

Regular

RA

Name John & Denise OwenAddress P.O. Box E
Pilot Rock, OR 97868-0080
jeowen@reagan.comChange in APOADate Filed 12-16-2021Initial notice date 12-21-2021

DPD issued date

PD issued date 8/30/2022PD notice date 8/30/2022

Date of FO _____ Vol _____ Page _____

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued 97482

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Johnston WellTrib. of East Birch Creek BasinUse Irrigation County Umatilla

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

Name of ditch _____

App# G-5759 Per # G-5047 Cert # 42342 PR Date 3/17/1972

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

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

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

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

FEES PAID

Date	Amount	Receipt #
<u>12-16-2021</u>	<u>\$1840.00</u>	<u>137018</u>
<u>12-16-2021</u>	<u>\$125.00</u>	<u>137000</u>
<u>12-22-2021</u>	<u>\$1,243.10</u>	<u>137147</u>

FEES REFUNDED

Date	Amount	Receipt #
<u>5/1/2024</u>	<u>\$230.00</u>	<u>VP057868</u>

Assignments: _____

Irrigation District _____

Agent William Porfily - wporfily@gmail.com

CWRE _____

CC's list Umatilla County

WATER RESOURCES DEPARTMENT
REQUEST FOR DISTRIBUTION OF FUNDS

TO: **Fiscal Services Section**

DATE: April 4, 2024

FROM: Kerry Kavanagh
Phone: (503) 979-3208

SUBJECT: **REIMBURSEMENT AUTHORITY - Request for Refund**

FILE #: T-13870 RA #: R12968-23 RECEIPT #: 141190

Please prepare payment in the amount of **\$230.00**, made payable to:

Name: **JOHN E. OWEN AND DENISE L. OWEN**

Address: **PO BOX E
PILOT ROCK OR 97868**

47124
0413

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

- ☐ Excess fees were collected for Claim of Beneficial Use
☒ Excess fees were collected for Reimbursement Authority
☐ Other

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

Authorized Signature: _____



Date: _____

4-19-24

After this memo has been signed, please route to:

☒ Abby Hungate

☐ Fiscal

☐ Other _____



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

April 4, 2024

JOHN OWEN
DENISE OWEN
PO BOX 3
PILOT ROCK OR 97868

RE: Refund for Reimbursement Authority Contract R12968-23; Application T-13870

Dear Applicant/Agent,

Thank you for using the Certificate Reimbursement Authority Program to expedite the processing of your client's Claim of Beneficial Use. The Department completed its processing of the claim for less than the estimated amount. Consequently, we are refunding the difference to you. A check will be mailed separately to you.

I hope you were pleased with the Certificate Reimbursement Authority Program and would consider using it again if the need arises. If you have any questions about this refund, please send an email to Kerry.L.Kavanagh@water.oregon.gov or call me at (503) 979-3208.

Sincerely,

Kerry Kavanagh
Reimbursement Authority, Certificates
Water Right Service Division

cc: File T-13870

RA Mailing List for Certificate

Scheduled Mailing Date:

Application: T-13870

Certificate: 97482 (cf-42342)

Water Right Holder:

JOHN OWEN
DENISE OWEN
PO BOX E
PILOT ROCK OR 97868

Copies Mailed	
by:	<u>KMWF</u> (STAFF)
on:	<u>NOV 17 2023</u> (DATE)

Copies of Final Certificate to be sent to:

1. Watermaster District 5 (include copy of map)
2. Water Availability
3. Vault
4. File

Is the Permit Holder(s) of record currently identified as a landowner of any tax lots involved as confirmed by the County records?

YES - Map Taxlot 1S3221-00-01100 owned by John E Owen & Denise L Owen per Umatilla County Assessor

Other persons to receive copies: (include map):

1. Dale Van Schoiack, CWRE, 2141 S Lyle, Kennewick WA 99337
2. William Porfily, PO Box 643, Stanfield OR 97875

Record Marking(s):

1. Original Application# G-5759
2. Old Certificate# 42342

STATE OF OREGON
COUNTY OF UMATILLA
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN OWEN
DENISE OWEN
PO BOX E
PILOT ROCK OR 97868-0080

confirms the right to use the waters of TWO WELLS, a tributary of EAST BIRCH CREEK for IRRIGATION of 7.1 ACRES.

This right was perfected under Permit G-5047. The date of priority is MARCH 17, 1972. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.04 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the well.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	32 E	WM	21	SW NW	JOHNSTON WELL (ORIGINAL) - 2050 FEET SOUTH AND 490 FEET EAST FROM NW CORNER, SECTION 21
1 S	32 E	WM	21	SW NW	OWEN WELL (ADDITIONAL)- 1960 FEET SOUTH AND 480 FEET EAST FROM NW CORNER, SECTION 21

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	32 E	WM	21	SW NW	7.1

Water use measurement conditions:

- A. The water user shall maintain a totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each point of appropriation (new and existing).
- B. 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.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.

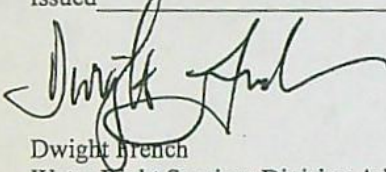
Water shall be acquired from the same aquifer (water source) as the original point of appropriation.

Any well drilled under this right shall be open to a single aquifer in the Columbia River Basalt Group and shall meet applicable well construction standards (OAR 690-200 and OAR 690-210). The open interval in the well shall be limited to water-bearing zones with hydraulic head elevations similar to the zones developed by the authorized point of appropriation on water right certificate 42342 (UMAT 105). If a water-bearing zone with a distinct and different head is encountered, it shall be sealed off during drilling.

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

This certificate is issued to confirm an ADDITIONAL POINT OF APPROPRIATION approved by an order of the Water Resources Director entered SEPTEMBER 20, 2022, at Special Order Volume 125, Page 733, approving Transfer Application T-13870, and together with Certificate 96392, supersedes Certificate 42342, State Record of Water Right Certificates.

Issued NOV 17 2023



Dwight French
Water Right Services Division Administrator, for
Douglas E. Woodcock, Acting Director
Oregon Water Resources Department

REIMBURSEMENT AUTHORITY TRANSFER

T-13870

CERTIFICATE 97482 (cf-42342) issued 11-17-2023

Completion Checklist for Claims of Beneficial Use for POST JULY 1, 2004 Claims

Application #	WRD Reviewer
Transfer # T-13870	Claim Logged YES
Date Received 5-30-2023	Oversized Map # N/A
CWRE Name Dale Van Schoiack	

Map Review:

- Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- Application & permit #: or transfer # (OAR 690-014-0100(1))
- Disclaimer (OAR 690-014-0170(5))
- North arrow (OAR 690-310-0050(2)(c))
- CWRE stamp and signature (OAR 690-014 & 310-0050)
- Appropriate scale (1" = 1320' or the original full-size scale of the county assessor map) (014 & 310)
- Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- Source illustrated if surface water (OAR 690-014-0170(3))
- Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014-0170(4))
- Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010)

TFO issued 9-20-2022. CDate = 10-1-2023.
port cert 42342 - Addie POA
0.04 cfs for IR of 7.1 ac
RR cert 96392

Report Review:

- On form or format provided by the Department (OAR 690-014-0100(1))
- Application & permit #: or transfer # (OAR 690-014)
- Ownership information (OAR 690-014)
- Date of survey (OAR 690-014)
- Person interviewed (OAR 690-014)
- County (OAR 690-014) UMATILLA
- Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- Source(s) of water (OAR 690-014-0100)
- Place of use location (OAR 690-014-0100)
- Type of use (OAR 690-014-0100)
- Extent of use (OAR 690-014-0100)
- Rate and Duty (OAR 690-014-0100)
- Diversion rate for each use (OAR 690-014-0100)
- Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- System capacity (OAR 690-014-0100)
- Calculated capacity of system (required)
- Measured amount of use (optional)
- Permit/Transfer Final Order Conditions (OAR 690-014-0100)
- Time limits
- Initial water level measurements
- Annual static water level measurements
- Measurement, recording, and reporting
- Meter/measuring device
- Water use reporting
- Fish screening and/or by-pass
- Pump test (ground water)
- Other

Conditions from Extension Final Order and/or Water Management Conservation Plan

- CWRE stamp and signature (OAR 690-014-0100)
- Signature(s) of permittee of transfer holder (OAR 690-014-0100)

App T-13870

CERT

Certificate Issuance Processing Checklist

☒ Map and COBU reviewed
☒ Conflict check Any Conflicts? NO
☒ Check for ownership

Check Area of Interest ☐ YES ☒ NO
Identified Party. _____

Staff Recommendations:

Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____

Proof to the Satisfaction has not been established for the following reasons: _____

Proposed Actions:
Send letter requesting the following items/information: _____
Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?

Yes

If "Yes":

Proposed

Final

Certificate # _____

Mailing list:

Proposed:

Final:

Pump Capacity Calculation Sheet

Application T-12215

using Department designed formula:

one new POA - Well (DESC 60493)

$$(\text{hp})(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

Data Entry (fill in underlined blanks)HP = 5Efficiency = 7.04Lift = 645PSI = 20**Results Calculated**

(hp)(efficiency) = 35.2

Head based on psi = 50.8

Total dynamic head = 695.8

(head + lift)

Pump Capacity = 0.05 feet per second

Application # Permit # Transfer # T-
13870

John & Denise Owen RA# R12968-23

Reimbursement Authority Process
Itemized Estimate Sheet
for
Certificates

	New Est. Time (hr)	Multiplie r	Total Est Hours	Individual	Hourly Rate	New Est. Cost	Date/Act. Time
1. Review Claim of Beneficial Use report & map	2.00	31%	2.62	Kerry	\$74.63	\$ 195.53	
2. Conflict Check	0.50	31%	0.66	Kerry	\$74.63	\$ 48.88	
3. Prep of def. letter - contingency time	0.00	31%	0.00	Kerry	\$74.63	\$ -	
4. Enter pump test data -	0.00	31%	0.00	Kerry	\$74.63	\$ -	
5. Prep of 1 cert - changes in add'l POA	4.25	31%	5.57	Kerry	\$74.63	\$ 415.50	
6a. Peer review - consultation	0.00		0.00	Gerry	\$73.90	\$ -	
6b. Peer review	0.30		0.30	Dwight	\$105.74	\$ 31.72	
6d. Peer review	0.50	26%	0.63	Gerry	\$73.90	\$ 46.56	
7. Project Management -	1.00	31%	1.31	Kerry	\$74.44	\$ 97.52	
7. Project Management -	4.25	31%	5.57	Kerry	\$74.63	\$ 415.50	
8a. Water right data record update	0.75	31%	0.98	Support- Kyler	\$30.85	\$ 30.31	
8b. Water right data record update	1.00		1.00	Data Tech- Chloe	\$39.70	\$ 39.70	
9. n/a	0.00		0.00	Boschman n	\$76.33	\$ -	
Total			18.63		Sub Total	\$1,321	
					10% Overhead	\$132.12	
					TOTAL	\$1,453	

\$ 230 under (estimated cost = \$1683) - need refund

TFO issued 9-20-2022 - change in Add'l POA. C Date = 10-1-2023.
port Cert 42342 - 0.04 cfs for IR of 7.1 ac - change in add'l POA

-- quantity of water diverted at add'l POA shall not exceed quantity of water lawfully available at original POA

Map Code - Tax ID	1S3221-00-01100 0218 - 118151	Tax Status	Assessable	
		Account Status	Active	
		Subtype	NORMAL	
Legal Descr	Metes & Bounds - See legal report for full description			
Mailing	OWEN JOHN E & OWEN DENISE L PO BOX E PILOT ROCK OR 97868-0080	Deed Reference #	2014-6240825	
		Sales Date/Price	12-28-2014 / \$250,000	
		Appraiser		
Property Class	401	MA	SA	NH
RMV Class	401	06	90	000

Site	Situs Address	City
1	67050 E BIRCH CREEK RD	PILOT ROCK

Code Area		Value Summary			CPR %
		RMV	MAV	AV	
0216	Land	181,200	109,610	109,610	0
	Impr	248,100	138,970	138,970	0
Code Area Total		429,300	248,580	248,580	0
Grand Total		429,300	248,580	248,580	0

Land Breakdown								
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size Land Class	Trended RMV
0210					RURAL OSD - FULL	100		32,000
	1	<input checked="" type="checkbox"/>		F-1,EFU	Rural Site	100	7.10 AC L	149,200
Code Area Total							7.10 AC	181,200

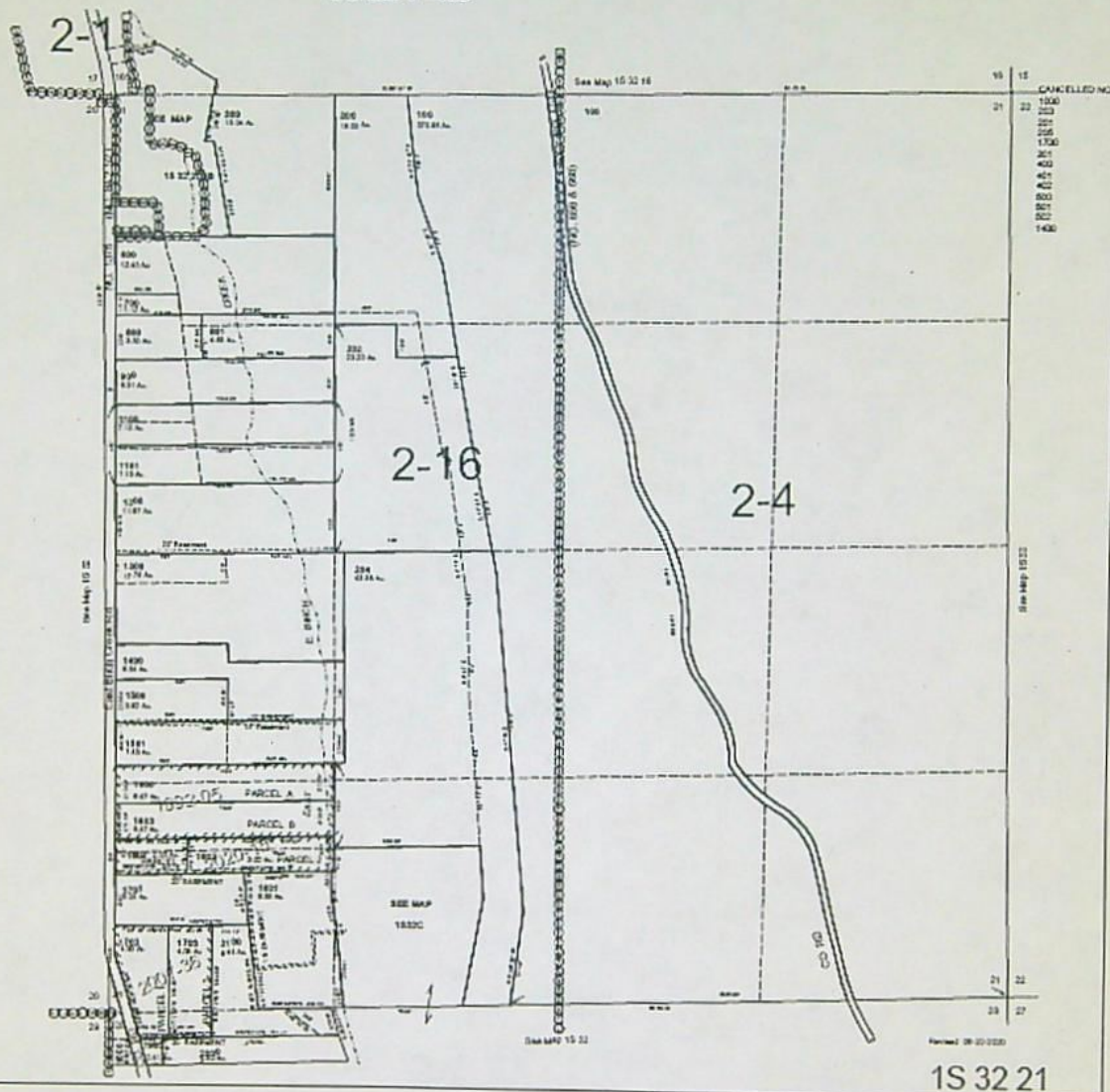
Code Area	ID #	Year Built	Stat Class	Description	Improvement Breakdown			
					Trend %	Total Sqft	Ex% MS Acct	Trended RMV
0210	1	1972	131	One story	158	1,950		207,510
	2		332	FEEDER BARN	100	1,280		890
	4		312	METAL COMPONENT BUILDING	100	2,128		30,290
	5	2018	305	GP SHED	100	373		9,410
Code Area Total						5,740		248,100

This map was prepared for Assessment & Taxation purposes only and was NOT prepared nor is it suitable for legal, engineering or surveying purposes.

SEC 21 T1S R32E WM
UMATILLA COUNTY
SCALE 1"=400'

1S 32 21

AERIAL PHOTO NO. NZ-7P-70



1S 32 21

T-13870:



Oregon Water Resources Department Water Rights Platcard Report

Search Criteria

Meridian: Township: Range: Section: Records per Page:
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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Q2/400 Q1/800	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:72651 OR *		9/24/1990	ANADROMOUS AND RESIDENT FISH HABITAT (INSTREAM)																					
Additional Info: OREGON WATER RESOURCES DEPARTMENT App: 1570681 Cert: 72651																								
Select Cert:2587 OR CN		5/31/1909	DOMESTIC	CN																				
Additional Info: JOHN MC MANUS Decree: UMATILLA RIVER Cert: 2587																								
Select Cert:4808 OR *		11/29/1922	DOMESTIC																					
Additional Info: A.E.D. SCHLEGEL App: S8741 Permit: S5722 Cert: 4808																								
Select Cert:82675 (T 9493 RR) CN			DOMESTIC	CN																				
Additional Info: JERRY WINNETT Decree: UMATILLA RIVER Cert: 82675																								
Select Cert:82676 (T 9493 RR) CN			DOMESTIC	CN																				
Additional Info: DARLEED FLEENOR Decree: UMATILLA RIVER Cert: 82676																								
Select Cert:86839 (RR) CR *			DOMESTIC																					
Additional Info: JERRY WINNETT Decree: UMATILLA RIVER Cert: 86839																								
Select Cert:86840 (RR) CR *		IL1884	DOMESTIC																					
Additional Info: DARLEED FLEENOR Decree: UMATILLA RIVER Cert: 86840																								
Select Cert:97045 (T 13276 RR) *		5/31/1909	DOMESTIC																					
Additional Info: JOHN MC MANUS Decree: UMATILLA RIVER Cert: 97045																								
123456																								

Acreage Legend: 12.25 Regular
acreage-12.25- Acreage is on a canceled
right(12.25) Acreage is part of a transfer and has not been proven up on
yet (inchoate)[12.25] Acreage has been
suspended* Acreage is not
specified



Oregon Water Resources Department Water Rights Platcard Report

Search Criteria

Meridian:

Township:

Range:

Section:

Records per Page:

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Gov't Acres	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown
Select Cert:2587 OR CN Additional Info: JOHN MCMANUS Decree: UMATILLA RIVER Cert: 2587		5/31/1909	IRRIGATION	CN								11			19			19		20				
Select Cert:4808 OR * Additional Info: A.E.D. SCHLEGEL App: S8741 Permit: S5722 Cert: 4808		11/29/1922	IRRIGATION															5.45						
Select Cert:42342 OR CN Additional Info: GEORGE JOHNSTON App: G5759 Permit: G5047 Cert: 42342		T13870 3/17/1972	IRRIGATION	CN										14.2										
Select Cert:46099 OR * Additional Info: THOMAS J MUILENSBURG App: G7081 Permit: G8380 Cert: 46099		8/18/1975	IRRIGATION									1.1	11.56											
Select Cert:53249 OR CN Additional Info: CHARLES/DIXIE CUMISKY App: G5701 Permit: G5510 Cert: 53249		T6925, T7003 1/11/1972	IRRIGATION	CN														4.9	13.6	13.6				
Select Cert:53743 OR CN Additional Info: DIXIE CUMISKEY App: G7395 Permit: G6788 Cert: 53743		T13276 8/2/1978	IRRIGATION	CN														16.1						
Select Cert:58075 OR * Additional Info: RAYMOND SLABIK App: G8711 Permit: G8424 Cert: 58075		4/3/1978	IRRIGATION									12.6												
Select Cert:72775 (T 6925, T 7003 RR) CN Additional Info: CHARLES W CUMISKY App: G5701 Permit: G5510 Cert: 72775		T6820 1/11/1972	IRRIGATION	CN														3.4	6.32					

123456

Acres Legend: 12.25 Regular
acres

12.25 Acres is on a
canceled right

(12.25) Acres is part of a transfer and has not been proven up
on yet (inchoate)

[12.25] Acres has been
suspended

* Acres is not
specified



Oregon Water Resources Department Water Rights Platcard Report

Search Criteria

Meridian: Township: Range: Section: Records per Page:

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Q1400	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown
Select Cert:74274 (T 6820 RR) *		10/7/1997	IRRIGATION																0.32					
Additional Info: CHARLES W CUMISKY App: G5701 Permit: G5510 Cert: 74274																								
Select Cert:76166 OR *		11/8/1993	IRRIGATION								8.57			1.63										
Additional Info: MARK S MASCALL App: G13557 Permit: G12072 Cert: 76166																								
Select Cert:82675 (T 9493 RR) CN			IRRIGATION CN											5.5										
Additional Info: JERRY WINNETT Decree: UMATILLA RIVER Cert: 82675																								
Select Cert:82676 (T 9493 RR) CN			IRRIGATION CN											4.2										
Additional Info: DARRLED FLEENOR Decree: UMATILLA RIVER Cert: 82676																								
Select Cert:83663 OR CN		T11018	4/17/2000	IRRIGATION CN															8.7					
Additional Info: ARTHUR FALK App: G15128 Permit: G13998 Cert: 83663																								
Select Cert:86784 CF CN		T12449, T13276	1/11/1972	IRRIGATION CN															4.4	13.94				
Additional Info: ARTHUR FALK App: G5701 Permit: G5510 Cert: 86784																								
Select Cert:86813 CF *			1/11/1972	IRRIGATION														1.11	1.94					
Additional Info: KENNETH STELK App: G5701 Permit: G5510 Cert: 86813																								
Select Cert:86858 (T 11018 RR) *			4/17/2000	IRRIGATION															5.3					
Additional Info: ARTHUR FALK App: G15128 Permit: G13998 Cert: 86858																								
123456																								

Acreage Legend: 12.25 Regular
acres

-12.25-Acreage is on a
canceled right

(12.25) Acreage is part of a transfer and has not been
proven up on yet (inchoate)

[12.25] Acreage has been
suspended

* Acreage is not
specified



Oregon Water Resources Department Water Rights Platcard Report

Search Criteria

Meridian: Township: South East Records per Page:

