

T-13949

temporary

T-13949

Name Flowerree Hay & Grain LLCBen SelznickAddress PO Box 7839Ketchum Id 83340

DESCRIPTION OF WATER RIGHT(S)

Name of Stream wellTrib. of Fort rock, Fort rock BasinUse IrrigationCounty Lake

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

Name of ditch _____

App# G9778 Per # G9022 Cert # L4243 PR Date _____App# G9909 Per # G9020 Cert # 710469 PR Date _____

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

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

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

Change in POW POADate Filed 3/22/2022Initial notice date 4/5/2022

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 3/22/2023 Vol 127 Page 1076-1080

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

FEES PAID		
Date	Amount	Receipt #
3-22-2022	\$1321.02	137734

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: _____

applicant

Irrigation District Flowerree Farms Inc John Flowerree PO Box 1869 Reno NV 89505Agent John Short water right Services

CWRE _____

CC's list Lake County Planning☐ - Oversized map - Location _____

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13949

Transfer Specialist: *Anna*

Transfer Type: Temporary Transfer

Applicant: JOHN H. FLOWERREE PO BOX 1869 RENO, NV 89505 FLOWERREE HAY AND GRAIN LLC BEN SELZNICK PO BOX 7839 BEND, OR 83340 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A JOHN A. SHORT PO BOX 1830 BEND, OR 97709 Email: _____ Phone: _____	
Irrigation District: <input type="checkbox"/> N/A Email: _____		CWRE: <input type="checkbox"/> N/A Email: _____	
Affected Local Gov'ts: <input type="checkbox"/> N/A Lake County Planning Department Email: _____		Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____		Receiving Landowner: <input type="checkbox"/> N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G9778	G9022	64243	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>	G99096	G9026	76469	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: March 22, 2022	Proposed Action(s): POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 1321.02	WM District: 11	ODFW District:
Initial Public Notice: 04/05/2022	WM Review sent: <i>/ Received</i> ✓	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>	<i>WM FM Conditions</i>	GW Review sent: <input checked="" type="checkbox"/> <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	<i>GW Conditions?</i>
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

<i>TERMINATE</i>	<i>10/27/23</i>	<i>Water</i>	<i>11/9/23 cc</i>	<i>11/30/23 Sent</i>	<i>11/30/23</i>		
Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: <i>2/17/23</i> Initials: <i>AKD</i>	Date: <i>2/28/23</i> Initials: <i>Scott</i>	Date: _____ Initials: _____	Date: <i>3/10/23</i> Initials: <i>PKS</i>	Date: <i>3/20/23</i> Initials: <i>AKD</i>	Date: <i>3/20/23</i>	Date: <i>3/22/23</i>

Special Issues:

Transfer Cover Sheet

5 year temp / totalizing flow meter
Termination concurrent w/T-14223

Last Revised 10-29-18



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

December 7, 2023

John H. Flowerree

PO Box 1869

Reno, NV 89505

FINAL ORDER FOR TERMINATING A TEMPORARY TRANSFER

Re: Transfer T-13949

The Department received a voluntary request to terminate the above referenced temporary transfer. Enclosed is a copy of the Terminating Final Order as recorded in Special Order Vol. 129 Page 498 and signed on December 7, 2023.

Transfer T-13949 is of no further force or effect.

If you have any questions please contact Scott Grew, by telephone at (503) 986-0890 or by e-mail at scott.a.grew@water.oregon.gov.

Sincerely,

Elyse Richman

Water Rights Services Support

Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)

John A. Short, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Temporary Transfer
T-13949, Lake County

) ORDER TERMINATING A TEMPORARY
) TRANSFER

ESB 1 J.R.

Authority

OAR 690-380-8002(3) and 690-380-8004(7) provide that the uses authorized under a temporary transfer revert to the terms and conditions of the originating water right on the written request of the applicant.

