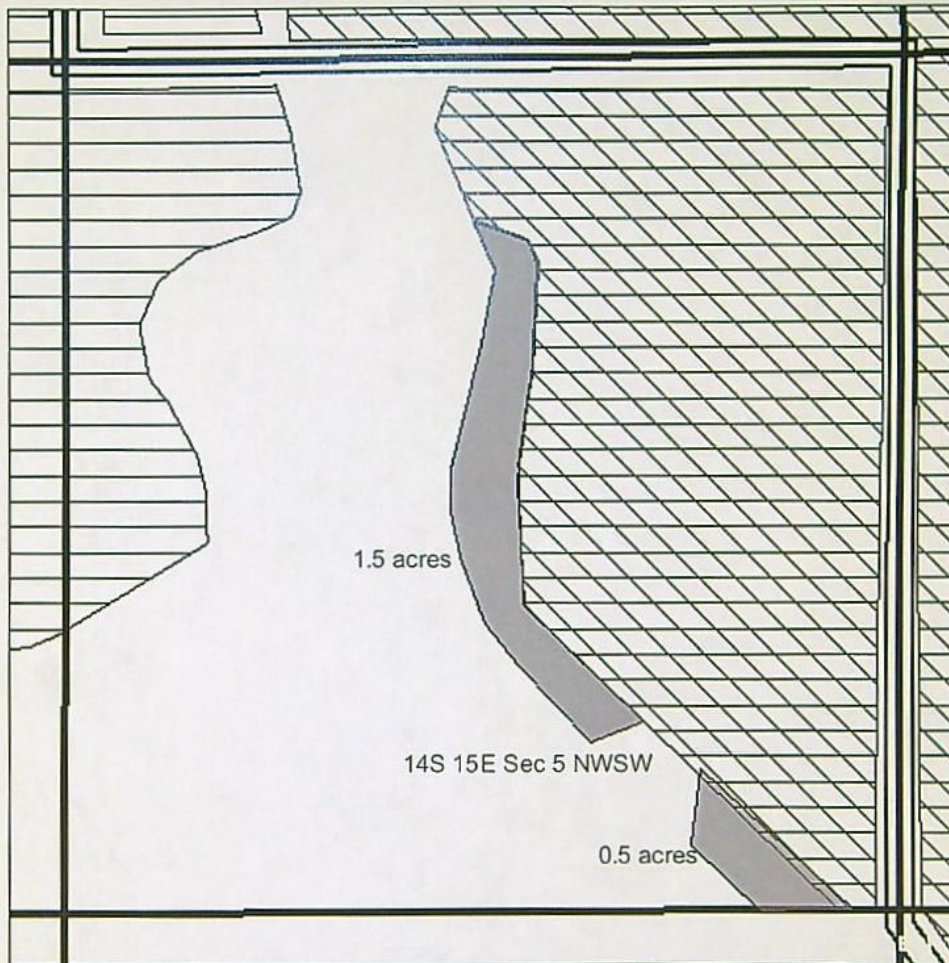
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ON Map



Prepared: 7/8/2021

1 in = 400 ft

District Internal Notice #: 6-21

Certificate #: 82246 IR 82247 IS

Transfer

Less than 5 acres

Cert 82246 IR

Cert 82247 IR

Tax Lot

Cert 82246 IR / 82247 IS

Cert 82249 IS

QQ



Permanent Transfer

William Guthrie

Acres: 2.0 acres ON

13838