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Acres	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown OO
Select Cert:88123 CF *		4/17/2000	IRRIGATION																									
Additional Info: VARDAN RIGBY App: G15128 Permit: G13998 Cert: 88123																												
Select Cert:88646 CF *		1/11/1972	IRRIGATION																									
Additional Info: CRAIG KROSTING App: G5701 Permit: G5510 Cert: 88646																												
Select Cert:86839 (RR) CR *			IRRIGATION											5.5														
Additional Info: JERRY WINNETT Decree: UMATILLA RIVER Cert: 86839																												
Select Cert:86840 (RR) CR *	IL1884		IRRIGATION											4.2														
Additional Info: DARRLED FLEENOR Decree: UMATILLA RIVER Cert: 86840																												
Select Inchoate: T 13870 CF (REG) *		3/17/1972	IRRIGATION											(7.1)														
Additional Info: DENISE OWEN App: G5759 Permit: G5047																												
Select Cert:96392 (T 13870 RR) *		3/17/1972	IRRIGATION											7.1														
Additional Info: GEORGE JOHNSTON App: G5759 Permit: G5047 Cert: 96392																												
Select Cert:97043 (T 13276 RR) *		1/11/1972	IRRIGATION																									
Additional Info: ARTHUR FALK App: G5701 Permit: G5510 Cert: 97043																												
Select Cert:97045 (T 13276 RR) *		5/31/1909	IRRIGATION										11			19		19										
Additional Info: JOHN MCMANUS Decree: UMATILLA RIVER Cert: 97045																												
123458																												

Acres Legend: 12.25 Regular
acres

-12.25- Acres is on a
canceled right

(12.25) Acres is part of a transfer and has not been
proven up on yet (inchoate)

[12.25] Acres has been
suspended

* Acres is not
specified



Oregon Water Resources Department Water Rights Platcard Report

Search Criteria

Meridian: Township: Range: Section: Records per Page:

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	00449: 01180:	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown OO
Select Cert:2627 OR CN Additional Info: A.J. STURTEVANT Decree: UMATILLA RIVER Cert: 2627			IRRIGATION, CN LIVESTOCK AND DOMESTIC										18.5	11									
Select Cert:42284 (RR) CN Additional Info: A.J. STURTEVANT Decree: UMATILLA RIVER Cert: 42284			IRRIGATION, CN LIVESTOCK AND DOMESTIC										18.5	7.7									
Select Cert:47434 (RR) CN Additional Info: A STURTEVANT Decree: UMATILLA RIVER Cert: 47434	T9493		IRRIGATION, CN LIVESTOCK AND DOMESTIC										5.5	4.2									
Select Cert:53122 (RR) CN Additional Info: JOHN MCMANUS Decree: UMATILLA RIVER Cert: 53122	T13276	5/31/1909	IRRIGATION, CN LIVESTOCK AND DOMESTIC									11		19	19	8.8							
Select Cert:2587 OR CN Additional Info: JOHN MCMANUS Decree: UMATILLA RIVER Cert: 2587		5/31/1909	LIVESTOCK CN									-		-	-	-							
Select Cert:82675 (T 9493 RR) CN Additional Info: JERRY WINNETT Decree: UMATILLA RIVER Cert: 82675			LIVESTOCK CN									-											
Select Cert:82676 (T 9493 RR) CN Additional Info: DARRLED FLEENOR Decree: UMATILLA RIVER Cert: 82676			LIVESTOCK CN										-										
Select Cert:86839 (RR) CR *			LIVESTOCK										-										
123456																							

Acreage Legend: 12.25 Regular
acreage

-12.25 Acreage is on a
canceled right

(12.25) Acreage is part of a transfer and has not been
proven up on yet (inchoate)

(12.25) Acreage has been
suspended

* Acreage is not
specified



Oregon Water Resources Department Water Rights Platcard Report

Search Criteria

Meridian: Township: Range: Section: Records per Page:

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	000400: 001000:	NE NE	NW NE	SW NE	SE NE	NE NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown QQ
Select Cert:86840 (RR) CR *	IL1864		LIVESTOCK																				
Additional Info: DARRLED FLEENOR Decree: UMATILLA RIVER Cert: 86840																							
Select Cert:97045 (T 13276 RR) *		5/31/1909	LIVESTOCK																				
Additional Info: JOHN MCMANUS Decree: UMATILLA RIVER Cert: 97045																							
Select Permit: G 15336 *		8/13/2001	MUNICIPAL USES																				
Additional Info: STEVE DRAPER App: G15588 Permit: G15336																							
Select Inchoate: T 10012 CF (REG) *		8/15/1952	MUNICIPAL USES																				
Additional Info: STEVE DRAPER App: U516 Permit: U471																							
Select Inchoate: T 10012 CF (REG) *		3/29/1966	MUNICIPAL USES																				
Additional Info: STEVE DRAPER App: G3436 Permit: G3221																							
Select Permit: G 16086 *		10/12/2005	MUNICIPAL USES																				
Additional Info: CITY OF PILOT ROCK App: G16544 Permit: G16086																							
Select Cert:45828 OR *		5/9/1976	SUPPLEMENTAL IRRIGATION (Suppl'mtl)														5.24						
Additional Info: JERRY PERRINE App: G7328 Permit: G6767 Cert: 45828																							
Select Cert:53743 OR CN	T13276	8/2/1976	SUPPLEMENTAL CN IRRIGATION (Suppl'mtl)																				
Additional Info: DIXIE CUMISKEY App: G7395 Permit: G6768 Cert: 53743																							
1 2 3 4 5 6																							

Acreage Legend: 12.25 Regular acreage

-12.25 Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

[12.25] Acreage has been suspended

* Acreage is not specified



Search Criteria

Meridian: Willamette

Township: 1 South

Range: 32 East

Section: 21

Records per Page: 8

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Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Loi	Q(40) Q(100)	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown QQ
Select Cert:72651 OR *		9/24/1990	ANADROMOUS AND RESIDENT FISH HABITAT (INSTREAM)																					
Additional Info: OREGON WATER RESOURCES DEPARTMENT App: IS70681 Cert: 72651																								
Select Cert:2587 OR CN		5/31/1909	DOMESTIC	CN																				
Additional Info: JOHN MCMANUS Decree: UMATILLA RIVER Cert: 2587																								
Select Cert:4808 OR *		11/29/1922	DOMESTIC																					
Additional Info: A.E.D. SCHLEGEL App: S8741 Permit: S5722 Cert: 4808																								
Select Cert:82675 (T 9493 RR) CN			DOMESTIC	CN																				
Additional Info: JERRY WINNETT Decree: UMATILLA RIVER Cert: 82675																								
Select Cert:82676 (T 9493 RR) CN			DOMESTIC	CN																				
Additional Info: DARRLED FLEENOR Decree: UMATILLA RIVER Cert: 82676																								
Select Cert:86839 (RR) CR *			DOMESTIC																					
Additional Info: JERRY WINNETT Decree: UMATILLA RIVER Cert: 86839																								
Select Cert:86840 (RR) CR *		IL1864	DOMESTIC																					
Additional Info: DARRLED FLEENOR Decree: UMATILLA RIVER Cert: 86840																								
Select Cert:97045 (T 13276 RR) *		5/31/1909	DOMESTIC																					
Additional Info: JOHN MCMANUS Decree: UMATILLA RIVER Cert: 97045																								
123456																								

Acreage Legend: 12.25 Regular
acreage

12.25- Acreage is on a canceled
right

(12.25) Acreage is part of a transfer and has not been proven up on
yet (inchoate)

(12.25) Acreage has been
suspended

* Acreage is not
specified



Search Criteria

Meridian: Township: Range: Section: Records per Page:

Platcards Maps!
[Learn about](#) [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	00400: 01000:	NE NE	NW NE	SW NE	SE NE	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown OO
Select Cert:2587 OR CN Additional Info: JOHN MCMANUS Decree: UMATILLA RIVER Cert: 2587		5/31/1909	IRRIGATION	CN								-11-		-19-		-19-		-20-					
Select Cert:4808 OR * Additional Info: A.E.D. SCHLEGEL App: S8741 Permit: S5722 Cert: 4808		11/29/1922	IRRIGATION														5.45						
Select Cert:42342 OR CN Additional Info: GEORGE JOHNSTON App: G5759 Permit: G5047 Cert: 42342	T13870	3/17/1972	IRRIGATION	CN								-14.2-											
Select Cert:46099 OR * Additional Info: THOMAS J MUILENGSBURG App: G7081 Permit: G6360 Cert: 46099		8/18/1975	IRRIGATION									1.1	11.58										
Select Cert:53249 OR CN Additional Info: CHARLES/DIXIE CUMISKY App: G5701 Permit: G5510 Cert: 53249	T6925, T7003	1/11/1972	IRRIGATION	CN												-4.9-	-13.6-	-13.6-					
Select Cert:53743 OR CN Additional Info: DIXIE CUMISKEY App: G7395 Permit: G6788 Cert: 53743	T13276	6/2/1976	IRRIGATION	CN											-16.1-								
Select Cert:58075 OR * Additional Info: RAYMOND SLABIK App: G8711 Permit: G8424 Cert: 58075		4/3/1978	IRRIGATION									12.6											
Select Cert:72775 (T 6925, T 7003 RR) CN Additional Info: CHARLES W CUMISKY App: G5701 Permit: G5510 Cert: 72775	T6820	1/11/1972	IRRIGATION	CN												-3.4-	-6.32-						
123458																							

Acreage Legend: 12.25 Regular

-12.25- Acreage is on a
separated right

(12.25) Acreage is part of a transfer and has not been proven up
on wet (inkbooks)

[12.25] Acreage has been
surrounded

* Acreage is not
surrounded



Oregon Water Resources Department Water Rights Platcard Report

Search Criteria

Meridian: Township: Range: Section: Records per Page:

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[Learn about](#) - [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Q140 Q140	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unknown OO
Select Cert:74274 (T 6820 RR) *		10/7/1997	IRRIGATION															8.32						
Additional Info: CHARLES W CUMISKY App: G5701 Permit: G5510 Cert: 74274																								
Select Cert:76166 OR *		11/8/1993	IRRIGATION								8.57				1.83									
Additional Info: MARK S MASCALL App: G13557 Permit: G12072 Cert: 76166																								
Select Cert:82675 (T 9493 RR) CN			IRRIGATION CN											5.5										
Additional Info: JERRY WINNETT Decree: UMATILLA RIVER Cert: 82675																								
Select Cert:82676 (T 9493 RR) CN			IRRIGATION CN											4.2										
Additional Info: DARRLED FLEENOR Decree: UMATILLA RIVER Cert: 82676																								
Select Cert:83663 OR CN		T11018	4/17/2000	IRRIGATION CN														8.7						
Additional Info: ARTHUR FALK App: G15128 Permit: G13998 Cert: 83663																								
Select Cert:86784 CF CN		T12449, T13276	1/11/1972	IRRIGATION CN														4.4	13.94					
Additional Info: ARTHUR FALK App: G5701 Permit: G5510 Cert: 86784																								
Select Cert:86813 CF *			1/11/1972	IRRIGATION													1.11	1.94						
Additional Info: KENNETH STELK App: G5701 Permit: G5510 Cert: 86813																								
Select Cert:86858 (T 11018 RR) *			4/17/2000	IRRIGATION														5.3						
Additional Info: ARTHUR FALK App: G15128 Permit: G13998 Cert: 86858																								
1 2 3 4 5 6																								

Acreage Legend: 12.25 Regular
acreage

-12.25 Acreage is on a
canceled right

(12.25) Acreage is part of a transfer and has not been
proven up on yet (inchoate)

[12.25] Acreage has been
suspended

* Acreage is not
specified



Oregon Water Resources Department Water Rights Platcard Report

Search Criteria

Meridian: Township: Range: Section: Records per Page:

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[Learn about](#) * [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Q140 Q180	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown QQ
Select Cert:88123 CF *		4/17/2000	IRRIGATION																3.4					
Additional Info: VARDAN RIGBY App: G15128 Permit: G13998 Cert: 88123																								
Select Cert:88646 CF *		1/11/1972	IRRIGATION															3.08						
Additional Info: CRAIG KROSTING App: G5701 Permit: G5510 Cert: 88646																								
Select Cert:86839 (RR) CR *			IRRIGATION										5.5											
Additional Info: JERRY WINNETT Decree: UMATILLA RIVER Cert: 86839																								
Select Cert:86840 (RR) CR *		IL1804	IRRIGATION										4.2											
Additional Info: DARRLED FLEENOR Decree: UMATILLA RIVER Cert: 86840																								
Select Inchoate: T 13870 CF (REG) *		3/17/1972	IRRIGATION										(7.1)											
Additional Info: DENISE OWEN App: G5759 Permit: G5047																								
Select Cert:96392 (T 13870 RR) *		3/17/1972	IRRIGATION										7.1											
Additional Info: GEORGE JOHNSTON App: G5759 Permit: G5047 Cert: 96392																								
Select Cert:97043 (T 13276 RR) *		1/11/1972	IRRIGATION															4.4						
Additional Info: ARTHUR FALK App: G5701 Permit: G5510 Cert: 97043																								
Select Cert:97045 (T 13276 RR) *		5/31/1909	IRRIGATION									11			19		19		6.8					
Additional Info: JOHN MCMANUS Decree: UMATILLA RIVER Cert: 97045																								
1 2 3 4 5 6																								

Acreage Legend: 12.25 Regular acreage -12.25- Acreage is on a canceled right (12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate) [12.25] Acreage has been suspended * Acreage is not specified



Oregon Water Resources Department Water Rights Platcard Report

Search Criteria

Meridian: Township: Range: Section: Records per Page:

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[Learn about](#) [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	acres	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown
Select Cert:2627 OR CN Additional Info: A.J. STURTEVANT Decree: UMATILLA RIVER Cert: 2627			IRRIGATION, CN LIVESTOCK AND DOMESTIC											18.5	11									
Select Cert:42284 (RR) CN Additional Info: A.J. STURTEVANT Decree: UMATILLA RIVER Cert: 42284			IRRIGATION, CN LIVESTOCK AND DOMESTIC											18.5	7.7									
Select Cert:47434 (RR) CN Additional Info: A STURTEVANT Decree: UMATILLA RIVER Cert: 47434	T9493		IRRIGATION, CN LIVESTOCK AND DOMESTIC											5.5	4.2									
Select Cert:53122 (RR) CN Additional Info: JOHN MCMANUS Decree: UMATILLA RIVER Cert: 53122	T13276	5/31/1909	IRRIGATION, CN LIVESTOCK AND DOMESTIC											11				19	19	8.8				
Select Cert:2587 OR CN Additional Info: JOHN MCMANUS Decree: UMATILLA RIVER Cert: 2587		5/31/1909	LIVESTOCK CN											1				1	1	1				
Select Cert:82675 (T 9493 RR) CN Additional Info: JERRY WINNETT Decree: UMATILLA RIVER Cert: 82675			LIVESTOCK CN											1										
Select Cert:82676 (T 9493 RR) CN Additional Info: DARRLED FLEENOR Decree: UMATILLA RIVER Cert: 82676			LIVESTOCK CN											1										
Select Cert:86839 (RR) CR * Additional Info: JERRY WINNETT Decree: UMATILLA RIVER Cert: 86839			LIVESTOCK											*										
123456																								

Acreage Legend: 12.25 Regular acreage

12.25 Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

[12.25] Acreage has been suspended

* Acreage is not specified



Oregon Water Resources Department Water Rights Platcard Report

Search Criteria

Meridian: Township: Range: Section: Records per Page:

Platcards Maps!
[Learn about](#) * [View Map](#)

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	00/400 01/100	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown CQ
Select Cert:86840 (RR) CR *	IL1884		LIVESTOCK																									
Additional Info: DARRLED FLEENOR Decree: UMATILLA RIVER Cert: 86840																												
Select Cert:97045 (T 13276 RR) *		5/31/1909	LIVESTOCK																									
Additional Info: JOHN MCMANUS Decree: UMATILLA RIVER Cert: 97045																												
Select Permit: G 15336 *		8/13/2001	MUNICIPAL USES																									
Additional Info: STEVE DRAPER App: G15586 Permit: G15336																												
Select Inchoate: T 10012 CF (REG) *		8/15/1952	MUNICIPAL USES																									
Additional Info: STEVE DRAPER App: U516 Permit: U471																												
Select Inchoate: T 10012 CF (REG) *		3/29/1966	MUNICIPAL USES																									
Additional Info: STEVE DRAPER App: G3436 Permit: G3221																												
Select Permit: G 16086 *		10/12/2005	MUNICIPAL USES																									
Additional Info: CITY OF PILOT ROCK App: G16544 Permit: G16086																												
Select Cert:45828 OR *		5/9/1970	SUPPLEMENTAL IRRIGATION (Suppl mtl)																							5.24		
Additional Info: JERRY PERRINE App: G7328 Permit: G6767 Cert: 45828																												
Select Cert:53743 OR CN	T13276	8/2/1976	SUPPLEMENTAL CN IRRIGATION (Suppl mtl)																							5.8		
Additional Info: DIXIE CUMISKEY App: G7395 Permit: G6768 Cert: 53743																												
123456																												

Acreage Legend: 12.25 Regular acreage

12.25 Acreage is on a canceled right

(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)

[12.25] Acreage has been suspended

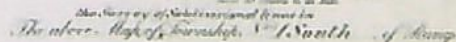
* Acreage is not specified

T-13870:

Portion cadastral survey T1S, R32E, W.M – Section 21 – 1865-01-30:



G *g* *f* *e* *E* *d* *D* *c* *C* *b* *B* *a* *A*





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Q 725 Summer St. NE.

Search: Water Right by File

Application:

Permit:

Certificate:

Claim:

Transfer:

Snap ID:

POD Source:

Irr. District:

 (Draw box on map.)

Points of Diversion: (Count: 1)

Places of Use (Count: 9)	
--------------------------	--

Identify Non-Water Right Features

Tax Lots


Layers

Tools

POD	POU	Irrigation Districts AOI	MCWC Planned POU
-----	-----	--------------------------	------------------

ID (select)	Organization	Website	Data Source
-------------	--------------	---------	-------------

T-13870:


Oregon Water Resources Department
Water Rights Mapping Tool

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

OWRD Only

Search

Search: Water Right by File

Application:

Permit:

Certificate:

Claim:

Transfer: T 13870

Snap ID:

POD Source: Equal

Irr. District:

(Draw box on map.)

Points of Diversion (Count: 3)

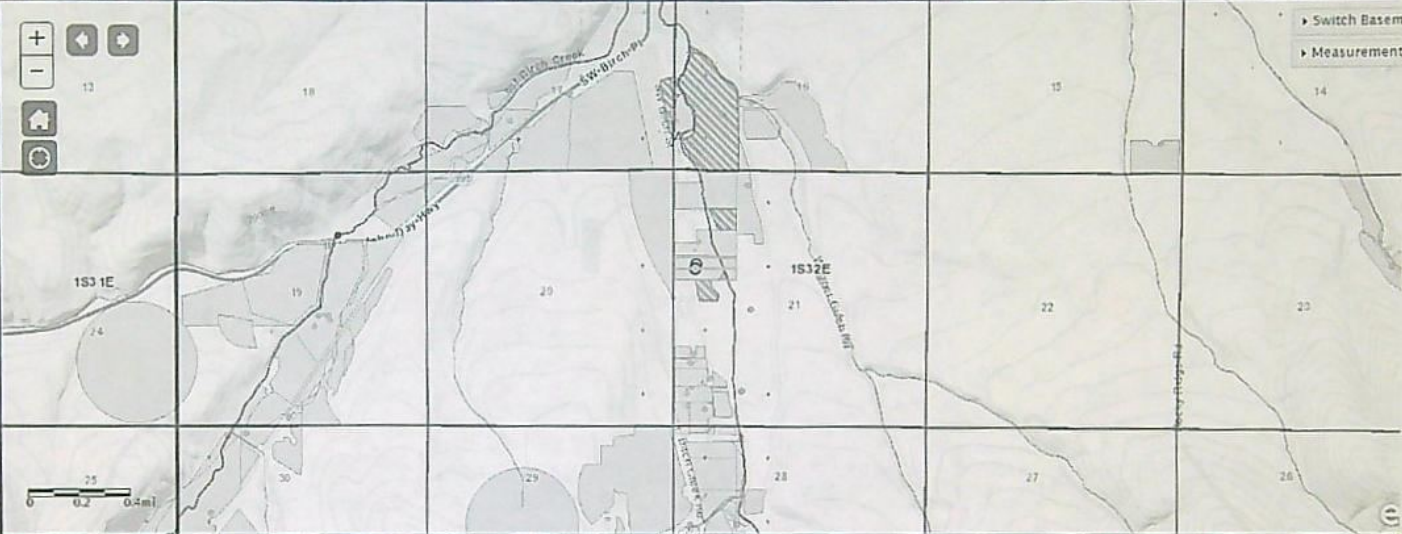
Places of Use (Count: 2)

Identify Non-Water Right Features

Tax Lots

Layers

Tools

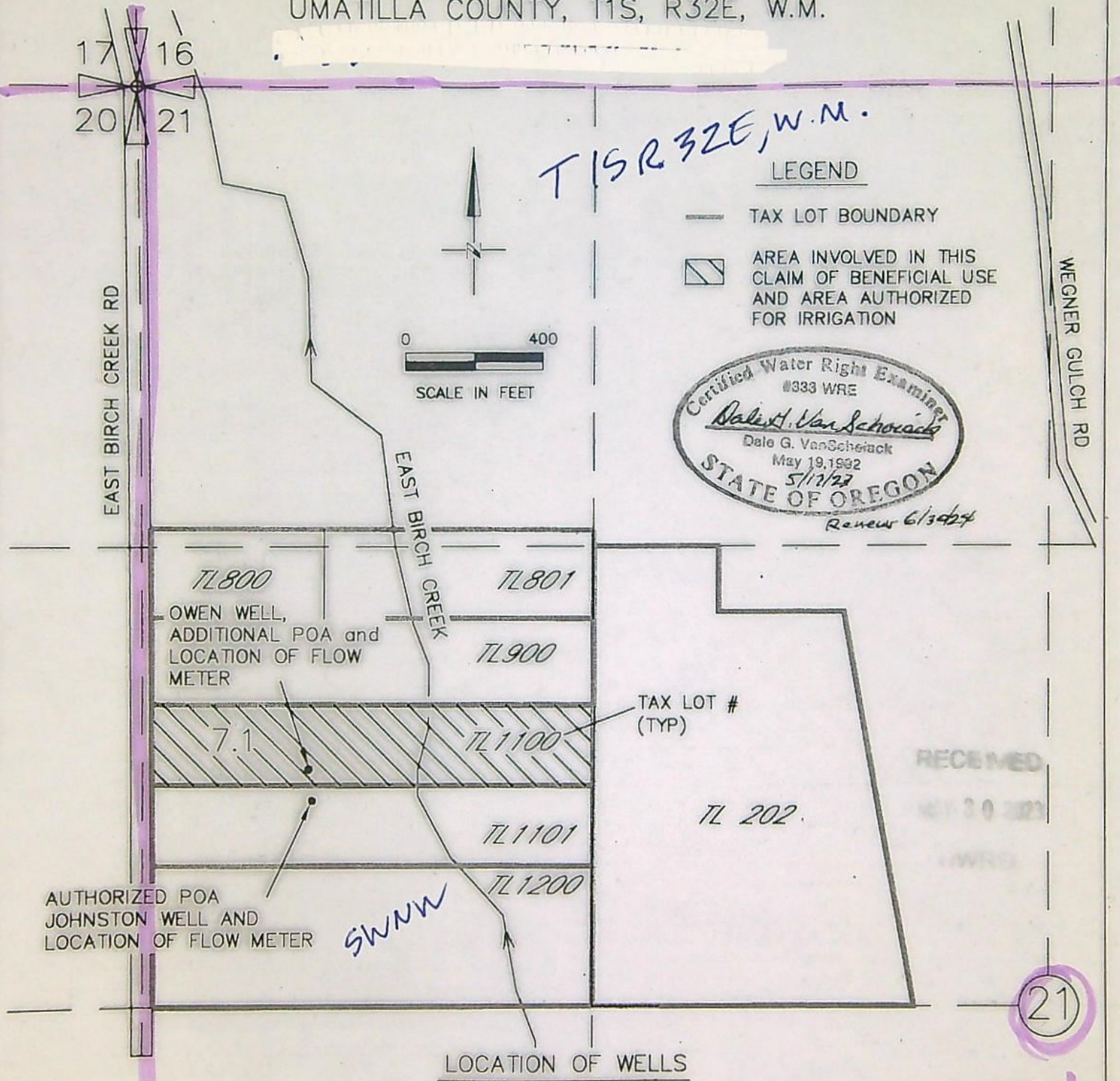


POD POU Irrigation Districts AOI MCWC Planned POU

All Fields Search...