Applicants

BEN SELZNICK
FLOWERREE HAY AND GRAIN LLC
PO BOX 7839
KETCHUM, ID 83340

JOHN FLOWERREE
FLOWERREE FARMS INC.
PO BOX 1869
RENO. NV 89505

Findings of Fact

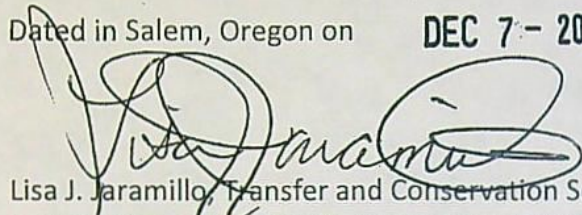
1. On March 22, 2023, the Water Resources Department issued an order approving the temporary changes under Certificates 64243 and 76469 proposed in Application T-13949. The order was recorded in Special Order Volume 127, Page 1076.
2. Under the order, the water right would revert to the authorized place of use at the end of the 2026 irrigation season.
3. The most recent use of water at the place of use authorized under the temporary transfer was during the 2023 irrigation season.
4. Ben Selznick, Flowerree Hay and Grain LLC. and John Flowerree, Flowerree Farms Inc., the applicants, submitted a written request in Temporary Transfer Application T-14223 that Temporary Transfer T-13949 be voluntarily terminated when Temporary Transfer Application T-14223 is approved.

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

Now, therefore, it is ORDERED:

Temporary Transfer T-13949 is terminated. The use shall revert to the place of use authorized under Certificates 64243 and 76469. Water may not be used at the authorized place of use during the same season in which water was used under the Temporary Transfer.

Dated in Salem, Oregon on **DEC 7 - 2023**

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", is written over the printed name and title.

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

Mailing Date:

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Tuesday, November 21, 2023 12:58 PM
To: johnshort@usa.com
Cc: GREW Scott A * WRD
Subject: Temporary Transfer T-14223 and concurrent termination of T-13949

Hello John,

I am working on Temporary Transfer T-14223 and concurrent termination of T-13949.

Can you tell me the most recent use of water at the place of use authorized under the temporary transfer T-13949?

Thank you,

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

GREW Scott A * WRD

From: Bryce Withers <brycewrs@gmail.com>
Sent: Monday, November 27, 2023 11:31 AM
To: GREW Scott A * WRD
Subject: Temporary Transfer T-14223 and concurrent termination of T-13949
Attachments: imagery_261826_july2023.jpg

Hi Scott,

The place of use in T26S R18E Section 26, authorized under T-13949 was used in the 2023 irrigation season as shown in the attached July 2023 aerial imagery. Can you please confirm whether this is the information you need?

--

Bryce Withers

Water Right Specialist
(541)408-1400 cell

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
<https://oregonwater.us>



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

March 22, 2023

JOHN H. FLOWERREE

PO BOX 1869

RENO, NV 89505

FLOWERREE HAY AND GRAIN LLC

BEN SELZNICK

PO BOX 7839

BEND, OR 97301

REFERENCE: District Temporary Transfer Application T-13949

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

The temporary change shall be effective at the beginning of the 2022 irrigation season. The use shall revert to the original authorized place of use at the end of the 2026 irrigation season.

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,

Nila Kamis

Water Rights Services Support

Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)

Lake County

John A. Short, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING TEMPORARY
T-13949, Lake County)	CHANGES IN PLACE OF USE AND POINTS
)	OF APPROPRIATION

Authority

Oregon Revised Statute (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of appropriation authorized under an existing water right. Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicants

BEN SELZNICK
FLOWERREE HAY AND GRAIN LLC
PO BOX 7839
KETCHUM, ID 83340

JOHN FLOWERREE
FLOWERREE FARMS INC.
PO BOX 1869
RENO. NV 89505

Findings of Fact

1. On March 22, 2022, BEN SELZNICK, FLOWERREE HAY AND GRAIN LLC. AND JOHN FLOWERREE, FLOWERREE FARMS INC., filed an application to temporarily change the places of use and change the points of appropriation to serve the proposed places of use under Certificates 64243 and 76469 for a period of 5 years. The Department assigned the application number T-13949.
2. Notice of the application for transfer was published on April 5, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The applicant requested the term of the temporary transfer be from 2022 through 2027, however temporary transfers can only be a maximum of 5 years per application.

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

4. On February 17, 2023, the agent for the applicant clarified the requested term of the temporary transfer to be from 2022 through 2026.