#	ID (select)	WRIS	Zoom	Water Right	Water Type	First Name	Last Name	Company	Use Desc.	Priority Date	Supp. Duty	Rate cfs	Rate cfs Est.	Max Rate cfs	Acre ft	Acre ft Est.	Max Rate Acre ft	Stream Name
1	191755	Details	Map WB	Inchoate: T 13870 CF	GW	DENISE	OWEN		IRRIGATION	03/17/1972	3	0.02	Yes	0.04	-	-	-	E BIRCH CR > BIRCH CR
2	191756	Details	Map WB	Inchoate: T 13870 CF	GW	DENISE	OWEN		IRRIGATION	03/17/1972	3	0.02	Yes	0.04	-	-	-	E BIRCH CR > BIRCH CR
3	193513	Details	Map WB	Cert:96392 (T 13870	GW	GEORGE	JOHNSTON		IRRIGATION	03/17/1972	3	0.04	-	0.04	-	-	-	E BIRCH CR > BIRCH CR

CLAIM OF BENEFICIAL USE MAP FOR TRANSFER T-13870
(ADDITIONAL POINT OF APPROPRIATION)
IN THE NAME OF JOHN AND DENISE OWEN
UMATILLA COUNTY, T1S, R32E, W.M.



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

DGV Consulting, PLLC
PHONE (509) 627-8717
dalevconsulting@gmail.com
Date: May 12, 2023

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING
T-13870, Umatilla County)	AN ADDITIONAL POINT OF APPROPRIATION

Authority

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

Applicant

JOHN AND DENISE OWEN
PO BOX E
PILOT ROCK, OR 97868-0080

Findings of Fact

1. On December 6, 2021, JOHN AND DENISE OWEN filed an application for an additional point of appropriation under Certificate 42342. The Department assigned the application number T-13870.
2. Notice of the application for transfer was published on December 21, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 8, 2022, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13749 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 8, 2022, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. On August 30, 2022, the Department issued a Preliminary Determination proposing to approve Transfer T-13870 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on August 30, 2022, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

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

Certificate: 42342 in the name of GEORGE W. JOHNSTON (perfected under Permit G-5047)

Use: IRRIGATION of 7.1 ACRES

Priority Date: MARCH 17, 1972

Rate: 0.04 CUBIC FOOT PER SECOND

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

Source: JOHNSTON WELL, a tributary of EAST BIRCH CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	32 E	WM	21	SW NW	2050 FEET SOUTH AND 490 FEET EAST FROM THE NW CORNER OF SECTION 21

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	32 E	WM	21	SW NW	7.1

6. Transfer Application T-13870 an additional point of appropriation approximately 200 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	32 E	WM	21	SW NW	1970 FEET SOUTH AND 515 FEET EAST FROM THE NW CORNER OF SECTION 21

7. The Department Groundwater Section and the Watermaster require the following condition to prevent injury to surrounding wells and develop the same source:

Any well drilled under this water right shall be open to a single aquifer in the Columbia River Basalt Group and shall meet applicable well construction standards (OAR 690-200 and OAR 690-210). The open interval in the well shall be limited to water-bearing zones with hydraulic head elevations similar to the zones developed by the authorized POA on water right Certificate 42342 (UMAT 105). If a water-bearing zone with a distinct and different head is encountered, it shall be sealed off during drilling. Transfer Review Criteria (OAR 690-380-4010)

8. Water has been used within the last five years.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13870.

10. The proposed change as conditioned would not result in enlargement of the right.
11. The proposed change as conditioned would not result in injury to other water right.
12. All other application requirements are met.

Determination and Proposed Action

The additional point of appropriation proposed in Transfer Application T-13870 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

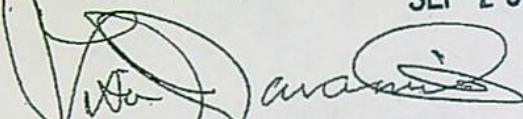
Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed in Transfer Application T-13870 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 42342 and any related decree.
3. Water right Certificate 42342 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
4. The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. Any well drilled under this water right shall be open to a single aquifer in the Columbia River Basalt Group and shall meet applicable well construction standards (OAR 690-200 and OAR 690-210). The open interval in the well shall be limited to water-bearing zones with hydraulic head elevations similar to the zones developed by the authorized POA on water right certificate 42342 (UMAT 105). If a water-bearing zone with a distinct and different head is encountered, it shall be sealed off during drilling.

8. 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 prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

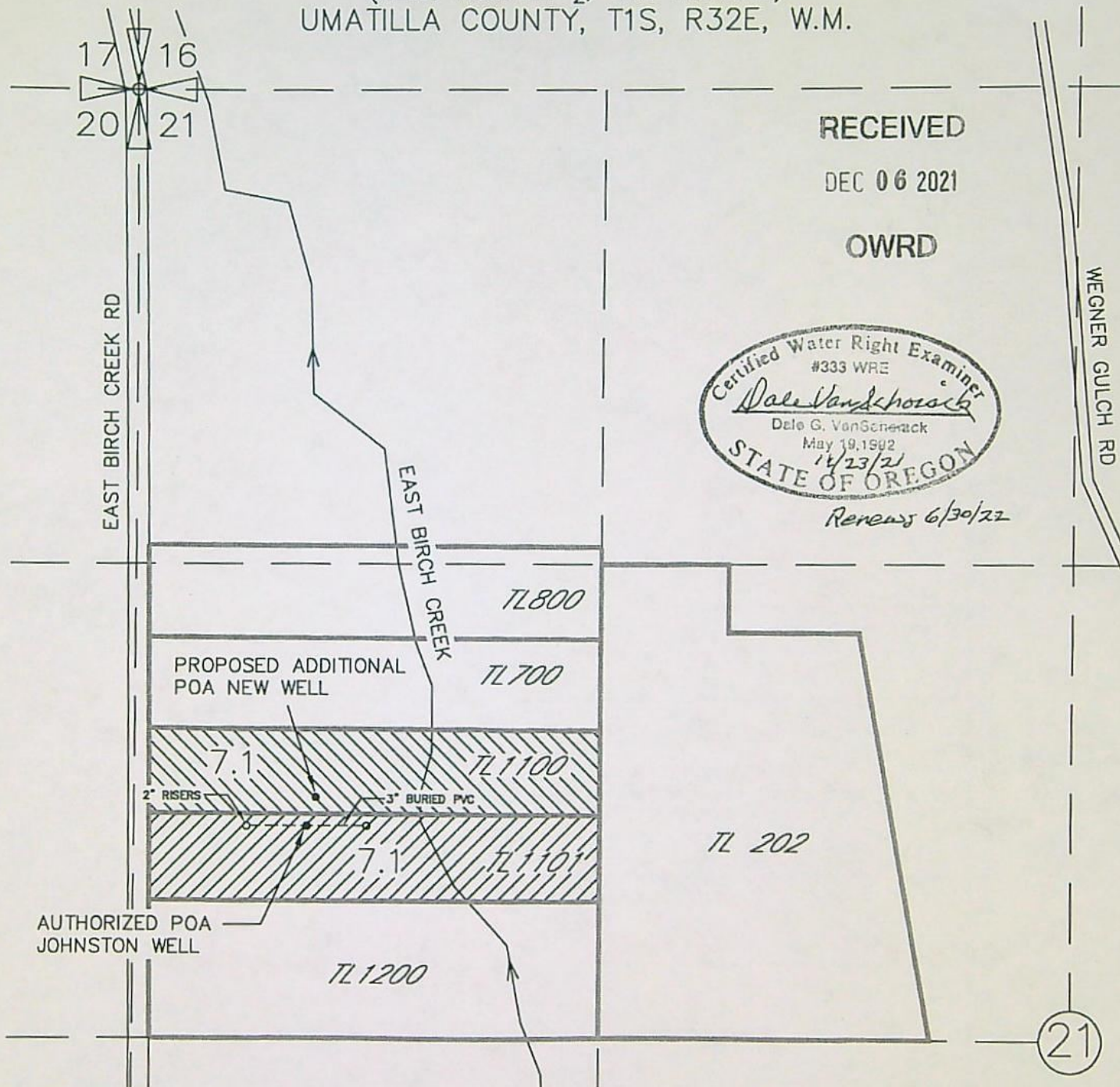
Dated in Salem, Oregon on

SEP 20 2022



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

JOHN AND DENISE OWEN TRANSFER APPLICATION MAP
 ADDITIONAL POINT OF APPROPRIATION FOR A PORTION OF CERT 42342
 (THE NORTH $\frac{1}{2}$, 7.1 ACRES)
 UMATILLA COUNTY, T1S, R32E, W.M.



LEGEND

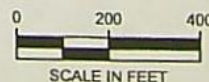
- TAX LOT BOUNDARY
- AREA OF CERT. 42342 INVOLVED IN THIS TRANSFER
- AREA OF CERT. 42342 NOT INVOLVED IN THIS TRANSFER

LOCATION OF WELLS

AUTHORIZED POA (JOHNSTON WELL):
 2050 FT S AND 490 FT E OF NW
 CORNER SECTION 21

ADDITIONAL POA FOR TL 1100
 (PROPOSED NEW WELL):
 1970 FT S AND 515 FT E OF
 THE NW CORNER SECTION 21

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

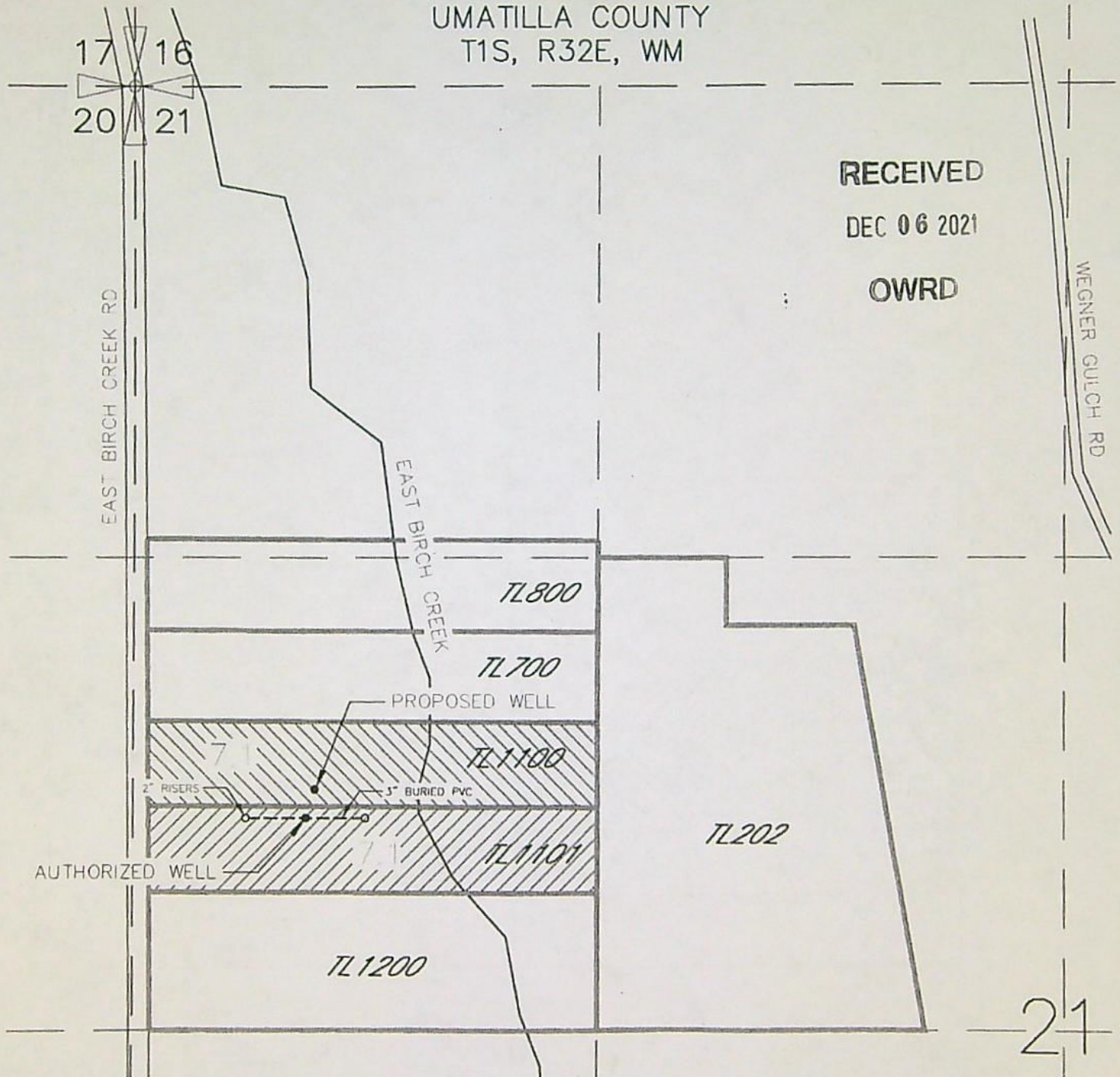


JOHN AND DENISE OWEN
TRANSFER APPLICATION MAP
ADDING ADDITIONAL POINT OF APPROPRIATION
TO THEIR 7.1 ACRES NORTH 1/2
PORTION OF CERT 42342
UMATILLA COUNTY
T1S, R32E, WM

RECEIVED

DEC 06 2021

OWRD



— TAX LOT BOUNDARY

▨ AREA OF CERT. NO. 42342 INVOLVED IN THIS TRANSFER

▨ AREA OF CERT. NO. 42342 NOT INVOLVED IN THIS TRANSFER

AUTHORIZED WELL:
2050 FT S AND 490 FT E
OF NW CORNER SECTION 21

PROPOSED WELL:
1970 FT S AND 515 FT E OF
THE NW CORNER SECTION 21

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

DRAWING: \\CWF\FILES\Public\Project\30-08-016 - Partly Water Rights Consulting\GO Misc Engineering\Cad\OWENS_JOHN\Transfer Application Map.dwg
PRINTED BY: kvaldevins on 11/03/21 05:07 PM

0 200 400
SCALE IN FEET



ong art

STATE OF OREGON
COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **GEORGE W. JOHNSTON**

97868

of **Box 518, Pilot Rock**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **Johnston Well**

a tributary of **East Birch Creek**
irrigation of **14.2 acres**

for the purpose of

under Permit No. **G-5047** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **March 17, 1972**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **0.08 cubic foot per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **SW¹/₄ NW¹/₄, Section 21, T. 1 S., R. 32 E., W. M., 2050 feet South and 490 feet East from NW Corner, Section 21.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-eightieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed **3 acre feet per acre** for each acre irrigated during the irrigation season of each year;

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

**14.2 acres SW¹/₄ NW¹/₄
Section 21
T. 1 S., R. 32 E., W. M.**

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

WITNESS the signature of the State Engineer, affixed

this date. **June 25, 1975**

Chris L. Whesler

State Engineer

Recorded in State Record of Water Right Certificates, Volume **34**, page **42342**

RR Cart

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEORGE W JOHNSTON
BOX 518
PILOT ROCK, OR 97868

confirms the right to use the waters of JOHNSTON WELL, a tributary of the EAST BIRCH CREEK for IRRIGATION of 7.1 ACRES.

This right was perfected under Permit G-5047. The date of priority is March 17, 1972. The amount of water to which this right is entitled is limited to an amount actually used beneficially and shall not exceed 0.04 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	32 E	WM	21	SW NW	2050 FEET SOUTH AND 490 FEET EAST FROM THE NW CORNER OF SECTION 21

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

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

Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	32 E	WM	21	SW NW	7.1

This certificate describes that portion of water right Certificate 42342, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 20 2022, approving Transfer Application T-13870.

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **141190** Summer St. N.E. Ste. A
SALEM, OR 97301-4172 INVOICE # _____
(503) 986-0900 / (503) 986-0904 (fax)

RECEIVED FROM: John E & Denise L Owen APPLICATION _____
BY: _____ PERMIT _____
TRANSFER T-13870

CASH: ☐ CHECK: # X 1805 OTHER: (IDENTIFY) ☐ _____
TOTAL REC'D \$ 1,683.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R 12968-23 \$ _____
0413 OTHER: (IDENTIFY) Certificate Reimbursement \$ 1,683.00
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____
Authority

4270 WRD OPERATING ACCT

MISCELLANEOUS
0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____
WATER RIGHTS: EXAM FEE RECORD FEE
0201 SURFACE WATER \$ 0202 \$ _____
0203 GROUND WATER \$ 0204 \$ _____
0205 TRANSFER \$ _____
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: **141190** DATED: 7-19-23 BY: [Signature]

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

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HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

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

RECEIPT: **141190** DATED: 7-19-23 BY: [Signature]

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



OREGON
WATER
RESOURCES
DEPARTMENT

OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: **R12968-23**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and John & Denise Owen, hereafter Applicant, hereafter known together as the parties.

OWRD Information

Project Contact: Kerry Kavanagh
Reimbursement Authority
Oregon Water Resources Department
725 Summer Street NE
Salem, OR 97301-1271
Phone: 503-979-86-0927
Email: Kerry.L.Kavanagh@water.oregon.gov

*By providing an Email address, consent is given to receive all correspondence electronically. (Paper copies of the certificate and final order documents will also be mailed.)

Applicant's Information

Name: John & Denise Owen

Address: PO Box E
Pilot Rock OR 97868
Phone: 541-443-6051
Email*: jgowen@reagan.com

- Purpose.** The purpose of this Agreement is to expedite the processing of the Claim of Beneficial Use. (Transfer Application Number: T-13870)
- Authority.** ORS 536.055 authorizes the OWRD to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** John & Denise Owen and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service has been received by OWRD.
- Consideration.** John & Denise Owen shall pay OWRD in advance for actual costs incurred by OWRD. John & Denise Owen agrees to pay the full amount of **\$1683** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
do not include the statutory application processing and filing fees.
- Confidentiality.** John & Denise Owen agree that any information under this Agreement will be subject to the Oregon Public Records records.
- Indemnity.** Applicant shall defend, save, hold harmless, and indemnify and their officers, employees, and agents from and against all claim liabilities, costs and expenses of any nature resulting from or arising out of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

RECEIVED

JUL 19 2023

OWRD

PCA 47126

8. **Termination.** Applicant may request to terminate this agreement only in writing at any time during the process. The Applicant agrees to pay for the work done by the Reimbursement Authority personnel up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance after paying the Reimbursement Authority personnel for the work done.
9. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certifies that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
10. **Duration of Estimate.** The Estimate of Time to complete the work is no later than one hundred and twenty days (120) days once this Agreement has been fully executed and payment of the estimated cost deposited. However, this estimate is contingent on the Applicant's expeditious resolution of any deficiency and may be affected by the Department's work load. This Estimate of Time may become null and void after thirty (30) days from the date the Applicant's Agreement is mailed. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate.
11. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
12. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define limit or describe the scope or intent of any provision of this Agreement.
13. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
14. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

Applicant: JOHN OWEN
Name: John Owen
Date: 7/16/23

Applicant: DENISE OWEN
Name: Denise Owen
Date: 7/16/23

For OWRD: K Kavanagh
Name: Kerry Kavanagh
Water Right Services Division
Date: 7-21-2023

Mail signed Agreement to:

Kerry Kavanagh
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271

PCA 47126

KAVANAGH Kerry L * WRD

From: KAVANAGH Kerry L * WRD
Sent: Friday, July 14, 2023 12:46 PM
To: jeowen@reagan.com
Cc: KAVANAGH Kerry L * WRD
Subject: Certificate RA Estimate R12968-23 for John & Denise Owen involving Application T-13870
Attachments: RA contract_T-13870.pdf; Certificate RA estimate _T-13870.pdf; Certificate RA estimate receipt _T-13870.pdf

Hello John and Denise,

Please find the attached estimate and agreement to review the claim of beneficial use (Claim). If the proposed agreement is acceptable to you please return a signed copy to our office along with the payment of the estimated cost to review the claim of beneficial use.

If you have any questions, please send me an email at kerry.l.kavanagh@water.oregon.gov.

Thanks,
Kerry

Kerry Kavanagh

Certificate Reimbursement Authority Program Coordinator
Certificate Section, Water Rights Services Division
725 Summer St NE Suite A | Salem OR 97301 | Direct 503.979.3208
kerry.l.kavanagh@water.oregon.gov | <https://www.oregon.gov/OWRD>



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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 140966
Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

RECEIVED FROM: John E & Denise L Owen.
BY:

APPLICATION
PERMIT
TRANSFER T-13870

CASH: CHECK: # OTHER: (IDENTIFY)

☐ ☒ 1801 ☐

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47126 R 12968-23 \$
0413 OTHER: (IDENTIFY) Certificate Reimbursement Authority \$ 125.00
0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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0203 GROUND WATER \$ 0204 \$
0205 TRANSFER \$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ 0219 LICENSE FEE \$
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OTHER (IDENTIFY)

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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: 140966

DATED 6-20-2023 BY: [Signature]

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 140966
Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

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TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION \$

RECEIPT: 140966

DATED 6-20-2023 BY: [Signature]

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



OREGON WATER RESOURCES DEPARTMENT
CERTIFICATE REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION

RECEIVED

JUN 20 2023

OWRD
SALEM, OREGON

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

The purpose of this application is to obtain estimates of the cost and time required to process a Certificate Request. A separate estimate application is required for each application and/or transfer number. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Certificate Request	Application Number <u>13870</u> Permit Number _____ Transfer Number/Permit Amendment (if applicable) _____

Applicant Information		Applicant's Representative/Contact
Name:	<u>JOHN & DENISE OWEN</u>	_____
Address:	<u>P.O. BOX E</u>	_____
	<u>Pilot Rock, OR 97868</u>	_____
Phone:	<u>541-443-6051</u>	_____
Fax:	_____	_____
E-Mail Address:	<u>SEOWEN@REAGAN.COM</u>	_____

I certify that I (check one):

- ☒ have previously filed a Claim of Beneficial Use
☐ am attaching the Claim of Beneficial Use with this request and have included the appropriate claim fee.

I understand the following:

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

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

I certify that I am the (check one):

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

Name: JOHN E. OWEN

Signature: [Signature]

OWRD USE ONLY: Reimbursement Authority Number: R12 968-23



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

May 31, 2023

John & Denise Owen
PO Box E
Pilot Rock, OR 97868

On May 30, 2023, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

Application T-13870

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: <https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/default.aspx>

Customer Service phone: (503) 986-0900

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file T-13870

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer: Corie L.
Transfer #: T-13870	
Date Received: 5/30/2023	
CWRE Name: Dale VanSchoiack	
Priority Date (s): 3/17/1972	

Fees Required:

- ☐ YES ☐ NO ☐ A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.
- ☐ YES ☒ NO ☐ A fee of \$230 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.
Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

Fill in App or Transfer Number

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- ☒ On form provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

MONEY SLIP	
DATE:	RECEIPT #:
APPROVED FROM:	APPLICATION:
CASH CHECK # OTHER (IDENTIFY)	PERMIT TRANSFER
0000 TREASURY 4170 MISC CASH ACCT	TOTAL RECEIPT \$
0407 COPIES OTHER (IDENTIFY)	
0243 Minimum Lease 0244 Min. Power Right Plan 0245 Comp. Water	
0000 TREASURY 4170 MISC CASH ACCT	
MISCELLANEOUS 4611	
0407 COPY & TAPE FEES	
0410 RESEARCH FEES	
0408 MISC REVENUE (IDENTIFY)	
TC102 DEPOSIT LAB (IDENTIFY)	
0240 EXTENSION OF TIME	
WATER RIGHTS EXAM FEE RECORD FEE	
0201 SURFACE WATER	
0202 GROUND WATER	
0203 TRANSFER	
WELL CONSTRUCTION EXAM FEE RECORD FEE	
0218 WELL DRILL CONSTRUCTION	
LANDOWNER'S PERMIT	
0200 OTHER (IDENTIFY) 0204 7220.00	
0200 TREASURY 0407 HYDROLOGIST FEE	
0213 POWER LICENSE FEE (FARMER)	
0211 HYDRO LICENSE FEE (FARMER)	
HYDRO APPLICATION	
SPECIAL INSTRUCTIONS:	

☐ RETURN TO APPLICANT - LETTER ATTACHED

Groundwater File Review:

- ☐ Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter
- ☐ Pump Test required (Priority Date on or after December 20, 1988)
- ☐ Pump Test submitted
- ☐ Pump Test not submitted

**CLAIM OF
BENEFICIAL USE
for Transfer New or Additional
POA Only**



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

A fee of \$230 must accompany this form for any Transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

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A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

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

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

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

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

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

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

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

**SECTION 1
GENERAL INFORMATION**

Type of Authorized Change

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

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

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1. File Information

APPLICATION #
T-13870

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME John and Denise Owen		PHONE NO. 541 969 8467	ADDITIONAL CONTACT NO.
ADDRESS PO Box E			
CITY Pilot Rock	STATE OR	ZIP 97868	E-MAIL jeowen@reagan.com

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

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

TRANSFER HOLDER OF RECORD John and Denise Owen		
ADDRESS PO Box E		
CITY Pilot Rock	STATE OR	ZIP 97868

4. Date of Site Inspection:

May 10, 2023

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
John Own	5-10-23	Property Owner

6. County:

Umatilla

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

OWNER OF RECORD Not Applicable		
ADDRESS		
CITY	STATE	ZIP

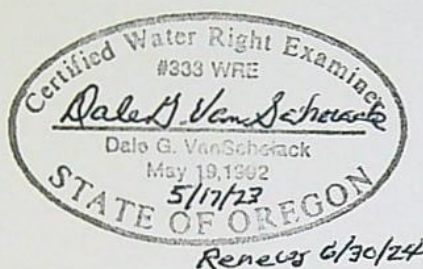
Add additional tables for owners of record as needed

SECTION 2 SIGNATURES

CWRE Statement, Seal and Signature

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

Seal and Signature



CWRE NAME Dale VanSchoiack		PHONE NO. 509 627 8717	ADDITIONAL CONTACT NO.
ADDRESS 2141 S Lyle			
CITY Kennewick	STATE WA	ZIP 99337	E-MAIL dalevconsulting@gmail.com

Transfer Holder of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	John Owen	Property Owner	5/24/23
	Denise Owen	Property Owner	5/24/23

SECTION 3 CLAIM DESCRIPTION

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

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

POINT OF APPROPRIATION (POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)	SOURCE (IF LISTED IN TRANSFER FINAL ORDER)
Owen Well	UMAT 58975	147819	Owen Well a tributary to East Birch Creek

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

If well logs are available, items A and B below can be deleted

A. If well logs are not available, provide as much of the following information as possible:

CASING DIAMETER	CASING DEPTH	TOTAL DEPTH	COMPLETION DATE OF ORIGINAL WELL	COMPLETION DATES OF ALTERATIONS	WHO THE WELL WAS DRILLED FOR	WELL DRILLED BY
UMAT 58975						

B. In addition to the information requested in item "A" above, provide any other information which may help the Department locate any well logs associated with this appropriation.

Refer to UMAT 58975

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, or extension final?

YES

If yes, describe below.

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

The final order indicated the additional point of appropriation to be 1970 feet South and 515 feet East from the NW Corner of Section 21. The actual location of the additional point of appropriation was determined to be 1960 feet South and 480 feet East from the NW Corner of Section 21.

3. Claim Summary:

NEW OR ADDITIONAL POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
Owen Well	0.04 cfs	0.15 cfs	Not Applicable

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SECTION 4

SYSTEM DESCRIPTION

Are there multiple new or additional Points of Appropriation (POA)?

NO

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

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

Owen Well

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A. POA System Information

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

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Grundfos	45S75-19	Unknown	Submersible	NA	2"

2. Motor Information

MANUFACTURER	HORSEPOWER
Unknown	7.5

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level during pumping	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
7.5	60 psi at well head	203 feet (103 SWL and estimated 100 foot of drawdown)	14 feet (1758- 1744)	0.15 cfs

4. Provide pump calculations:

WELL PUMP

Estimated Pumping head (TDH ft)

Pressure 60 psi at well head x 2.31 ft/psi =	138.6 ft
103 ft SWL (Well Log) plus assumed 100 ft drawdown.	203.0 ft
Misc. loss: pump column, valves, fittings, and flow meter	15.0 ft
Total TDH	356.6 ft

$$Hp = \frac{TDH \times gpm}{3960 \times \text{eff.}} \quad \text{or} \quad gpm = \frac{3960 \times \text{eff} \times hp}{TDH} = \frac{3960 \times 80\% \times 7.5 \text{ hp}}{356.6 \text{ ft}} = 66.6 \text{ gpm or } 0.15 \text{ cfs}$$

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

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Not Applicable			

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

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B. Groundwater Source Information (Well and Sump)

3. Is the appropriation from a dug well (sump)?

If "NO", items 4 through 6 relating to this section may be deleted.

Items 4 through 6 relating to this section were deleted.

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NO

C. Additional notes or comments related to the system:

None

SECTION 5 CONDITIONS

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

1. Time Limits:

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

	DATE FROM TRANSFER	DATE THE NEW AND/OR ADDITIONAL POA(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	Sept 20, 2022	
COMPLETENESS DATE FROM ORDER (C)	October 1, 2023	May 10, 2023

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

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

NO

If "NO", you may delete the following table.

If for a transfer extension order, provide the following information:

VOLUME	PAGE	DATE EXTENDED TO
Not Applicable		

3. Measurement Conditions:

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

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

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of appropriation.

b. Has a meter been installed?

YES

c. Meter Information

POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
Owen Well	Master Meter	222606428	new	91500 gallons	April 2023
Johnston Well	Carlton	16 016562	Good condition	29811000 gallons	2019

If a meter has been installed, items d through f relating to this section may be deleted.

Items d through f relating to this section were deleted.

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4. Recording and reporting conditions

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

NO

If "NO", item b relating to this section may be deleted.

b. Have the reports been submitted?

NA

If the reports have not been submitted, attach a copy of the reports if available.

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

a. Were there special well construction standards?

NO

b. Was submittal of a ground water monitoring plan required?

NO

c. Other conditions?

NO

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

Not Applicable

**SECTION 6
ATTACHMENTS**

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

ATTACHMENT NAME	DESCRIPTION
COBU Map	COBU Map
Well Log	UMAT 58975

SECTION 7

CLAIM OF BENEFICIAL USE MAP

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

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

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

The transfer map, a Google aerial image, the county tax lot map, and observations made during the site visit were used to prepare the COBU map.

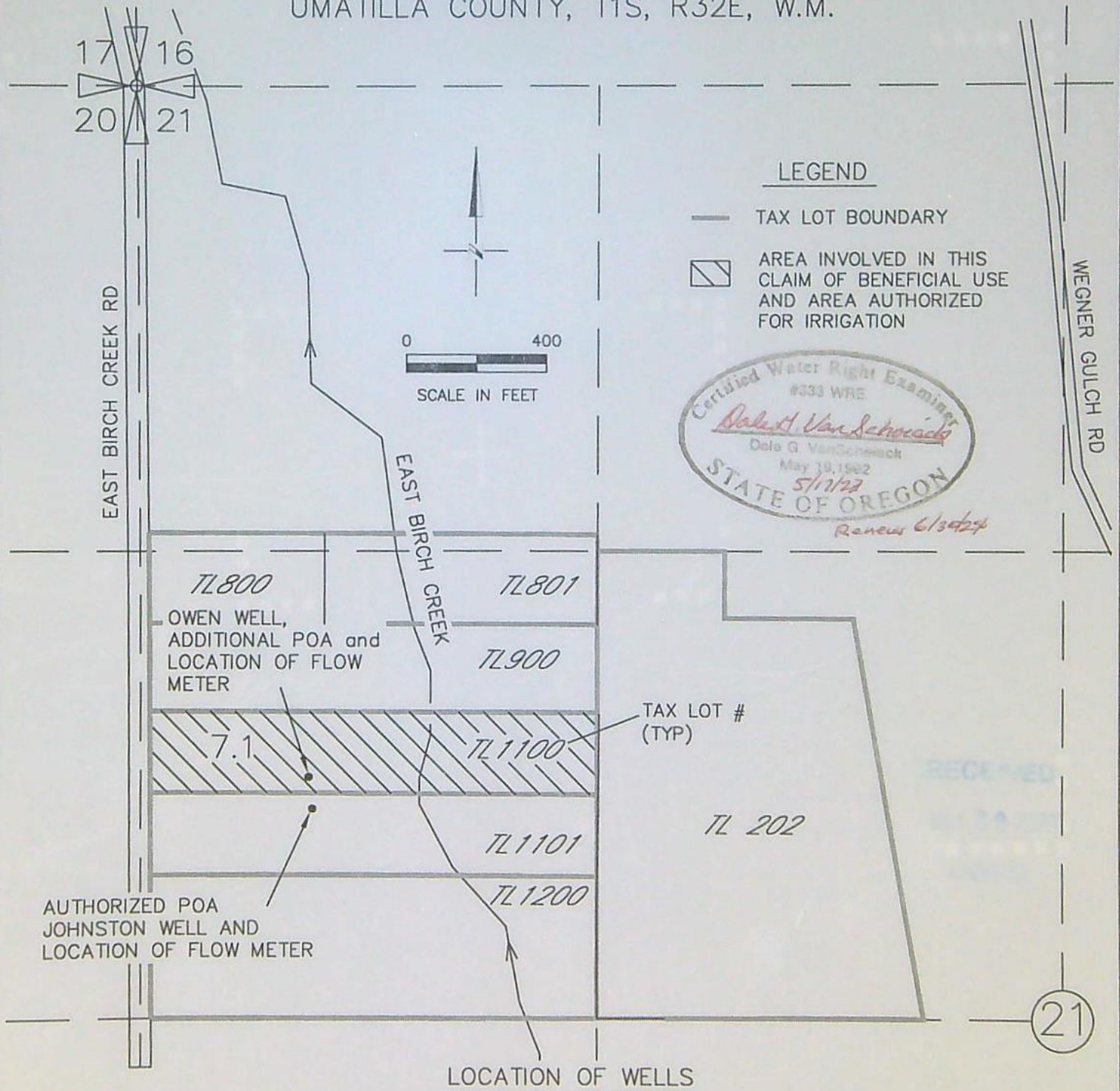
Map Checklist

Please be sure that the map you submit includes ALL the items listed below.

(Reminder: Incomplete maps and/or claims may be returned.)

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

CLAIM OF BENEFICIAL USE MAP FOR TRANSFER T-13870
(ADDITIONAL POINT OF APPROPRIATION)
IN THE NAME OF JOHN AND DENISE OWEN
UMATILLA COUNTY, T1S, R32E, W.M.



AUTHORIZED POA (JOHNSTON WELL):
2050 FT S AND 490 FT E OF NW
CORNER SECTION 21

ADDITIONAL POA (OWEN WELL):
1960 FT S AND 480 FT E OF
THE NW CORNER SECTION 21

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

DGV Consulting, PLLC
PHONE (509) 627-8717
dalevconsulting@gmail.com
Date: May 12, 2023

STATE OF OREGON
WATER SUPPLY WELL REPORT

UMAT 58975

WELL I.D. LABEL# L

147819

START CARD #

1058999

ORIGINAL LOG #

(as required by ORS 537.545 & 537.765 and OAR 690-205-0210)

10/21/2022

Page 1 of 1

(1) LAND OWNER

Owner Well I.D.

First Name JOHN

Last Name OWEN

Company

Address PO BOX E

City PILOT ROCK

State OR

Zip 97868

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion

☐ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)

(2a) PRE-ALTERATION

Casing: Dia + From To Gauge Stl Plstc Wld Thrd

Seal:

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other

(4) PROPOSED USE

☐ Domestic ☒ Irrigation ☐ Community

☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering

☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)

Depth of Completed Well 266.00 ft.

BORE HOLE			SEAL			Amt	sacks/ lbs
Dia	From	To	Material	From	To		
12	0	18	Bentonite Chips	0	18	18	S
8	18	266				Calculated 10.21	
						Calculated	

How was seal placed: Method ☐ A ☐ B ☐ C ☐ D ☐ E

☒ Other POURED BENTONITE
Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

Explosives used: ☐ Yes Type Amount

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount

Actual Amount

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
<input checked="" type="radio"/>	<input type="radio"/>	8	<input checked="" type="checkbox"/>	2	18	.250	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>		<input type="checkbox"/>				<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>		<input type="checkbox"/>				<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
<input type="radio"/>	<input type="radio"/>		<input type="checkbox"/>				<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)

Temp casing ☐ Yes Dia From + To

(7) PERFORATIONS/SCREENS

Perforations Method

Screens Type Material

Perf/	Casing/ Screen				Scrn/slot	Slot	# of	Tele/
Screen	Liner	Dia	From	To	width	length	slots	pipe size

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

100		266	1

Temperature 66 °F Lab analysis ☐ Yes By

Water quality concerns? ☐ Yes (describe below) TDS amount 122 ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County UMATILLA Twp 1.00 S N/S Range 32.00 E E/W WM

Sec 21 SW 1/4 of the NW 1/4 Tax Lot 1100

Tax Map Number Lot

Lat " or 45.46657933 DMS or DD

Long " or -118.83097804 DMS or DD

☒ Street address of well ☐ Nearest address

67059 EAST BIRCH CR ROAD PILOT ROCK OR

(10) STATIC WATER LEVEL

Date SWL(psi) + SWL(ft)

Existing Well / Pre-Alteration		
Completed Well	10/21/2022	103

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES

Depth water was first found 206.00

SWL Date From To Est Flow SWL(psi) + SWL(ft)

10/21/2022	206	266	100		103

(11) WELL LOG

Ground Elevation

Material	From	To
SOIL	0	2
CEMENTED GRAVEL	2	10
BLACK BASALT	10	62
BLACK & BROWN BASALT	62	68
RED BASALT	68	96
SOFT BLACK BASALT	96	206
BLACK & BROWN BASALT	206	210
SOFT BLACK BASALT	210	236
BLACK BASALT/ GREEN CLAYSTONE	236	238
BROWN BASALT/ TAN CLAYSTONE	238	260
FRACTURED BLACK BASALT	260	266

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Date Started 10/20/2022 Completed 10/21/2022

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number 1735

Date 10/21/2022

Signed CHAD COURTNEY (E-filed)

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1881

Date 10/21/2022

Signed GARRY ZOLLMAN (E-filed)

Contact Info (optional) GARRY ZOLLMAN

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version:

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

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

OFFICIAL USE

Certified Mail Fee

\$

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

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

Postmark
Here

JOHN & DENISE OWEN
PO BOX E
PILOT ROCK, OR 97868-0080

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

JOHN & DENISE OWEN
PO BOX E
PILOT ROCK, OR 97868-0080



9590 9402 6816 1074 5416 69

2. Article Number (Transfer from service label)

7021 0950 0000 7384 1959

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X *JD*

☐ Agent

☐ Addressee

B. Received by (Printed Name)

JOHN E. OWEN

C. Date of Delivery

9/6/22

D. Is delivery address different from item 1?

☐ Yes

☐ No

Enter delivery address below:

RECEIVED

SEP 08 2022

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

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

Mail
Mail Restricted Delivery
500)



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

September 21, 2022

JOHN OWEN
PO BOX E
PILOT ROCK, OR 97868-0080

REFERENCE: Transfer Application T-13870

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

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

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

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

If you have any questions related to this transfer, you may contact your caseworker, Arla Davis, by telephone at 503-979-3129 or by e-mail at Arla.L.Davis@oregon.gov.

Sincerely,

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

cc: Gregory M. Silbernagel, Watermaster Dist. # 5 (via email)
Umatilla County Planning
William Porfily, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING
T-13870, Umatilla County)	AN ADDITIONAL POINT OF APPROPRIATION

Authority

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

Applicant

JOHN AND DENISE OWEN
PO BOX E
PILOT ROCK, OR 97868-0080

Findings of Fact

1. On December 6, 2021, JOHN AND DENISE OWEN filed an application for an additional point of appropriation under Certificate 42342. The Department assigned the application number T-13870.
2. Notice of the application for transfer was published on December 21, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 8, 2022, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13749 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 8, 2022, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. On August 30, 2022, the Department issued a Preliminary Determination proposing to approve Transfer T-13870 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on August 30, 2022, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

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

Certificate: 42342 in the name of GEORGE W. JOHNSTON (perfected under Permit G-5047)
Use: IRRIGATION of 7.1 ACRES
Priority Date: MARCH 17, 1972
Rate: 0.04 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: JOHNSTON WELL, a tributary of EAST BIRCH CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	32 E	WM	21	SW NW	2050 FEET SOUTH AND 490 FEET EAST FROM THE NW CORNER OF SECTION 21

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	32 E	WM	21	SW NW	7.1

6. Transfer Application T-13870 an additional point of appropriation approximately 200 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	32 E	WM	21	SW NW	1970 FEET SOUTH AND 515 FEET EAST FROM THE NW CORNER OF SECTION 21

7. The Department Groundwater Section and the Watermaster require the following condition to prevent injury to surrounding wells and develop the same source:

Any well drilled under this water right shall be open to a single aquifer in the Columbia River Basalt Group and shall meet applicable well construction standards (OAR 690-200 and OAR 690-210). The open interval in the well shall be limited to water-bearing zones with hydraulic head elevations similar to the zones developed by the authorized POA on water right Certificate 42342 (UMAT 105). If a water-bearing zone with a distinct and different head is encountered, it shall be sealed off during drilling. Transfer Review Criteria (OAR 690-380-4010)

8. Water has been used within the last five years.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13870.

10. The proposed change as conditioned would not result in enlargement of the right.
11. The proposed change as conditioned would not result in injury to other water right.
12. All other application requirements are met.

Determination and Proposed Action

The additional point of appropriation proposed in Transfer Application T-13870 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

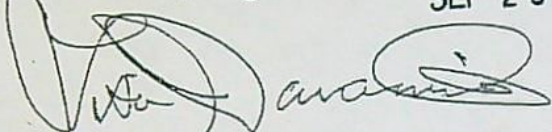
Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed in Transfer Application T-13870 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 42342 and any related decree.
3. Water right Certificate 42342 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
4. The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.
5. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. Any well drilled under this water right shall be open to a single aquifer in the Columbia River Basalt Group and shall meet applicable well construction standards (OAR 690-200 and OAR 690-210). The open interval in the well shall be limited to water-bearing zones with hydraulic head elevations similar to the zones developed by the authorized POA on water right certificate 42342 (UMAT 105). If a water-bearing zone with a distinct and different head is encountered, it shall be sealed off during drilling.

8. 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 prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
9. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

SEP 20 2022



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

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GEORGE W JOHNSTON
BOX 518
PILOT ROCK, OR 97868

confirms the right to use the waters of JOHNSTON WELL, a tributary of the EAST BIRCH CREEK for IRRIGATION of 7.1 ACRES.

This right was perfected under Permit G-5047. The date of priority is March 17, 1972. The amount of water to which this right is entitled is limited to an amount actually used beneficially and shall not exceed 0.04 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	32 E	WM	21	SW NW	2050 FEET SOUTH AND 490 FEET EAST FROM THE NW CORNER OF SECTION 21

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

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

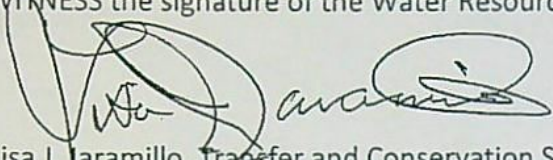
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	32 E	WM	21	SW NW	7.1

This certificate describes that portion of water right Certificate 42342, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered SEP 20 2022, approving Transfer Application T-13870.

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

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

WITNESS the signature of the Water Resources Director, affixed SEP 20 2022

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

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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13870

Transfer Specialist:

Transfer Type: Regular Transfer

Aula

Applicant: JOHN AND DENISE OWEN PO BOX E PILOT ROCK, OR 97868-0080 Email: Phone:		Agent: <input type="checkbox"/> N/A WILLIAM PORFELY PO BOX 643 STANFIELD, OR 97875 Email: Phone:	
Irrigation District: <input type="checkbox"/> N/A Email:		CWRE: <input type="checkbox"/> N/A Email:	
Affected Local Gov'ts: <input type="checkbox"/> N/A Umatilla County Email:		Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email:	
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email:		Receiving Landowner: <input type="checkbox"/> N/A Email:	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G-5759	G-5047	42342	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: December 6, 2021	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 1840.00	WM District: 5	ODFW District:
Initial Public Notice: December 21, 2021	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input checked="" type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Birt	Signature Date
DPD	Date: <u>3/3/22</u> Initials: <u>AWD</u>	Date: <u>3-14-22</u> Initials: <u>TS</u>	Date: <u>3/31/22</u> Initials: <u>PKS</u>	Date: <u>3/31/22</u> Initials: <u>PKS</u>	Date: <u>4/8/22</u> Initials: <u>AWD</u>	<input checked="" type="checkbox"/> Sent	N/A
PD	Date: <u>7/1/22</u> Initials: <u>AWD</u>	Date: <u>8/1/22</u> Initials: <u>AWD</u>	Date: <u>8/15/22</u> Initials: <u>PKS</u>	Date: <u>8/15/22</u> Initials: <u>PKS</u>	Date: <u>8/22/22</u> Initials: <u>AWD</u>	Date: <u>8/22/22</u>	Date: <u>9/30/2022</u>
FO	Date: <u>8/30/22</u> Initials: <u>AWD</u>	Date: <u>8/31/22</u> Initials: <u>John</u>	Date: <u>9/6/22</u> Initials: <u>PKS</u>	Date: <u>9/6/22</u> Initials: <u>PKS</u>	Date: <u>9/7/22</u> Initials: <u>AWD</u>	Date: <u>9/7/22</u>	Date: <u>9/20/2022</u>

Special Issues: I printed & reviewed the RR - as I couldn't locate one in the file # 11

Special Order Volume: Vol. 125 Pages 733

STATE OF OREGON
COUNTY OF **UMATILLA**
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **GEORGE W. JOHNSTON**

97868

of **Box 518, Pilot Rock**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **Johnston Well**

a tributary of **East Birch Creek** for the purpose of
irrigation of **14.2 acres**

under Permit No. **G-5047** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **March 17, 1972**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **0.08 cubic foot per second**

0.04 cfs per xfer & 0.04 RR

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, T. 1 S., R. 32 E., W. M., 2050 feet South and 490 feet East from NW Corner, Section 21.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-eightieth** of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year;

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

**14.2 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 21
T. 1 S., R. 32 E., W. M.**

**xfer RR
7.1 7.1**

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

WITNESS the signature of the State Engineer, affixed

this date. **June 25, 1975**

Chris L. Wheeler

State Engineer



Oregon
Kate Brown, Governor

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

August 30, 2022

VIA CERTIFIED MAIL AND E-MAIL

JOHN AND DENISE OWEN
PO BOX E
PILOT ROCK, OR 97868-0080

SUBJECT: Water Right Transfer Application T-13870

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13870. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please do not hesitate to contact me at 503-979-3129 or arla.l.davis@water.oregon.gov if I may be of assistance.