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

Certificate: 64243 in the name of FLOWERREE FARMS, INC. (perfected under Permit G-9022)

Use: IRRIGATION of 20.6 ACRES

Priority Date: JUNE 11, 1980

Rate: 0.21 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, 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: A WELL in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	18 E	WM	12	SE NE	1400 FEET SOUTH AND 1410 FEET EAST FROM THE N1/4 CORNER OF SECTION 12

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	18 E	WM	12	NE NE	4.1
27 S	18 E	WM	12	NW NE	8.0
27 S	18 E	WM	12	SW NE	4.2
27 S	18 E	WM	12	SE NE	4.3
TOTAL					20.6

6. Temporary Transfer Application T-13949 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	18 E	WM	26	NW SW	20.6

7. A change in point of appropriation is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-13949 proposes to move the authorized point of appropriation approximately 2.95 mile north to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	18 E	WM	26	SE SW	1327 FEET SOUTH AND 1335 FEET EAST FROM THE W1/4 CORNER OF SECTION 26

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

Certificate: 76469 in the name of FLOWERREE FARMS, INC. c/o JOHN FLOWERREE
(perfected under Permit G-9026)

Use: IRRIGATION of 2.0 ACRES

Priority Date: AUGUST 27, 1980

Rate: 0.025 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, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL 1 in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	18 E	WM	35	NE NE	1260 FEET SOUTH AND 1300 FEET WEST FROM THE NE CORNER OF SECTION 35

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	18 E	WM	35	NE NE	0.5
26 S	18 E	WM	35	NW NE	0.5
26 S	18 E	WM	35	SW NE	0.5
26 S	18 E	WM	35	SE NE	0.5
TOTAL					2.0

9. Temporary Transfer Application T-13949 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	18 E	WM	26	NW SW	2.0

10. A change in point of appropriation is necessary to convey the water to the proposed temporary place of use. Temporary Transfer Application T-13949 proposes to move the authorized point of appropriation approximately 0.72 mile north to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	18 E	WM	26	SE SW	1327 FEET SOUTH AND 1335 FEET WEST FROM THE W1/4 CORNER OF SECTION 26

Temporary Transfer Review Criteria

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

Conclusions of Law

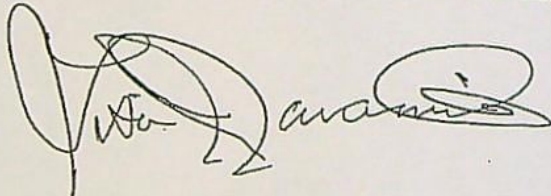
The temporary changes in places of use and points of appropriation to serve the temporary places of use proposed in Temporary Transfer Application T-13949 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary change in place of use and change in points of appropriation to serve the temporary places of use proposed in Temporary Transfer Application T-13949 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2022, 2023, 2024, 2025, and 2026 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2026 irrigation season. The authorization to use the temporary points of appropriation shall be terminated concurrently.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. The quantity of water diverted at the proposed temporary points of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.
6. A subsequent application for permanent transfer of Certificates 64243 and 76469 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.

7. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 64243 and 76469.
8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
9. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
10. The use of the remaining water rights described by Certificates 64243 and 76469 shall continue to be in accordance with the terms and conditions of Certificates 64243 and 76469.

Dated in Salem, Oregon on **MAR 22 2023**



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

Mailing Date: **MAR 23 2023**

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T-13949



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: Jeremy Giffin

District: 11

Address: 231 Scalehouse Lp, STE 103

City/State/Zip: Bend, OR 97702

Phone: 541-306-6885

Email: Jeremy.T.Giffin@Oregon.gov

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

Approval of an Alternate Measurement Device

T-

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

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

Watermaster signature

District

Date

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

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

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13949

GW Reviewer Gerald H. Grondin

Date Review Completed: 07 December 2022

Summary of Same Source Review:

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

Summary of Injury Review:

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

Summary of GW-SW Transfer Similarity Review:

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

☒ None of the Above

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 (temporary)
☐ Permit Amendment
☐ GR Modification
☐ Other

Application: **T-13949**

Applicant Name: **Flowerree Farms Inc.**

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

Reviewer(s): **Gerald H. Grondin**

Date of Review: **07 December 2022**

Date Reviewed by GW Mgr. and Returned to WRSD:

jti 2/16/23

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: _____

This is a temporary transfer application that relates to two water right certificates (64243 & 76469). The explanation in the application states the application seeks to "move a portion of two certificates to a different POU and POA for 5 years."