Sincerely,

Arla L Davis

Arla L Davis
Transfer Specialist
Transfer and Conservation Section

cc: T-13870
Gregory M. Silbernagel, District 5 Watermaster (via e-mail)
William Porfily, Agent for the applicant (via e-mail)

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-13870, Umatilla County)	PROPOSING APPROVAL OF AN
)	ADDITIONAL POINT OF APPROPRIATION

Authority

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

Applicant

JOHN AND DENISE OWEN
PO BOX E
PILOT ROCK, OR 97868-0080

Findings of Fact

1. On December 6, 2021, JOHN AND DENISE OWEN filed an application for an additional point of appropriation under Certificate 42342. The Department assigned the application number T-13870.
2. Notice of the application for transfer was published on December 21, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 8, 2022, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13749 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of May 8, 2022, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. The portion of the right to be transferred is as follows:

Certificate:	42342 in the name of GEORGE W. JOHNSTON (perfected under Permit G-5047)
Use:	IRRIGATION of 7.1 ACRES
Priority Date:	MARCH 17, 1972
Rate:	0.04 CUBIC FOOT PER SECOND

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

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

Source: JOHNSTON WELL, a tributary of EAST BIRCH CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	32 E	WM	21	SW NW	2050 FEET SOUTH AND 490 FEET EAST FROM THE NW CORNER OF SECTION 21

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	32 E	WM	21	SW NW	7.1

- Transfer Application T-13870 an additional point of appropriation approximately 200 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	32 E	WM	21	SW NW	1970 FEET SOUTH AND 515 FEET EAST FROM THE NW CORNER OF SECTION 21

- The Department Groundwater Section and the Watermaster require the following condition to prevent injury to surrounding wells and develop the same source:

Any well drilled under this water right shall be open to a single aquifer in the Columbia River Basalt Group and shall meet applicable well construction standards (OAR 690-200 and OAR 690-210). The open interval in the well shall be limited to water-bearing zones with hydraulic head elevations similar to the zones developed by the authorized POA on water right Certificate 42342 (UMAT 105). If a water-bearing zone with a distinct and different head is encountered, it shall be sealed off during drilling. Transfer Review Criteria (OAR 690-380-4010)

- Water has been used within the last five years.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-13870.
- The proposed change as conditioned would not result in enlargement of the right.
- The proposed change as conditioned would not result in injury to other water right.
- All other application requirements are met.

Determination and Proposed Action

The additional point of appropriation proposed in Transfer Application T-13870 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

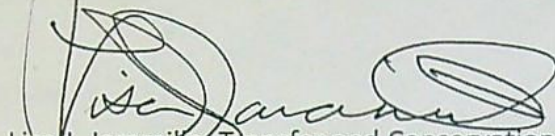
If Transfer Application T-13870 is approved, the final order will include the following:

- 1. The additional point of appropriation proposed in Transfer Application T-13870 is approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 42342 and any related decree.*
- 3. Water right Certificate 42342 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
- 4. The quantity of water diverted at the additional point of appropriation, together with that diverted at the original point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation.*
- 5. Water use measurement conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing).*
 - b. The water user shall maintain the meters or measuring devices in good working order.*
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
- 6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
- 7. Any well drilled under this water right shall be open to a single aquifer in the Columbia River Basalt Group and shall meet applicable well construction standards (OAR 690-200 and OAR 690-210). The open interval in the well shall be limited to water-bearing zones with hydraulic head elevations similar to the zones developed by the authorized POA on water right certificate 42342 (UMAT 105). If a water-bearing zone with a distinct and different head is encountered, it shall be sealed off during drilling.*
- 8. 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 prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

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

Dated in Salem, Oregon on

AUG 30 2022



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

This Preliminary Determination was prepared by Arla L Davis. If you have any questions about the information in this document, you may reach me by email at arla.l.davis@water.oregon.gov

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

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

DAVIS Arla L * WRD

From: William Porfily <wporfily@gmail.com>
Sent: Wednesday, April 13, 2022 10:55 AM
To: DAVIS Arla L * WRD
Cc: jeowen@reagan.com; Dale VanSchoiack
Subject: Permanent Transfer Application T-13870 for John and Denise Owen

Mornin Arla

The last couple of years has had events that has caused all of us unable to meet some deadlines. Because of these unforeseen events we would like the deadline for completing all the condition in the Order Approving Transfer T-13870 be extended one more year to October 1, 2024.

Thank you your consideration of this issue.

William Porfily
PO Box 643
Stanfield , OR 97875
Cel (541)561-7259
E-Mail: wporfily@gmail.com

Please excuse any misspellings,bad grammer or other typing errors.



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

April 8, 2022

VIA E-MAIL

JOHN AND DENISE OWEN
PO BOX E
PILOT ROCK, OR 97868-0080

Reference: Water Right Transfer Application T-13870

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13870. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by May 8, 2022.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by May 8, 2022, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must be:
 - i. Prepared within 3 months of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Prepared within 3 months of recording of a water right conveyance agreement; **OR**
 - iii. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.

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

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

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

- e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at: https://www.oregon.gov/OWRD/WRDFormsPDF/consent_to_transfer_form.pdf

Conditions to your water right...

The Watermaster has required a water measurement device at the new diversion point prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

Please note the proposed date by which all conditions must be met: October 1, 2023. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

Once the preliminary determination is issued a publication period is required. The Department will publish a notice in their weekly publication, which opens a 30-day period in which the transfer can be protested.

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

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by May 8, 2022, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-979-3129 or arla.l.davis@water.oregon.gov if I may be of assistance.

Sincerely,

Arla L Davis

Arla L Davis
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-13870
Gregory M. Silbernagel, District 5 Watermaster (via e-mail)
William Porfily, Agent for the applicant (via e-mail)

enc

DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Friday, May 20, 2022 9:12 AM
To: William Porfily
Cc: jeowen@reagan.com
Subject: RE: 67017 E Birch Creek Rd, Pilot Rock (Thorne)

Good Morning,

I extended the deadline for the Department to receive the Report of Ownership to May 23, 2022. I am just checking in to see if you are still on track for submitting that to the Department by the end of the day on Monday, May 23, 2022 (this coming Monday). Please let me know if you are still needing more time.

Thank you!

Arla L. Davis

Water Rights Transfer Specialist
Transfer and Conservation Section
725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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

Work Schedule (primarily teleworking remotely): Mon, Tues, & Thurs, Fri – 6:00 a.m. to 3:30 p.m. and Wed – 8:00 a.m. to Noon

NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day. Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

From: William Porfily <wporfily@gmail.com>
Sent: Wednesday, May 4, 2022 1:49 PM
To: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>
Cc: jeowen@reagan.com
Subject: FW: 67017 E Birch Creek Rd, Pilot Rock (Thorne)

Afternoon Arla

Please note the correspondence below, thus please give us a 10 day extension to secure a Lot Book Report for John Owens Transfer T-13870. Thanks

William Porfily
PO Box 643
Stanfield, OR 97875
Cel (541)561-7259
E-Mail: wporfily@gmail.com

Please excuse any misspellings,bad grammer or other typing errors.

From: Christie Nelson [<mailto:CNelson@pioneertitleco.com>]
Sent: Wednesday, May 04, 2022 11:11 AM
To: William Porfily
Cc: jeowen@reagan.com; arla.l.davis@water.oregon.gov; Jeremy Parker
Subject: RE: 67017 E Birch Creek Rd, Pilot Rock (Thorne)

Good Morning,

I spoke with Jeremy. You will need to ask for an extension. We can get this to you by the end of next week. Sorry for the delay.

Hope you have a good day.

Thank you much,

Christie Nelson
Title Orders/Consumer Info/Court Records
Pioneer Title Co.

Direct: (541) 276-4431
Email: cnelson@pioneertitleco.com
Address • 109 SW Court Ave, Pendleton, OR 97801
www.pioneertitleco.com

From: William Porfily <wporfily@gmail.com>
Sent: Wednesday, May 4, 2022 10:08 AM
To: Christie Nelson <CNelson@pioneertitleco.com>
Cc: jeowen@reagan.com; arla.l.davis@water.oregon.gov; Jeremy Parker <JParker@pioneertitleco.com>
Subject: RE: 67017 E Birch Creek Rd, Pilot Rock (Thorne)

[CAUTION: External]

Mornin Christie

We were to respond to the Oregon Water Resources Dept. by May 8 with a Lot Book Report for John Owen. If we are not going to meet that date I will need to ask for an extension from OWRD for this report

William Porfily
PO Box 643
Stanfield , OR 97875
Cel (541)561-7259
E-Mail: wporfily@gmail.com

Please excuse any misspellings,bad grammer or other typing errors.

From: Christie Nelson [<mailto:CNelson@pioneertitleco.com>]
Sent: Monday, April 18, 2022 11:30 AM
To: William Porfily
Subject: RE: 67017 E Birch Creek Rd, Pilot Rock (Thorne)

From: William Porfily <wporfily@gmail.com>
Sent: Monday, April 18, 2022 8:10 AM
To: Christie Nelson <CNelson@pioneertitleco.com>
Subject: RE: 67017 E Birch Creek Rd, Pilot Rock (Thorne)

[CAUTION: External]

Christie

Please explain how I retrieve the Report or was it to be attached to the e-mail?

William Porfily
PO Box 643
Stanfield , OR 97875
Cel (541)561-7259
E-Mail: wporfily@gmail.com

Please excuse any misspellings,bad grammer or other typing errors.

From: Christie Nelson [<mailto:CNelson@pioneertitleco.com>]
Sent: Friday, April 15, 2022 2:22 PM
To: wporfily@gmail.com
Cc: Jeremy Parker
Subject: 67017 E Birch Creek Rd, Pilot Rock (Thorne)

Good Afternoon,

For you reference, our new title order number is 104513. Hope you have a good day.

Thank you much,

Christie Nelson
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Direct: (541) 276-4431
Email: cnelson@pioneertitleco.com
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No worries.

Christie Nelson
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Address • 109 SW Court Ave, Pendleton, OR 97801
www.pioneertitleco.com

From: William Porfily <wporfily@gmail.com>
Sent: Monday, April 18, 2022 11:29 AM
To: Christie Nelson <CNelson@pioneertitleco.com>
Subject: RE: 67017 E Birch Creek Rd, Pilot Rock (Thorne)

[CAUTION: External]

Sorry for mymisunderstanding.

William Porfily
PO Box 643
Stanfield , OR 97875
Cel (541)561-7259
E-Mail: wporfily@gmail.com

Please excuse any misspellings,bad grammer or other typing errors.

From: Christie Nelson [<mailto:CNelson@pioneertitleco.com>]
Sent: Monday, April 18, 2022 8:20 AM
To: William Porfily
Subject: RE: 67017 E Birch Creek Rd, Pilot Rock (Thorne)

Good Morning William,

The report is not completed yet. I was just giving you a heads up that the report has been set up and the title order number is 104513.

Hope you have a good day.

Thank you much,

Christie Nelson
Title Orders/Consumer Info/Court Records
Pioneer Title Co.

Direct: (541) 276-4431
Email: cnelson@pioneertitleco.com
Address • 109 SW Court Ave, Pendleton, OR 97801
www.pioneertitleco.com

DAVIS Arla L * WRD

From: DAVIS Arla L * WRD
Sent: Friday, May 20, 2022 9:12 AM
To: William Porfily
Cc: jeowen@reagan.com
Subject: RE: 67017 E Birch Creek Rd, Pilot Rock (Thorne)

Good Morning,

I extended the deadline for the Department to receive the Report of Ownership to May 23, 2022. I am just checking in to see if you are still on track for submitting that to the Department by the end of the day on Monday, May 23, 2022 (this coming Monday). Please let me know if you are still needing more time.

Thank you!

Arla L. Davis

Water Rights Transfer Specialist
Transfer and Conservation Section
725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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

Work Schedule (primarily teleworking remotely): Mon, Tues, & Thurs, Fri – 6:00 a.m. to 3:30 p.m. and Wed – 8:00 a.m. to Noon

NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

From: William Porfily <wporfily@gmail.com>
Sent: Wednesday, May 4, 2022 1:49 PM
To: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>
Cc: jeowen@reagan.com
Subject: FW: 67017 E Birch Creek Rd, Pilot Rock (Thorne)

Afternoon Arla

Please note the correspondence below, thus please give us a 10 day extension to secure a Lot Book Report for John Owens Transfer T-13870. Thanks

William Porfily
PO Box 643
Stanfield, OR 97875
Cel (541)561-7259
E-Mail: wporfily@gmail.com

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

Transfer Application: T-13870

Review Due Date:

Applicant Name: John & Denise Owen

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

Reviewer(s): Greg Silbernagel

Date of Review: 12/23/2021

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:
We have been monitoring Pilot Rock groundwater for several years. It has been declining.
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:
Defer to groundwater on same source. I have concerns that due to proximity of original POA, if the applicant drills a significantly deeper well, it will dry up the original POA and cause future problems for neighbor. My suggestion to prevent injury to neighbors well is to restrict the depth to no deeper or shallower than original POA - UMAT 105.
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:

See notes above under #4.

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- 13870



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



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: Greg Silbernagel

District: 5

Address: 116 SE Dorion Avenue

City/State/Zip: Pendleton, OR 97801

Phone: (541)969-1677

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

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13870

GW Reviewer J. Hackett Date Review Completed: January 10, 2022

Summary of Same Source Review:

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

Summary of Injury Review:

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

Summary of GW-SW Transfer Similarity Review:

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

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



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

Ground Water Review Form:

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

Application: T-13870

Applicant Name: John and Denise Owen

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

Reviewer(s): J. Hackett

Date of Review: 1/10/2022

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 2/1/22

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

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

1. Basic description of the changes proposed in this transfer: Applicant proposes an additional POA on water right certificate 42342.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: The authorized POA (UMAT 105) is 253 feet deep and produces from a water-bearing zone (WBZ) in the upper portion of Grande Ronde Basalt Formation of the Columbia River Basalt Group (CRBG). The proposed APOA will be 500 feet deep and should also produce from a WBZ(s) in the Grande Ronde Basalt Formation.

Basalt wells typically produce from one or more WBZs in the Columbia River Basalt Group (CRBG), a series of lava flows with a composite thickness greater than 10,000 feet in the Columbia Plateau. Each flow is characterized by a series of internal features, which generally include a thin rubble zone at the contact between flows and a thick, dense, low porosity and low permeability interior zone. In some cases, sedimentary layers were deposited during the time between basalt flow emplacements. The combination of a flow top, sedimentary interbed (if present) and flow bottom is collectively referred to as an interflow zone. Unconfined groundwater occurs near the weathered top of the basalts, but most water occurs in interflow zones under confining conditions at the contacts between lava flows. CRBG flow features result in a series of stacked, thin aquifers that are confined by dense flow interiors. The low permeability of the basalt flow interiors usually results in little connection between stacked aquifers, which results in tabular aquifers with unique water level heads (Reidel et al., 2002).

Wells in the area surrounding the subject property range in depth from approximately 200 to 1000 feet and are open to one or more WBZs. Despite the large range in well depths, water levels in local wells are similar (see attached hydrograph) and typically follow land surface topography (higher water levels in higher elevation wells). This suggests WBZs in the upper several hundred feet of the Grande Ronde aquifer system are interconnected locally. This interconnection could be naturally occurring, or it could be related to historical well construction practices (specifically open, uncased boreholes that result in cross-connecting aquifers). If drilled to 500 feet, the proposed APOA will be one of the deeper wells in the area and could possibly intersect a water-bearing zone not penetrated by other local wells. If this potential water-bearing zone has a hydraulic head distinct from shallower WBZs, it should be sealed off. To avoid drilling a well that cross-connects multiple aquifers, the new certificate should include the condition in section 7 (see below).

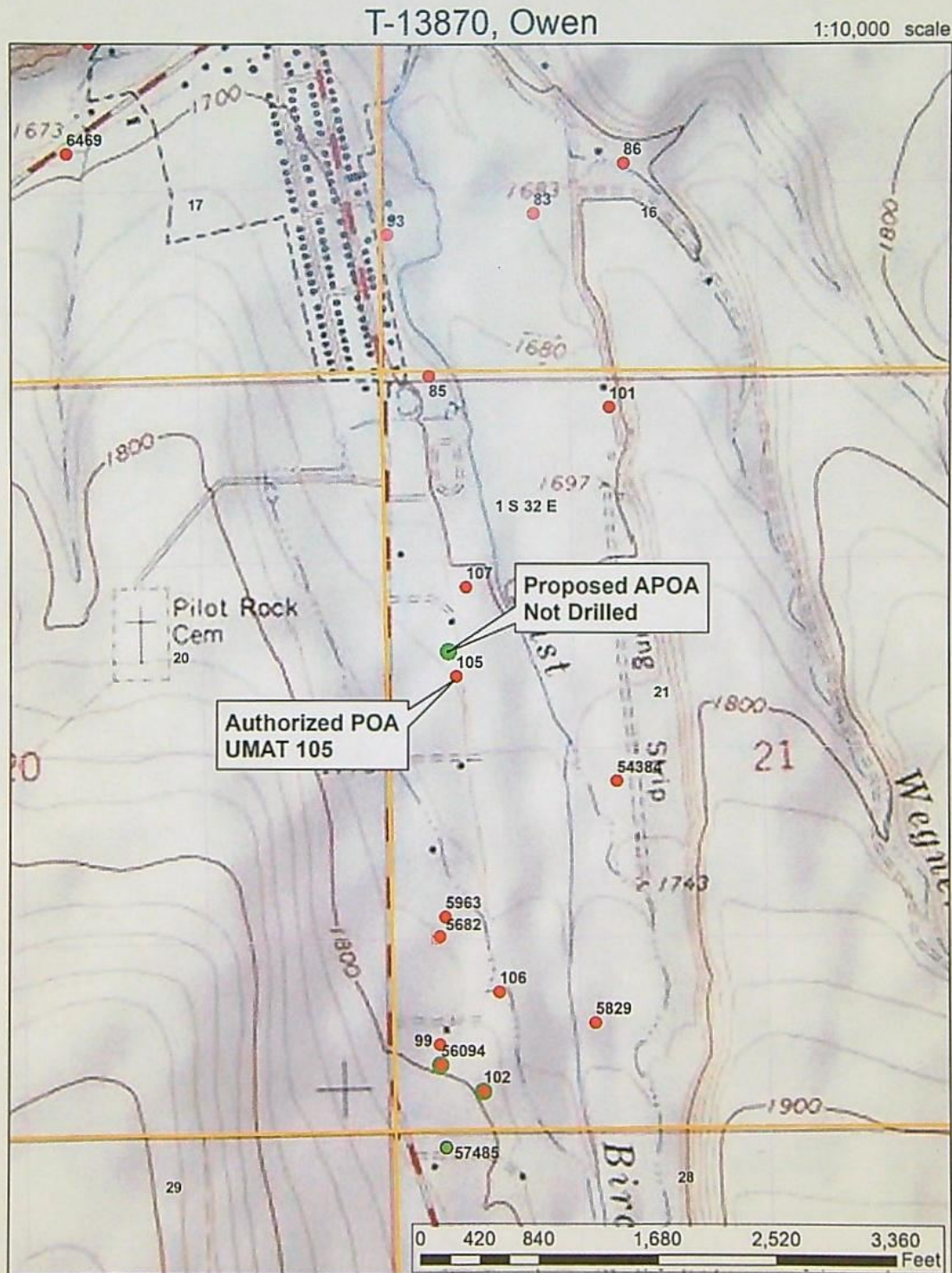
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No _____
- b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____
4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: The proposed APOA will be located within 200 feet of the authorized POA. As a result, mutual interference from pumping both these wells will occur.
- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: Although interference will occur, it should be limited by the generally low pumping rate from each well and by the high transmissivity of the aquifer.
5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☐ Yes ☒ No Comments: Proposed APOA will be constructed similarly to the authorized POA and will be located a similar distance from nearby surface water sources. As a result, interference should not increase.
- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
 Stream: _____ ☐ Minimal ☐ Significant
 Stream: _____ ☐ Minimal ☐ Significant
 Provide context for minimal/significant impact: _____
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
☐ Yes ☐ No Comments: _____

7. What conditions or other changes in the application are necessary to address any potential issues identified above: Any well drilled under this water right shall be open to a single aquifer in the Columbia River Basalt Group and shall meet applicable well construction standards (OAR 690-200 and OAR 690-210). The open interval in the well shall be limited to water-bearing zones with hydraulic head elevations similar to the zones identified in the authorized POA on water right certificate 42342 (UMAT 105). If a water-bearing zone with a distinct and different head is encountered, it should be sealed off during drilling.
8. Any additional comments: _____

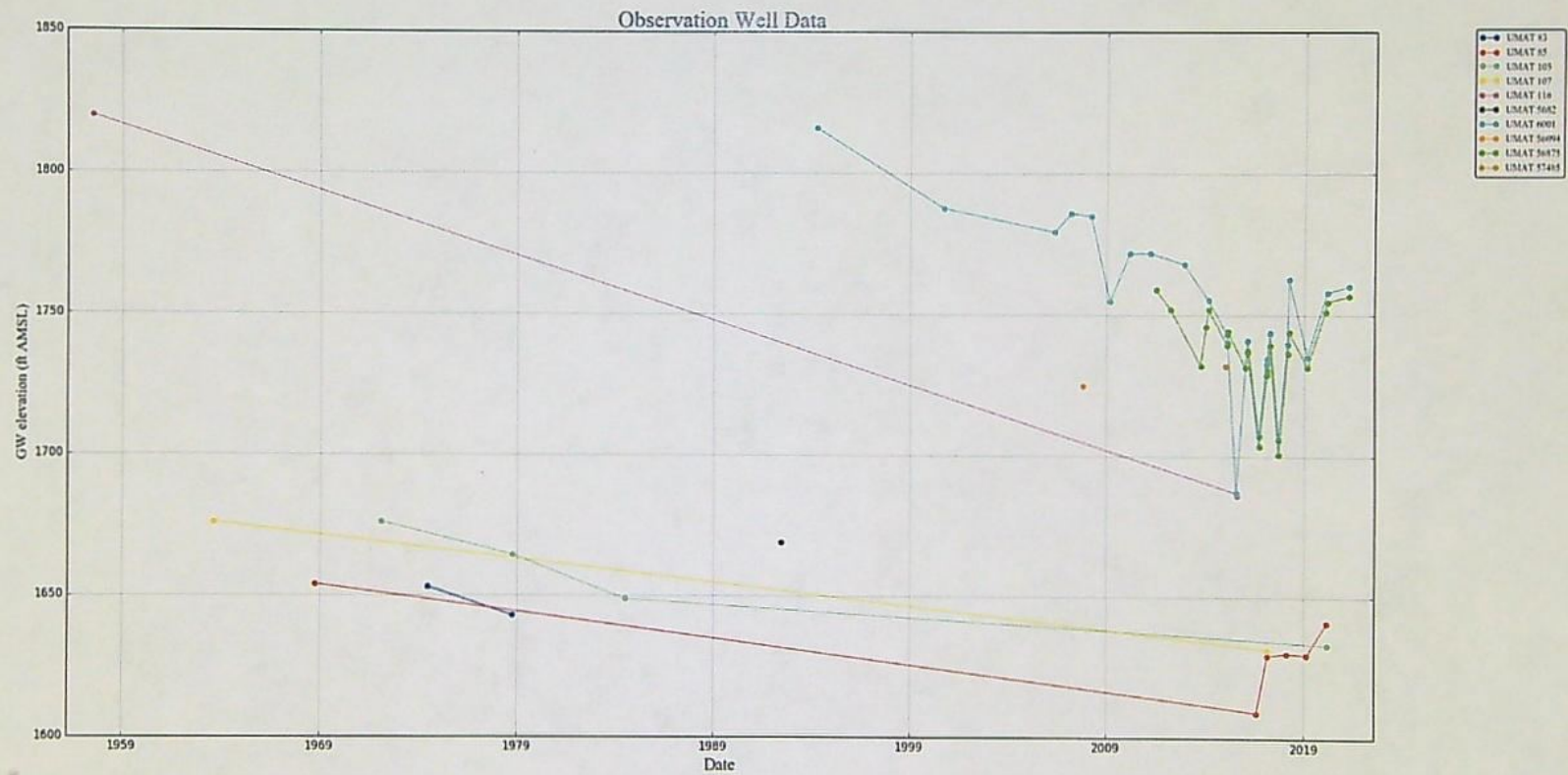
References

Reidel, Stephen P., and Hooper, Peter R., eds., 1989. Volcanism and Tectonism in the Columbia River Flood-Basalt Province: Geological Society of America Special Paper 239.

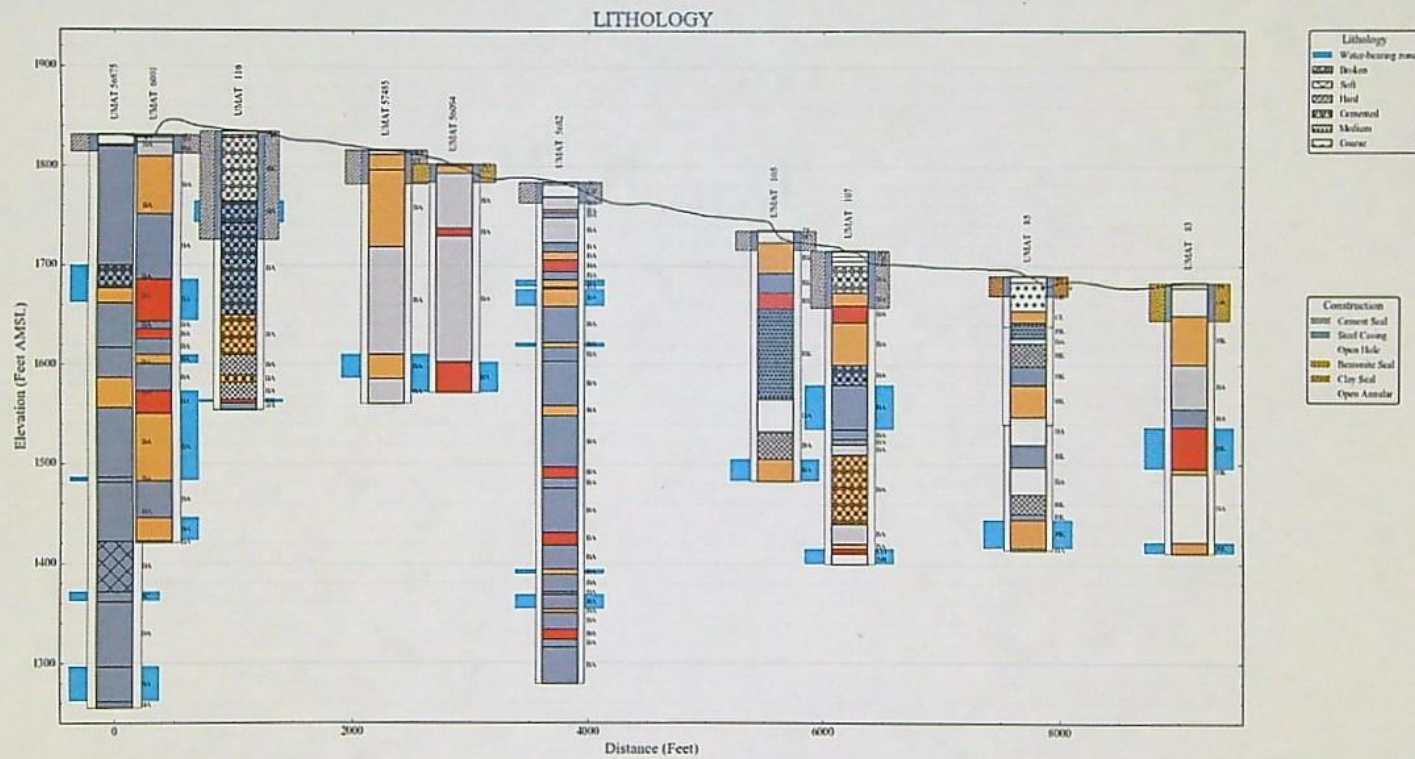
Well Location Map



Water Levels in Nearby Wells



Well Construction and Lithologic South to North Cross – Section



Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME John and Denise Owen			PHONE NO. (541) 969-8467	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box E			FAX NO.	
CITY Pilot Rock	STATE OR	ZIP 97868-0080	E-MAIL JEOWEN@REAGAN.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME WILLIAM PORFELY			PHONE NO. (541) 561-7259	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 643			FAX NO.	
CITY STANFIELD	STATE OR	ZIP 97875	E-MAIL WPORFELY@GMAIL.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
We own the north ½, 7.1 acres, of Water Right Certificate 42342. Certificate 42342 authorizes 14.2 acres of irrigation. The well authorized for the irrigation of the 14.2 acres is located on our neighbors 7.1 acres. Sharing the use of this well the last few years has become awkward. We propose to drill a new well on our land so we have a source for irrigation at times when our neighbor's well is unavailable to us.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check One Box

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

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DEC 06 2021

OWRD

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: East Oregonian.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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

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DEC 06 2021

OWRD

Applicant signature

John Owen, Owner

Print Name (and Title if applicable)

12/1/21

Date

Applicant signature

Denise Owen, Owner

Print Name (and Title if applicable)

12/1/21

Date

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

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

Check the following boxes that apply:

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

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

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

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

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

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
N/A				
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME UMATILLA COUNTY	ADDRESS 216 SE 4TH	
CITY PENDLETON	STATE OR	ZIP 97801

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED

DEC 06 2021

OWRD

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 42342

RECEIVED

Description of Water Delivery System

DEC 06 2021

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

100 gallons per minute (gpm)

OWRD

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. The authorized well (Johnston Well) is located on my neighbor's 7.1 acres of the 14.2 acres of irrigation authorized in Certificate 42342. The well is equipped with a 10 hp submersible pump. This pump delivers water to a buried 3" mainline located along the North boundary line of my neighbor's property. The mainline is 400 ft± long and is equipped with 2" risers. I attach a 2-inch rubber hose to the risers and irrigated my pasture with a portable 45 gpm big gun sprinkler.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or Is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Johnston Well	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 105	1 S	32 E	21	SW	NW	TL 1101	2050 ft S and 490 ft E from the NW Cor Sec 21
Proposed New Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	PROPOSED NEW WELL	1 S	32 E	21	SW	NW	TL 1100	1970 ft S and 515 ft E from the NW Cor Sec 21
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 42342

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date							
1	S	32	E	21	SW	NW	1100		7.1	Irr	Johnston Well	3-17- 1972	APOA	1	S	32	E	21	SW	NW	1100		7.1	Irr	Johnston Well and Proposed New Well	3-17- 1972	
TOTAL ACRES:									7.1					TOTAL ACRES:									7.1				

Additional remarks:_____.

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.

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

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

Ground water supplemental Permit or Certificate # N/A.

Surface water primary Certificate # N/A.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

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

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

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

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

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

A copy of the Well Log, UMAT 105, for the authorized well is include with this transfer application.

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

A description of the construction for the Proposed New Well is shown below.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Authorized	Yes	Umat 105								
Proposed New Well	No		Proposed 500 ft	8 inch		50 ft	N/A	Est 100 ft	Basalt	50 gpm

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss
County of Umatilla)

I, JOHN OWEN, in my capacity as AN OWNER,

mailing address P.O. BOX E, PILOT ROCK, OR 97868-0080

telephone number (541) 969-8467, being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the entire place of use for
Certificate # _____; OR

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
42342	1	S	32	E	WM	21	SW	NW	TL 1100	7.1 Acres (N1/2 14.2 Acres Authorized in Cert 42342

OR

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

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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

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

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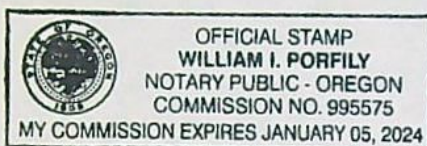
DEC 06 2021

plsa
Signature of Affiant

12-01-2021
Date

OWRD

Signed and sworn to (or affirmed) before me this 1 day of Dec, 20 21.



William I. Porfily
Notary Public for Oregon

My Commission Expires: JAN 05, 2024

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

Land Use Information Form



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

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Applicant(s): John Owen

Mailing Address: P.O. Box E

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City: Pilot Rock

State: OR

Zip Code: 97868-0080

Daytime Phone: (541)969-8467

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>1 S</u>	<u>32 E</u>	<u>21</u>	<u>SW</u> <u>NW</u>	<u>1100</u>	<u>F-1+EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Umatilla County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 50 gpm ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

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

Briefly describe:

We own the 7.1 Acres North ½ of Water Right Certificate 42342 14.2 Acres. The well authorized for the irrigation of the 14.2 acre is located on our neighbors 7.1 acres. The sharing the use of this well the last few years has become awkward. We propose to drill and irrigate from a well located on our 7.1 acres.

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

See bottom of Page 3. →

DEC 06 2021

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): UCDC 152.056(A) - Farm Use.
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) If approvals have been obtained but all appeal periods have not ended, check "Being pursued."

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

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

Name: CAROL JOHNSON Title: Planner

Signature: Carol Johnson Phone: 541-278-1052 Date: 11/10/2021

Government Entity: Umatilla County

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

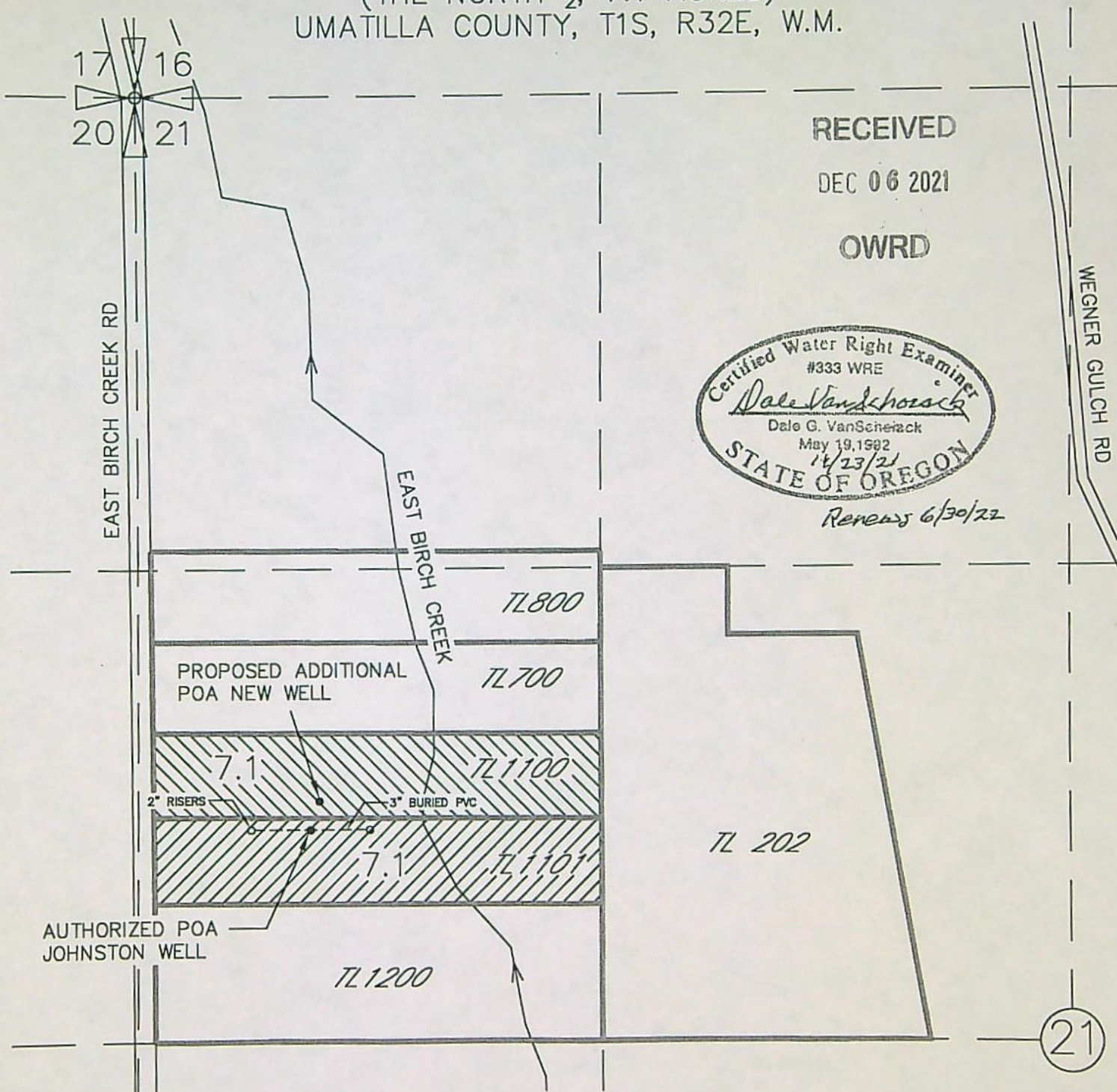
Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

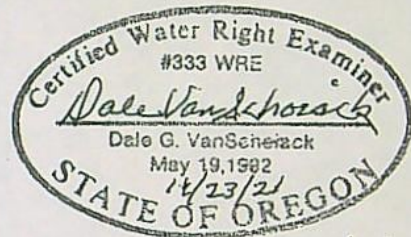
JOHN AND DENISE OWEN TRANSFER APPLICATION MAP
 ADDITIONAL POINT OF APPROPRIATION FOR A PORTION OF CERT 42342
 (THE NORTH $\frac{1}{2}$, 7.1 ACRES)
 UMATILLA COUNTY, T1S, R32E, W.M.



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LEGEND

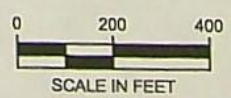
LOCATION OF WELLS

- TAX LOT BOUNDARY
- AREA OF CERT. 42342 INVOLVED IN THIS TRANSFER
- AREA OF CERT. 42342 NOT INVOLVED IN THIS TRANSFER

AUTHORIZED POA (JOHNSTON WELL):
 2050 FT S AND 490 FT E OF NW
 CORNER SECTION 21

ADDITIONAL POA FOR TL 1100
 (PROPOSED NEW WELL):
 1970 FT S AND 515 FT E OF
 THE NW CORNER SECTION 21

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

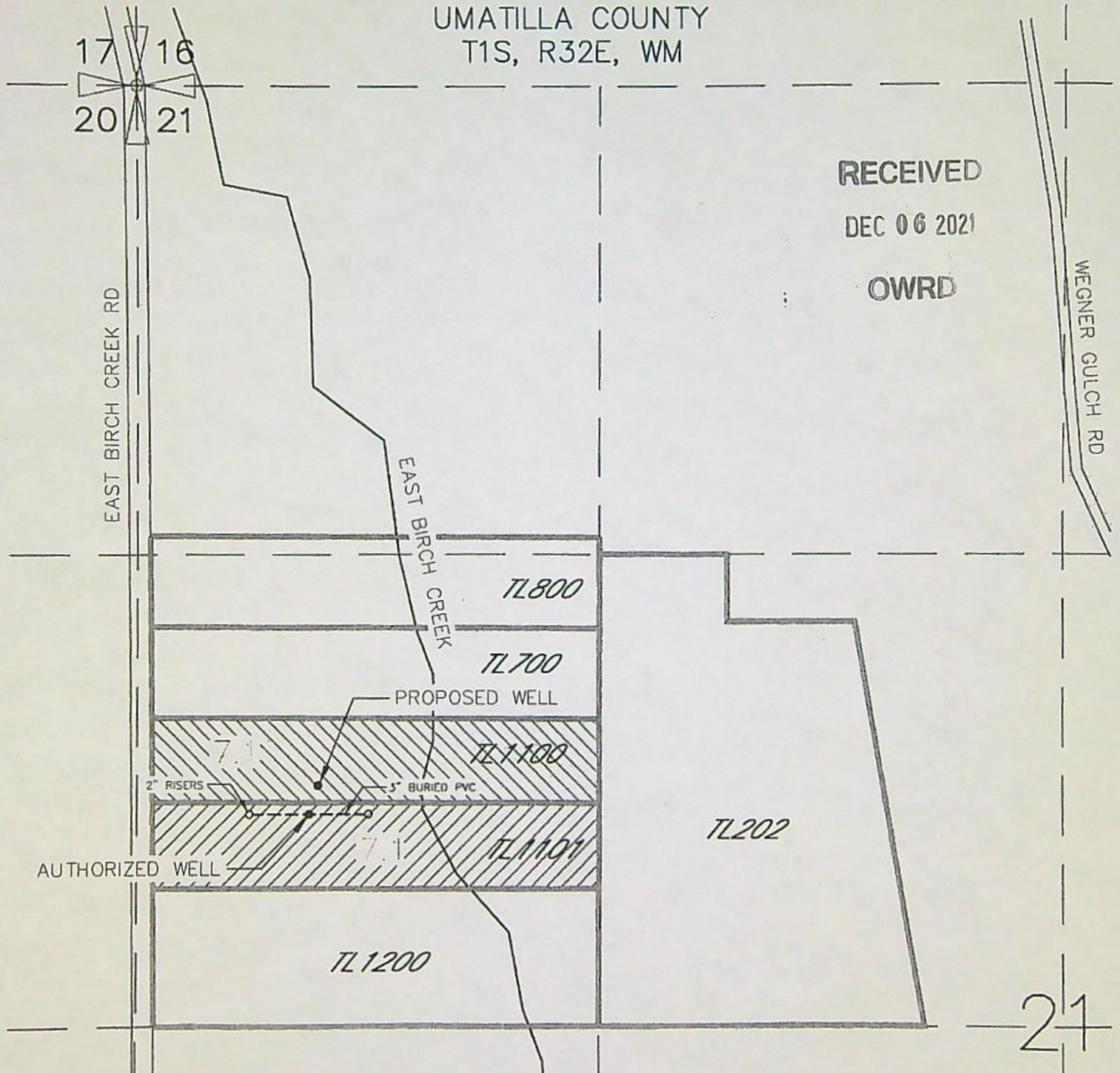


JOHN AND DENISE OWEN
TRANSFER APPLICATION MAP
ADDING ADDITIONAL POINT OF APPROPRIATION
TO THEIR 7.1 ACRES NORTH 1/2
PORTION OF CERT 42342
UMATILLA COUNTY
T1S, R32E, WM

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— TAX LOT BOUNDARY

▨ AREA OF CERT. NO. 42342
INVOLVED IN THIS TRANSFER

▨ AREA OF CERT. NO. 42342
NOT INVOLVED IN THIS TRANSFER

AUTHORIZED WELL:
2050 FT S AND 490 FT E
OF NW CORNER SECTION 21

PROPOSED WELL:
1970 FT S AND 515 FT E OF
THE NW CORNER SECTION 21

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

DRAWING: \\KWKFILES\Public\Project\30-08-016 - Porfilly Water Rights Consulting\00 Misc Engineering\Cad\OWENS_JOHN\Transfer Application Map.dwg
PRINTED BY: kvaldovinos on 11/03/21 05:07 PM

0 200 400
SCALE IN FEET





PioneerTitleCo.
GOING BEYOND

Pioneer Title Company of Umatilla County

109 SW Court Avenue
Pendleton, OR 97801
Phone (541) 276-5114
Fax (541) 276-0484

115 E Highland Avenue, Ste A
Hermiston, OR 97838
Phone (541) 567-9743
Fax (541) 567-7307

INVOICE

Customer

Name William Porfily
Address PO Box 643
City Stanfield State OR ZIP 97875

Invoice Date 05/23/22
Our Order No. 104513
Your Order No. 11/a
Reference Owen

Quantity	Description	Unit Price	Total
1	Ownership & Encumbrance Report	\$200.00	\$200.00
		Sub Total	\$200.00

Make checks payable to:

Pioneer Title Company of Umatilla County
109 SW Court Avenue
Pendleton, OR 97801

THANK YOU FOR YOUR BUSINESS



PioneerTitleCo.
GOING BEYOND

Pioneer Title Company of Umatilla County

109 SW Court Avenue
Pendleton, OR 97801
Phone (541) 276-5114
Fax (541) 276-0484

115 E Highland Avenue, Ste A
Hermiston, OR 97838
Phone (541) 567-9743
Fax (541) 567-7307

To: William Porfily
PO Box 643
Stanfield, OR 97875

Order No: 104513
Your No : n/a
Owner : OWEN
Report : O&E Report

TYPE OF POLICY:	AMOUNTS	CODE	PREMIUMS
Ownership and Encumbrance Report	\$0.00		\$200.00

We hereby certify that we have searched our Tract Indices as to the following described property:

SEE ATTACHED DESCRIPTION

And as of May 17, 2022, at 5 o'clock P.M., we find that the last document of record runs to:

JOHN E. OWEN and DENISE L. OWEN
as tenants in common, as to a fee simple interest

We also find the following monetary encumbrances appearing of record within ten years prior to the date of this search:

NOTE I: 2021-2022 Taxes, \$3,446.31, paid in full.
Code No. 2-16, Map No. 1S-32-21, Tax Lot 1100, Serial No. 118151

1. Assessments of any taxing authority that levies taxes or assessments on real property or by the public records, proceedings by a public agency which may result in taxes or assessments or notices of such proceedings, whether or not shown by the records of such agency or by the public records.

NOTE II: Property Address: 67059 E Birch Creek Road, Pilot Rock, Oregon 97868

This is not a Title Report or a Commitment to issue Title Insurance. Our search for apparent encumbrances was limited to our Tract Indices, and therefore above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this report and will not be responsible for errors or omissions therein.

Very truly yours,

PIONEER TITLE COMPANY

Jeremy S. Parker
Title Officer

PIONEER TITLE COMPANY

PRIVACY POLICY

WE ARE COMMITTED TO SAFEGUARDING CUSTOMER INFORMATION

In order to better serve your needs now and in the future, we may ask you to provide us with certain information. We understand that you may be concerned about what we will do with such information, particularly any personal or financial information. We agree that you have a right to know how we will utilize the personal information you provide to us. Therefore, we have adopted this Privacy Policy to govern the use and handling of your personal information.

APPLICABILITY. This Privacy Policy governs our use of the information which you provide to us. It does not govern the manner in which we may use the information we have obtained from any other source, such as information obtained from a public record or from another person or entity.

TYPES OF INFORMATION. Depending upon which our services you are utilizing, the types of nonpublic personal information that we may collect include:

- A. Information we receive from you on applications, forms and in other communications to us, whether in writing, in person, by telephone or any other means;
- B. Information about your transactions with us, our affiliated companies, or others; and
- C. Information we receive from a consumer reporting agency.

USE OF INFORMATION. We request information from you for our own legitimate business purposes and not for the benefit of any non affiliated party. Therefore, we will not release your information to nonaffiliated parties except: (1) as necessary for use to provide the product or service you have requested to use; or (2) as permitted by law. We may however, store such information indefinitely, including the period after which any customer relationship has ceased. Such information may be used for any internal purposes, such as quality control efforts or customer analysis. We may also provide all of the types of nonpublic personal information listed above to one or more of our affiliated companies. Such affiliated companies include financial service providers, such as title insurers, property and casualty insurers, and trust and investment advisory companies, or companies involved in real estate services, such as appraisal companies, home warranty companies and escrow companies. Furthermore, we may also provide all the information we collect, as described above, to companies that perform marketing services on our behalf, on behalf of our affiliated companies, or to other financial institutions with whom we or our affiliated companies have joint marketing agreements.

FORMER CUSTOMERS. Even if you are no longer our customer, our Privacy Policy will continue to apply to you.

CONFIDENTIALITY AND SECURITY. We will use our best efforts to ensure that no unauthorized parties have access to any of your information. We restrict access to nonpublic personal information about you to those individuals and entities who need to know that information to provide products or services to you. We will use our best efforts to train and oversee our employees and agents to ensure that your information will be handled responsibly and accordance with this Privacy Policy. We currently maintain physical, electronic, and procedural safeguards that comply with federal regulations to guard your nonpublic personal information.

The North Half of the following described tract of land:

Commencing at the Northwest corner of Section 21, Township 1 South, Range 32, East of the Willamette Meridian, Umatilla County, Oregon; thence South $00^{\circ}16'$ East along the West line of said Section 21, a distance of 2,239.83 feet; thence North $89^{\circ}24'$ East, a distance of 30 feet to the East right-of-way line of County Road No. 842-1/2, said point also being the Northwest corner of that tract of land conveyed to James W. Douthit, etux, by Deed recorded in Book 245, Page 38, Deed Records and the True Point of Beginning for this description; thence North $89^{\circ}24'$ East along the North line of said Douthit Tract, a distance of 1,303.55 feet to the East line of the West Half of the Northwest Quarter of said Section 21; thence Northerly along the East line of the West Half of the Northwest Quarter of said Section 21, a distance of 463 feet; thence South $89^{\circ}24'$ West and parallel with the North line of said Douthit Tract, a distance of 1,304.26 feet to the East line of said County Road; thence South $00^{\circ}16'$ East along the East line of said County Road, a distance of 463 feet to the point of beginning;

Excepting therefrom any portion lying within the County Road right-of-way.

THIS MAP IS NOT A SURVEY AND DOES NOT SHOW THE
LOCATION OF ANY IMPROVEMENTS AND IS PROVIDED FOR
IDENTIFICATION OF THE LANDS ONLY AND THIS COMPANY
ACCEPTS NO LIABILITY FOR THE ACCURACY OF BOUNDARY
LINES, EASEMENTS, ROAD OR OTHER MATTERS SHOWN
THEREON.

2-16

East Birch Creek Rd.

NO. 1375

2239.83'

600
12.40 Ac.
404.38'

700
1.12 Ac. 418.05'

800
3.30 Ac.
258'

801
4.65 Ac.
218' M/L
782.65' M/L
1304.85'

900
8.01 Ac.
1304.25'

1100
7.10 Ac.
1303.86'

1101
7.10 Ac.
1303.55'

1200
11.97 Ac.
400' M/L
20' Easement
695'

1300
17.74 Ac.
170'

1400
8.54 Ac.
695'

1500
3.82 Ac.
250.64'
101.28'

202
23.20 Ac.
485'
190'
365'
832'
1320' M/L
463'

204
43.85 Ac.
748'
877.5'
399.5'
472'

CREEK

E. BIRCH

10' Easement

NO

See Map 1S 32

59 1/2

Page 1 - Statutory Warranty Deed - Signature/Notary Page
Escrow No. 27818AM



2014-6240625 1 of 2

State of Oregon
County of Umatilla

Instrument received
and recorded on
12/30/2014 10:40:01 AM

in the record of instrument
code type DE

Instrument number 2014-6240625
Fee \$59.00



After recording return to:
John E. Owen and Denise L. Owen
PO Box E
Pilot Rock, OR 97868

Until a change is requested all tax statements
shall be sent to the following address:

John E. Owen and Denise L. Owen
PO Box E
Pilot Rock, OR 97868

Escrow No. 27818AM
Title No. 27818AM

Umatilla County
Received: 12/30/2014



Office of County Records

Steve Churchill

Records Officer
1023693 P2

STATUTORY WARRANTY DEED

Madreena D. Russell,

Grantor(s), hereby convey and warrant to

John E. Owen and Denise L. Owen, as Tenants in Common,

Grantee(s), the following described real property in the County of Umatilla and State of Oregon free of encumbrances except as specifically set forth herein:

North Half of the following:

Commencing at the Northwest corner of Section 21, Township 1 South, Range 32; thence South 0°16' East along West line of said Section 21 a distance of 2239.83 feet; thence North 89°24' East a distance of 30 feet to East right of way line of County Road No. 842-1/2, said point also being Northwest corner of that tract conveyed to James W. Douthit, et ux, by Deed recorded in Book 245, Page 38, Deed Records, and the point of beginning for this description;

Thence North 89°24' East along North line of said Douthit Tract, 1303.55 feet to East line of West Half of Northwest Quarter of said Section 21; thence Northerly along East line of said subdivision, 463 feet; thence South 89°24' West and parallel with North line of said Douthit Tract 1304.26 feet to East line of County Road No. 842-1/2; thence South 0°16' East along said East line, 463 feet to the point of beginning;

All being East of the Willamette Meridian, Umatilla County, Oregon.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

1S 32 21 01100 118151

The true and actual consideration for this conveyance is \$250,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and those shown below, if any:

AmeriTitle 27818

2014-6240625 2 of 2

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 29th day of December 2014

Madreenna D. Russell
Madreenna D. Russell

State of Oregon } ss
County of Umatilla }

On this 29th day of December, 2014, before me, Susanna R. Johnson, a Notary Public in and for said state, personally appeared Madreenna D. Russell, known or identified to me to be the person(s) whose name(s) is/are subscribed to the within Instrument and acknowledged to me that he/she/they executed same.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Susanna R. Johnson

Susanna R. Johnson
Notary Public for the State of Oregon
Residing at: Oregon
Commission Expires: 9/10/15



Regular Transfer Review Checklist

T- 13870

Caseworker: Aela

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

FILE PREPARATION	
CW	CW
<input checked="" type="checkbox"/>	File Assigned (Computer Entry)
<input type="checkbox"/>	Is transfer within a district boundary? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, attach "Supplemental Processing Checklist for Transfers with a District" for additional required information.
<input checked="" type="checkbox"/>	Make Copies and Place in Working File: <input checked="" type="checkbox"/> Application <input checked="" type="checkbox"/> Map
<input checked="" type="checkbox"/>	Verify all Certificates/Permits are shown in WRIS to be non-cancelled <input checked="" type="checkbox"/> Print Certificates and Place in Working File
<input checked="" type="checkbox"/>	Add Working file to T-file
<input checked="" type="checkbox"/>	Check Public Comments <u>NONE</u> https://apps.wrd.state.or.us/apps/wr/wr_public_comment_mgmt/default.aspx
<input checked="" type="checkbox"/>	All Stakeholders accurately listed in WRIS with email addresses if available, including <input type="checkbox"/> Irrigation District <input type="checkbox"/> BOR <input type="checkbox"/> Tribes Is this a Living Certificate? <input type="checkbox"/> Yes <input type="checkbox"/> No
<input checked="" type="checkbox"/>	Double check all water rights/permits are included in WRIS under Transfer # <u>13870</u>
<input checked="" type="checkbox"/>	Copy and Place in Working File: <input checked="" type="checkbox"/> Watermaster Review <input checked="" type="checkbox"/> Groundwater Review <input checked="" type="checkbox"/> DFW Review
<input checked="" type="checkbox"/>	Public Comments Received? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No If yes, print comments and place in file <input type="checkbox"/> Timely <input type="checkbox"/> Untimely Notes:

PR Initials

BASIC APPLICATION REVIEW and NOTICE (OAR 680-380-3000 and -4000)			
CW	N/A	CW	N/A
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	Check Area of Interest – Print if needed, include in WRIS stakeholder as interested party
<input checked="" type="checkbox"/>		<input type="checkbox"/>	Ditch Co., Irr. Dist and/or BOR sent copies
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	Overpayment of Fees, Refund Request w/FO
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	OWRD Land Use Form matches Tax Lots, is signed by proper official and is APPROVED N/A = Must meet all 4 criteria for exemption (OAR 690-380-3000(19))
<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>	Local Government [County] noticed Copy of Acknowledgment Letter

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

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

PR Initials

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

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

PR Initials

Amended Application Pages and Maps

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

JOHN OWEN RA R11-339-23 T-13870

Step	Review Step	Est. Time	Hourly Multiplier	Total Est. Hours	Individual	Hourly Rate	Est. Cost
4b	Front Desk Staff receipts received AA funds	0.07		0.07	Front Desk Staff	\$36.74	\$2.57
4c	Transfer Support process Application	0.50		0.50	Julie	\$31.37	\$15.69
5	Administrator signs AA	0.02		0.02	Dwight	\$92.21	\$1.84
6	NRS 1 Support enters workflow record in WRIS and updates RA spreadsheet	0.25		0.25	Stacy	\$29.53	\$7.38
7a	NRS 2 completes initial review of file for deficiencies	1.00	26%	1.26	Tamera	\$45.82	\$57.73
7b	NRS 2 consults with Kelly and/or Lisa	0.75	26%	0.95	Tamera	\$45.82	\$43.30
8a	NRS 2 writes and sends deficiency ltr (email and hard copy)	0.75	26%	0.95	Tamera	\$45.82	\$43.30
8b	NRS 2 addresses correspondence from app/agent regarding deficiencies	1.00	26%	1.26	Tamera	\$45.82	\$57.73
9	Watermaster completes review	1.50		0.25	District WM	\$54.02	\$81.03
10	Groundwater completes review	2.00		1.00	GW Staff	\$60.60	\$60.60
11	NRS 2 completes DPD, PN, and RR	4.50	26%	5.67	Tamera	\$45.82	\$259.80
12	Transfer staff peer reviews DPD, PN, RR	0.50		0.50	Transfer Staff	\$49.56	\$24.78
13	Transfer Analyst completes policy check at DPD stage	0.50		0.50	Kelly	\$64.34	\$32.17
14a	NRS 2 sends DPD to app/agent by email and/or mail	0.15	26%	0.19	Tamera	\$45.82	\$8.66
14b	NRS 2 sends revised DPD	0.15	26%	0.19	Tamera	\$45.82	\$8.66
14c	Transfer Staff peer reviews revised DPD	0.50		0.00	Transfer Staff	\$49.56	\$24.78
14d	Transfer Analyst peer reviews revised DPD	0.50		0.00	Kelly	\$64.34	\$0.00
15	NRS 2 reviews report of ownership	0.50	26%	0.63	Tamera	\$45.82	\$28.87
16	NRS 2 completes PD	0.75	26%	0.95	Tamera	\$45.82	\$43.30
17	Transfer Staff peer reviews PD	0.50		0.50	Transfer Staff	\$49.56	\$24.78
17a	Transfer Analyst peer reviews PD	0.50		0.50	Kelly	\$64.34	\$30.30
17b	Data Center reviews PD AND RR: (RR where applicable)	2.50		2.50	DC Staff	\$38.03	\$95.08
18a	Transfer Analyst completes peer review of PN review for newspaper noticing	0.25		0.25	Kelly	\$64.34	\$16.09
18b	Transfer Support requests newspaper quote for PN publishing	0.08		0.08	Julie	\$31.37	\$2.51
18c	NRS 2 sends publishing fee request to applicant	0.15	26%	0.19	Tamera	\$45.82	\$8.66
18d	Transfer Support processes fee and newspaper publishing	0.08		0.08	Stacy	\$29.53	\$2.36
18e	Transfer Support processes public notice (dept notice)	0.30		0.30	Julie	\$31.37	\$9.41
19	Administrator signs PD	0.02		0.02	Lisa	\$74.90	\$1.50
20	Transfer Support issues PD, updates WRIS, copy to file, and mails hard copy to applicant	0.33		0.33	Julie	\$31.37	\$10.35
21	NRS 2 completes FO	0.75	26%	0.95	Tamera	\$45.82	\$43.30
22	Transfer Staff peer reviews FO	0.50		0.50	Transfer Staff	\$49.56	\$24.78
22a	Transfer Analyst peer reviews FO	0.50		0.50	Kelly	\$64.34	\$32.17
23	Administrator signs FO	0.02		0.02	Lisa	\$74.90	\$1.50
24	Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy	0.33		0.33	Julie	\$31.37	\$10.35
25	NRS 1 closes out RA Contract	0.50		0.50	Stacy	\$29.53	\$14.77
TOTAL ESTIMATE HOURS				22.67	SUB-TOTAL ESTIMATE COST		\$1,130.09
					10% OVERHEAD		\$113.01
					TOTAL		\$1,243.10

STATE OF OREGON
COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **GEORGE W. JOHNSTON**

97868

of **Box 518, Pilot Rock**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **Johnston Well**

a tributary of **East Birch Creek** for the purpose of irrigation of **14.2 acres**

under Permit No. **G-5047** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **March 17, 1972**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **0.08 cubic foot per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **SW $\frac{1}{4}$ NW $\frac{1}{4}$, Section 21, T. 1 S., R. 32 E., W. M., 2050 feet South and 490 feet East from NW Corner, Section 21.**

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to **one-eightieth** of one cubic foot per second per acre, **or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year;**

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

**14.2 acres SW $\frac{1}{4}$ NW $\frac{1}{4}$
Section 21
T. 1 S., R. 32 E., W. M.**

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

WITNESS the signature of the State Engineer, affixed

this date, **June 25, 1975**

Chris L. Wheeler

State Engineer

Recorded in State Record of Water Right Certificates, Volume **34**, page **42342**

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **137018**

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

INVOICE # _____

RECEIVED FROM: John E & Denise L Owen

BY: _____

CASH: ☐ CHECK: # 1738 OTHER: (IDENTIFY) ☐ _____

APPLICATION	
PERMIT	
TRANSFER	<u>1-13870</u>

TOTAL REC'D \$ 1840.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____

0203 GROUND WATER \$ _____

0205 TRANSFER \$ 1840.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____

LANDOWNER'S PERMIT \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____

0210 MONITORING WELLS \$ _____

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: **137018**

DATE: 12-6-2021 BY: Mindy Coch

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? One** List them here: **A portion of Certificate 42342**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

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

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

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

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

[illegible]

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

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

FEE WORKSHEET for SUBSTITUTION

1	Base Fee (includes change to one well)	1	\$990.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$480 and enter » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	NA

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME John and Denise Owen			PHONE NO. (541) 969-8467	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box E				FAX NO.
CITY Pilot Rock	STATE OR	ZIP 97868-0080	E-MAIL JEOWEN@REAGAN.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME WILLIAM PORFELY			PHONE NO. (541) 561-7259	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 643				FAX NO.
CITY STANFIELD	STATE OR	ZIP 97875	E-MAIL WPORFELY@GMAIL.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
We own the north ½, 7.1 acres, of Water Right Certificate 42342. Certificate 42342 authorizes 14.2 acres of irrigation. The well authorized for the irrigation of the 14.2 acres is located on our neighbors 7.1 acres. Sharing the use of this well the last few years has become awkward. We propose to drill a new well on our land so we have a source for irrigation at times when our neighbor's well is unavailable to us.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

Check One Box

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

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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: East Oregonian.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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

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Applicant signature

John Owen, Owner

Print Name (and Title if applicable)

12/1/21
Date

Applicant signature

Denise Owen, Owner

Print Name (and Title if applicable)

12/1/21
Date

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

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

Check the following boxes that apply:

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

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

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

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

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

RECEIVING LANDOWNER NAME <u>N/A</u>			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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

IRRIGATION DISTRICT NAME N/A	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME N/A	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME UMATILLA COUNTY	ADDRESS 216 SE 4TH	
CITY PENDLETON	STATE OR	ZIP 97801

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 42342

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Description of Water Delivery System

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

100 gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. The authorized well (Johnston Well) is located on my neighbor's 7.1 acres of the 14.2 acres of irrigation authorized in Certificate 42342. The well is equipped with a 10 hp submersible pump. This pump delivers water to a buried 3" mainline located along the North boundary line of my neighbor's property. The mainline is 400 ft± long and is equipped with 2" risers. I attach a 2-inch rubber hose to the risers and irrigated my pasture with a portable 45 gpm big gun sprinkler.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Johnston Well	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 105	1 S	32 E	21	SW	NW	TL 1101	2050 ft S and 490 ft E from the NW Cor Sec 21
Proposed New Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	PROPOSED NEW WELL	1 S	32 E	21	SW	NW	TL 1100	1970 ft S and 515 ft E from the NW Cor Sec 21
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 42342

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
1	S	32	E	21	SW	NW	1100		7.1	Irr	Johnston Well	3-17- 1972	APOA	1	S	32	E	21	SW	NW	1100		7.1	Irr	Johnston Well and Proposed New Well	3-17- 1972
TOTAL ACRES:									7.1		TOTAL ACRES:									7.1						

Additional remarks:_____.

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: N/A.



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

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

Ground water supplemental Permit or Certificate # N/A;

Surface water primary Certificate # N/A.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

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

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

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

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

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

A copy of the Well Log, UMAT 105, for the authorized well is include with this transfer application.

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

A description of the construction for the Proposed New Well is shown below.

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Authorized	Yes	Umat 105								
Proposed New Well	No		Proposed 500 ft	8 inch		50 ft	N/A	Est 100 ft	Basalt	50 gpm

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
County of Umatilla) ss

I, JOHN OWEN, in my capacity as AN OWNER,

mailing address P.O. Box E, PILOT ROCK, OR 97868-0080

telephone number (541) 969-8467, being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the entire place of use for
Certificate # _____; OR

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
42342	1	S	32	E	WM	21	SW	NW	TL 1100	7.1 Acres (N1/2 14.2 Acres Authorized in Cert 42342

OR

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

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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

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

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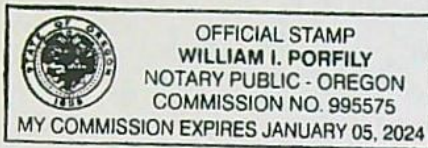
OWRD

[Signature]
Signature of Affiant

12-01-2021

Date

Signed and sworn to (or affirmed) before me this 01 day of Dec, 20 21.



William I. Porfily
Notary Public for Oregon

My Commission Expires: JAN 05, 2024

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

Lexington Pump LLC
P.O. Box 626
Lexington, OR 97839
541-989-8448
CCB # [REDACTED]

7/31/2018

John Owen
62059 E Birch Creek Rd
Pilot Rock, OR 97868

QWRD

[illegible]

Lexington Pump LLC

P.O. Box 626
Lexington, OR 97839
541-989-8448
CCB # [REDACTED]

Invoice

Date	Invoice #
7/31/2018	[REDACTED]

Bill To
John Owen 62059 E Birch Creek Rd Pilot Rock, OR 97868

Ship To
<p>RECEIVED</p> <p>DEC 06 2021</p> <p>OWRD</p>

P.O. Number		Terms	Rep	Ship	Via	F.O.B.	Project	
				7/2/2018				
Quantity		Item Code	Description				Price Each	Amount
			Pulled existing 10 HP pump. Pump Set - 210' Static - 124' Well Depth - 255" Set New 10 HP Pump					
1	31		85\$100-7 Grundfos Pump & 10 HP 230V 3 Phase 6" Motor				4,300.00	4,300.00
1	31		3" Check Valve				300.00	300.00
215	31		FT #8 Sub Cable				2.20	473.00
215	31		FT 3/8 Air Line				0.60	129.00
1	31		#8 Splice Kit				12.00	12.00
2	31		Tape				12.00	24.00
4	29 Supervision		Hrs Truck				70.00	280.00
8	29 Supervision		Hrs Labor & Travel - 2 Man				110.00	880.00
1	31		Mileage				75.00	75.00
							Total	\$6,473.00

Lexington Pump LLC

P.O. Box 626
Lexington, OR 97839
541-989-8448
CCB # [REDACTED]

Invoice

Date	Invoice #
7/31/2018	[REDACTED]

Bill To
John Owen 62059 E Birch Creek Rd Pilot Rock, OR 97868

Ship To
Jon Thorne
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DEC 06 2021
OWRD

P.O. Number	Terms	Rep	Ship	Via	F.O.B.	Project
			7/26/2018			
Quantity	Item Code	Description	Price Each	Amount		
		Install Danfos Drive and flow meter.				
1	31	Danfoss Drive	2,100.00	2,100.00		
1	31	Danfoss Transducer	275.00	275.00		
25	31	FT Shielded Cable	0.50	12.50		
25	31	FT 3/4 Flex Cond.	0.75	18.75		
4	31	3/4 Flex Ends	2.00	8.00		
60	31	FT #8 THHN	0.40	24.00		
20	31	FT #10 THHN	0.30	6.00		
1	31	2" Flow Meter	725.00	725.00		
1	31	3 X 2" Galv Bell	6.00	6.00		
1	31	3 x 6 Gal Nipple	6.00	6.00		
1	31	3 x 2 Bush Galv	5.00	5.00		
6	29 Supervision	Hrs Labor & Travel - 2 Man	110.00	660.00		
1	31	Mileage	50.00	50.00		

Land Use Information Form



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

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Applicant(s): John Owen

Mailing Address: P.O. Box E

OWRD

City: Pilot Rock

State: OR

Zip Code: 97868-0080

Daytime Phone: (541)969-8467

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>1 S</u>	<u>32 E</u>	<u>21</u>	<u>SW NW</u>	<u>1100</u>	<u>F-1+EFU</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>Irrigation</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Umatilla County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 50 gpm ☐ cubic feet per second ☒ gallons per minute ☐ acre-feet

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

Briefly describe:

We own the 7.1 Acres North ½ of Water Right Certificate 42342 14.2 Acres. The well authorized for the irrigation of the 14.2 acre is located on our neighbors 7.1 acres. The sharing the use of this well the last few years has become awkward. We propose to drill and irrigate from a well located on our 7.1 acres.

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

See bottom of Page 3. →

DEC 06 2021

For Local Government Use Only

OWRD

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

Please check the appropriate box below and provide the requested information

☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): UCDC 152.056(A) - Farm Use.

☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Name: CAROL JOHNSON Title: Planner

Signature: Carol Johnson Phone: 541-278-1252 Date: 11/10/2021

Government Entity: Umatilla County

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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

RECEIVED
FEB 24 1972

WATER WELL REPORT

STATE OF OREGON

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

ENGINEER
SALEM, OREGON

(Please type or print)

(Do not write above this line)

UMA 1
105

State Well No. 1/32-2/bcc

State Permit No.

G5759

(1) OWNER:

Name George Johnston
Address P.O. Box 5118
Edgar Knob, Oregon 97838

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

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

(4) PROPOSED USE (check):

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

CASING INSTALLED:

8" Diam. from 0 ft. to 20 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

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

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?

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

" " " "

" " " "

all
Packer test 150 gal./min. with 165 ft. drawdown after 1 hrs.

Artesian flow g.p.m.

Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Cement
Well sealed from land surface to 20 ft.

Diameter of well bore to bottom of seal 11 in.

Diameter of well bore below seal 8 in.

Number of sacks of cement used in well seal 3 sacks

Number of sacks of bentonite used in well seal sacks

Brand name of bentonite

Number of pounds of bentonite per 100 gallons

of water lbs./100 gals.

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

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☒ No Size of gravel: ft.

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Umatilla Driller's well number
1/4 1/4 Section 21 T. 18. R. 32E. W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 230 ft.
Static level 60 ft. below land surface. Date 2-8-72
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 8

Depth drilled 253 ft. Depth of completed well 253 ft.

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

MATERIAL	From	To	SWL
Topsoil	0	1	
Boulders	1	12	
Rock, brown	12	43	
Rock, black	43	63	
Rock, red	63	79	
Rock, med. black	79	170	
Basalt	170	203	
Basalt, gray hard	203	230	
Rock, light brown	230	253	water bearing

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Work started 1-31 1972 Completed 2-8 1972

Date well drilling machine moved off of well 2-8 1972

Drilling Machine Operator's Certification:

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

[Signed] Troy Griffin Date 2/19, 1972
(Drilling Machine Operator)

Drilling Machine Operator's License No. 15

Water Well Contractor's Certification:

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

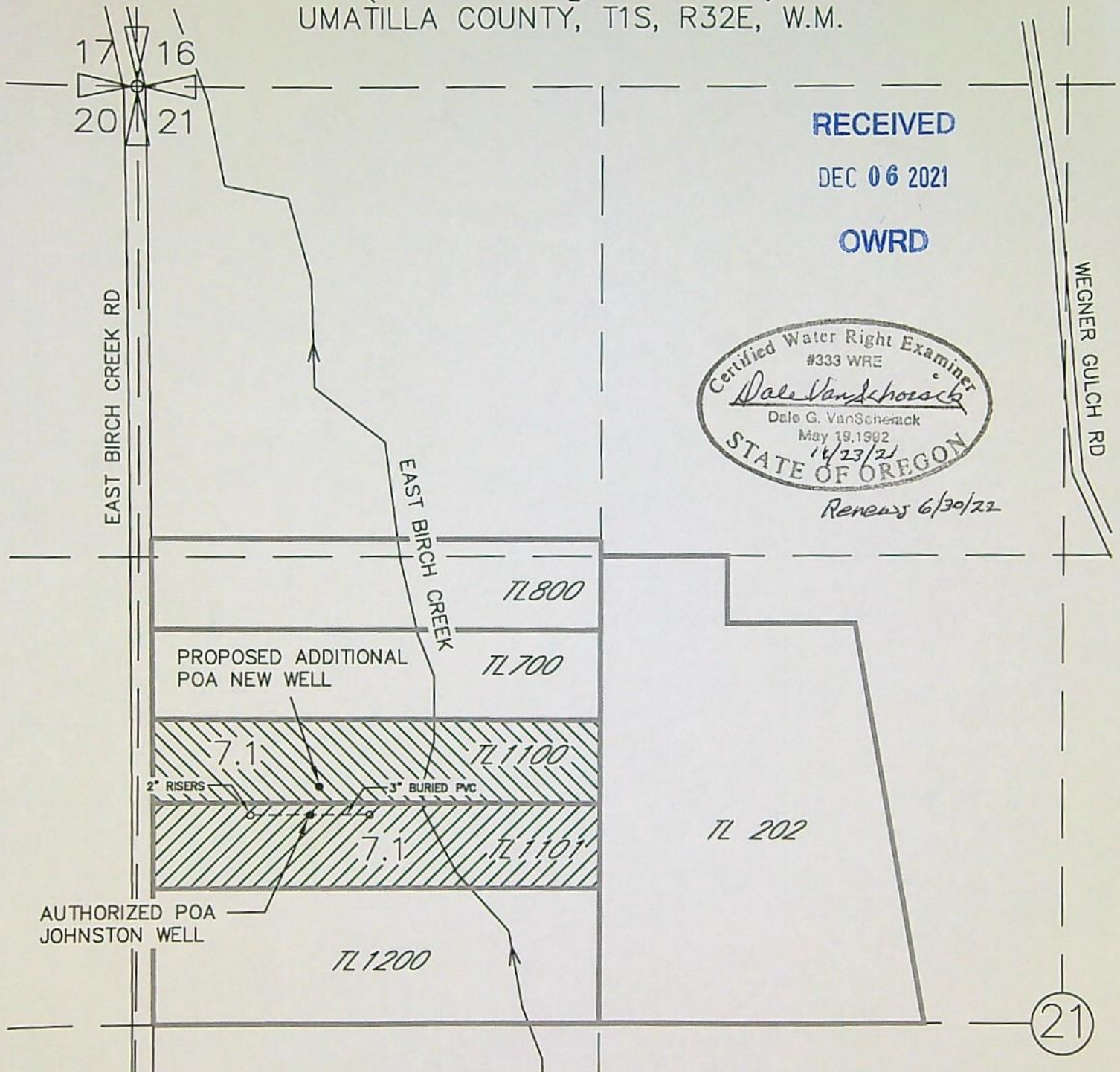
Name TRAY GRIFFIN
(Person, firm or corporation) (Type or print)

Address 925 HERMISTON AVE, HERMISTON, ORE.

[Signed] Troy Griffin
(Water Well Contractor)

Contractor's License No. 65 Date 2/19, 1972

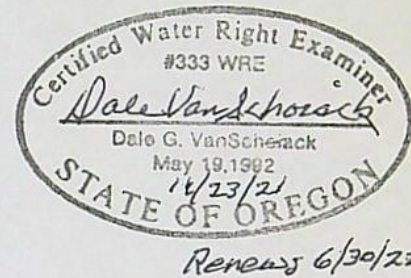
JOHN AND DENISE OWEN TRANSFER APPLICATION MAP
 ADDITIONAL POINT OF APPROPRIATION FOR A PORTION OF CERT 42342
 (THE NORTH $\frac{1}{2}$, 7.1 ACRES)
 UMATILLA COUNTY, T1S, R32E, W.M.



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OWRD



LEGEND

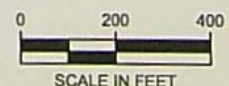
- TAX LOT BOUNDARY
- AREA OF CERT. 42342 INVOLVED IN THIS TRANSFER
- AREA OF CERT. 42342 NOT INVOLVED IN THIS TRANSFER

LOCATION OF WELLS

AUTHORIZED POA (JOHNSTON WELL):
 2050 FT S AND 490 FT E OF NW
 CORNER SECTION 21

ADDITIONAL POA FOR TL 1100
 (PROPOSED NEW WELL):
 1970 FT S AND 515 FT E OF
 THE NW CORNER SECTION 21

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

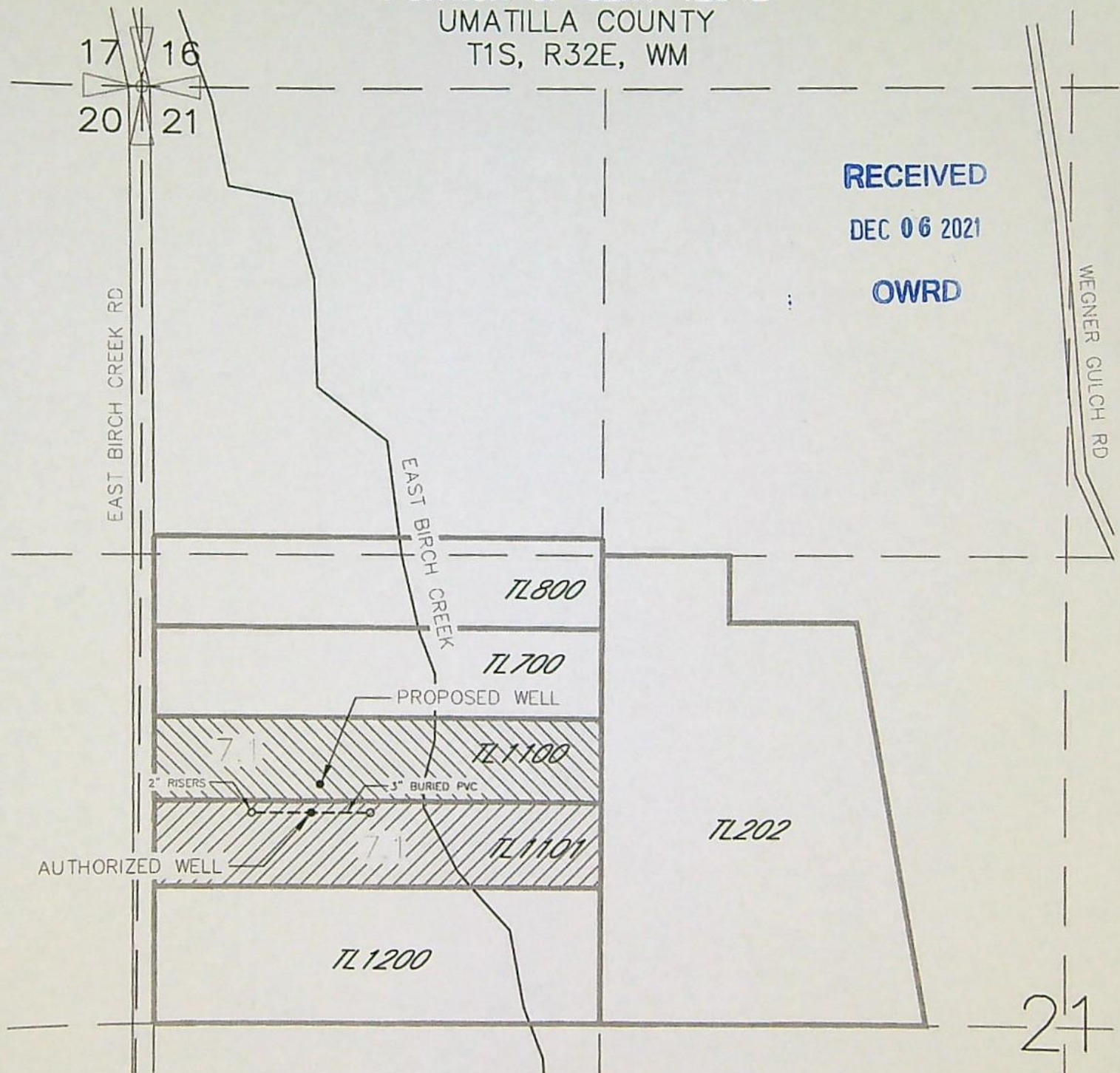


JOHN AND DENISE OWEN
TRANSFER APPLICATION MAP
ADDING ADDITIONAL POINT OF APPROPRIATION
TO THEIR 7.1 ACRES NORTH 1/2
PORTION OF CERT 42342
UMATILLA COUNTY
T1S, R32E, WM

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— TAX LOT BOUNDARY

AREA OF CERT. NO. 42342 INVOLVED IN THIS TRANSFER

AREA OF CERT. NO. 42342 NOT INVOLVED IN THIS TRANSFER

AUTHORIZED WELL:
2050 FT S AND 490 FT E
OF NW CORNER SECTION 21

PROPOSED WELL:
1970 FT S AND 515 FT E OF
THE NW CORNER SECTION 21

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

DRAWING: \\KWKFILES\Public\Project\30-08-016 - Portly Water Rights Consulting\00 Misc Engineering\Cad\OWENS_JOHN\Transfer Application Map.dwg
PRINTED BY: kvaldovinos on 11/03/21 05:07 PM

0 200 400
SCALE IN FEET



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **137147**

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

INVOICE # _____

RECEIVED FROM: John E & Denise L Owen

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-13870

CASH: ☐ CHECK: # 1741 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,243.10

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R 11 339-23 \$
0412 OTHER: (IDENTIFY) Reimbursement Authority \$ 1,243.10

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)		\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **137147**

DATE: 12-22-2021 BY: [Signature]

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-339-23**

RECEIVED

DEC 22 2021

OWRD

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

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes Title: Transfer Advisor Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266 Phone: 503 986-0886 Fax: 503 986-0901 Email: patrick.k.starnes@oregon.gov	Name: John Owen Contact: Address: PO Box E Pilot Rock, OR 97868-0080 Phone: (541) 969-8467 Fax: Email: jeowen@reagan.com	Name: William Porfily Contact: Address: PO Box 643 Stanfield, OR 97875 Phone: (541) 561-7259 Fax: Email: wporfily@gmail.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (**Application Number: T-13870**)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is \$1,243.10. Applicant agrees to pay the full amount of \$1,243.10 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

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

For Applicant:

flsa
Name/Title:

12/20/21
Date

For OWRD:

Dwight French
Dwight French – Administrator

12/28/21
Date

Mail signed Agreement to:

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

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DEC 22 2021
OWRD

JOHN OWEN RA R11-339-23 T-13870

Front Desk Staff receipts received AA funds				
Transfer Support process Application				
Administrator signs AA				
NRS 1 Support enters workflow record in WRIS and updates RA spreadsheet				
NRS 2 completes initial review of file for deficiencies				
NRS 2 consults with Kelly and/or Lisa				
NRS 2 writes and sends deficiency ltr (email and hard copy)				
NRS 2 addresses correspondence from app/agent regarding deficiencies				
Watermaster completes review				
Groundwater completes review				
NRS 2 completes DPD, PN, and RR				
Transfer staff peer reviews DPD, PN, RR				
Transfer Analyst completes policy check at DPD stage				
NRS 2 sends DPD to app/agent by email and/or mail				
NRS 2 sends revised DPD				
Transfer Staff peer reviews revised DPD				
Transfer Analyst peer reviews revised DPD				
NRS 2 reviews report of ownership				
NRS 2 completes PD				
Transfer Staff peer reviews PD				
Transfer Analyst peer reviews PD				
Data Center reviews PD AND RR: (RR where applicable)				
Transfer Analyst completes peer review of PN review for newspaper noticing				
Transfer Support requests newspaper quote for PN publishing				
NRS 2 sends publishing fee request to applicant				
Transfer Support processes fee and newspaper publishing				
Transfer Support processes public notice (dept notice)				
Administrator signs PD				
NRS 2 completes FO				
Transfer Staff peer reviews FO				
Transfer Analyst peer reviews FO				
Administrator signs FO				
Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy				
NRS 1 closes out RA Contract				
TOTAL ESTIMATE HOURS		22.67		
			TOTAL	\$1,243.10



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

December 28, 2021

JOHN AND DENISE OWEN
PO BOX E
PILOT ROCK, OR 97868-0080

Reference: Application T-13870

On December 6, 2021, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$1840.00. Our receipt number 137018 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

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

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

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

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

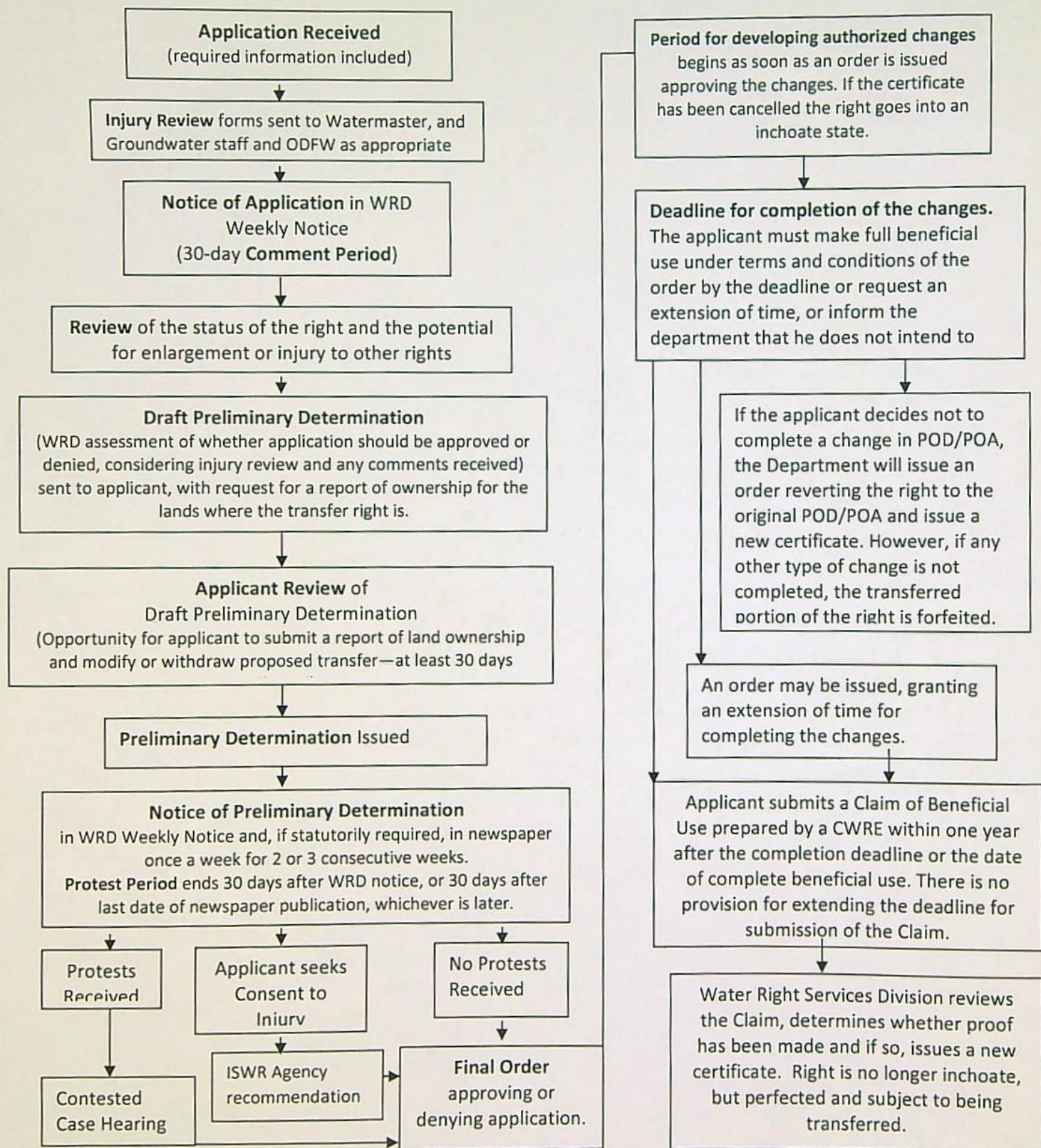
If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #5, Gregory M. Silbernagel (*via email*)
William Porfily, Agent
Umatilla County

Enclosure

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

OAR 690 Division 380



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **137000**

INVOICE # _____

RECEIVED FROM: John E + Denise L Owen
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>1-13870</u>

CASH: ☐ CHECK: # 1737 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 RII339-23 \$ _____
0412 OTHER: (IDENTIFY) Transfer Reimbursement \$ 125.00
Authoriz

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan 1 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **137000**

DATED: 12-6-2021 BY: Munchy Cadon



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



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

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

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

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number <u>T-13870</u> <u>Attached to Transfer Application</u>
Applicant Information		Applicant's Representative/Contact
Name:	<u>John Owen</u>	<u>William Porfily</u>
Address:	<u>P.O. Box E</u>	<u>P.O. Box 643</u>
	<u>Pilot Rock, OR 97868-0080</u>	<u>Stanfield, OR 97875</u>
Phone:	<u>541-969-8467</u>	<u>(541) 561-7259</u>
Fax:		
E-Mail Address:	<u>jeowen@reagan.com</u>	<u>wporfily@gmail.com</u>

I understand the following:

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

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

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OWRD

I certify that I am the (check one):

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

Name: John Owen

Signature: [Signature]

OWRD USE ONLY: Reimbursement Authority Number: R11- 339 -23

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 13870

Checked by: <u>Joan</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution	Supplemental to Primary	POU	POD	APOD
Date: <u>12-8-2021</u>		Gov Action	Surface to Ground	USE	POA	<u>APOA</u>
Fee Received: <u>1840.00</u>	overpayment of \$70.00	How many rights to be Transferred?				
Calculated Fee: <u>1770.00</u>		Certificate # <u>42342</u>				
Additional Observations:						

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

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

OR: ☐ If all boxes to the left are **NOT** checked, then this application is deficient and **CANNOT** be accepted.
It should be returned and the deficiencies listed in the "staff" section at the bottom of
Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken: _____ Date: _____

Permanent Transfer Application Intake Completion Checklist

[illegible]

Oregon Water Resources Department
Transfer Fee Calculation for Permanent (Non-District) Transfer

[Main](#) [Help](#)
[Return](#) [Contact Us](#)

Today's Date: Wednesday, December 8, 2021

Fee Calculation

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

\$1,360.00

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

Types of Change Proposed:

☐ Place of Use

☒ Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD

☐ Character of Use

\$0.00

Enter total number of water rights included in transfer.

1

\$0.00

☐ Check this box if you propose to add or change a well, or change from a surface water POD to a well.

Enter total number of groundwater wells (POAs) included in transfer.

2

\$410.00

☐ Check this box if you propose to change the place of use or character of use for a NON-irrigation right.

☐ Check this box if you propose to change the place of use or character of use for an irrigation right.

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

Subtotal:

\$1,770.00

Check each box that applies.

☐ The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.

☐ The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

Discount:

Transfer Fee:

\$1,770.00

[Return to Edit](#)

[Clear](#)

Online Fee
Calculator seems
off - here