The transfer application proposes moving two POU segments (22.6 acres total: 20.6 acres and 2.0 acres respectively) within T27S/R18-sec 12 & T26S/R18-sec 35 respectively to a single POU center pivot within T26S/R18-sec 26 and transferring related groundwater pumpage (0.28 cfs total = 126.79 gpm total: 0.2585 cfs and 0.0250 cfs) from two POA/POD wells within T27S/R18-sec 12 (LAKE 1123, LAKE 3102 deepening) & T26S/R18-sec 35 (LAKE 4417, LAKE 698 deepening) to a single POA/POD well within T26S/R18-sec 26 (LAKE 52587) as shown in attached maps.

Note: the application identifies the two authorized wells as LAKE 3102 and LAKE 698. Both water well reports are for well deepening. This review identified the following water well reports as representing the original construction of both wells: LAKE 1123 (original) for LAKE 3102 (deepening) and LAKE 4417 (original) for LAKE 698 (deepening).

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

Essentially yes, the "same aquifer" (source) given the same groundwater system will likely be tapped despite the authorized and proposed POA wells are constructed to varying depths and tap varying geologic units (see attached well logs). Long term groundwater level data indicates groundwater levels at wells in the vicinity of the currently authorized and proposed POA locations have similar elevations, seasonally fluctuate similarly, and show the same long-term trends (see attached hydrograph) despite being completed at varying depths and different geologic units.

Additionally, groundwater in the Fort Rock Valley-Christmas Valley area (Fort Rock Classified Area) is identified as a single groundwater system. Groundwater is found in both a shallower predominantly basin-fill sediment unit and a deeper predominantly volcanic rocks and sediments unit below. The predominantly basin fill sediment unit and the predominantly volcanic rocks and sediment unit both readily yield groundwater and the two units are hydraulically connected.

Miller (1984 and 1986) describes the groundwater source as the main groundwater reservoir. That reservoir includes groundwater in different geologic units. The reservoir has three characteristics. First, the "natural" groundwater level changes less than 1.5 feet annually, indicating the system is highly modulated. Second, the 1980s potentiometric surface was approximately 4292 feet elevation amsl basin-wide with Silver Lake an exception. Third, the reservoir consists of numerous water producing zones in several formations, all having an essentially common potentiometric level, and all being very transmissive in general.

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

Essentially no. Single hydraulically connected groundwater system. See discussion in part 2 above.

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

No estimate made and no limitation recommended. Single groundwater system. See item 2 and 3a above.

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 POA well change will move groundwater pumping closer to a groundwater right POA well within T26S/R18-sec 35 (SE qtr). The calculated maximum additional seasonal groundwater level drawdown at that POA well is less than 0.10 feet. That POA well should be able to accommodate the seasonal drawdown change. The maximum additional seasonal groundwater level drawdown at other POA wells further away will be less.

The long-term impact on the groundwater system should be the same. That impact is to continue contributing to the ongoing annual Fort Rock Classified Area groundwater level decline (see the attached hydrograph...it shows an annual decline rate from 0.15 to 0.35 feet per year).

- 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: _____

See discussion in part 4a above.

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: _____

Yes for Paulina Marsh and No for Silver Lake.

Yes for Paulina Marsh: The POA changes moves the net pumping closer to Paulina Marsh. The seasonal drawdown at Paulina Marsh is calculated to increase less than 0.005 feet. The long-term interference at Paulina Marsh should be the same.

No for Silver Lake: The POA changes moves the net pumping further away from Silver Lake. The seasonal drawdown at Silver Lake is calculated to be the same to less than current. The long-term interference should be the same.

- 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: Silver Lake ☒ Minimal ☐ Significant

Stream: Paulina Marsh ☒ Minimal ☐ Significant

Provide context for minimal/significant impact: _____

See comment in part 5a above.

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

☐ Yes ☒ No Comments: _____

Not Applicable. No SW-GW transfer.

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

Note: the proposed transfer is within the Fort Rock groundwater limited area.

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

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

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

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

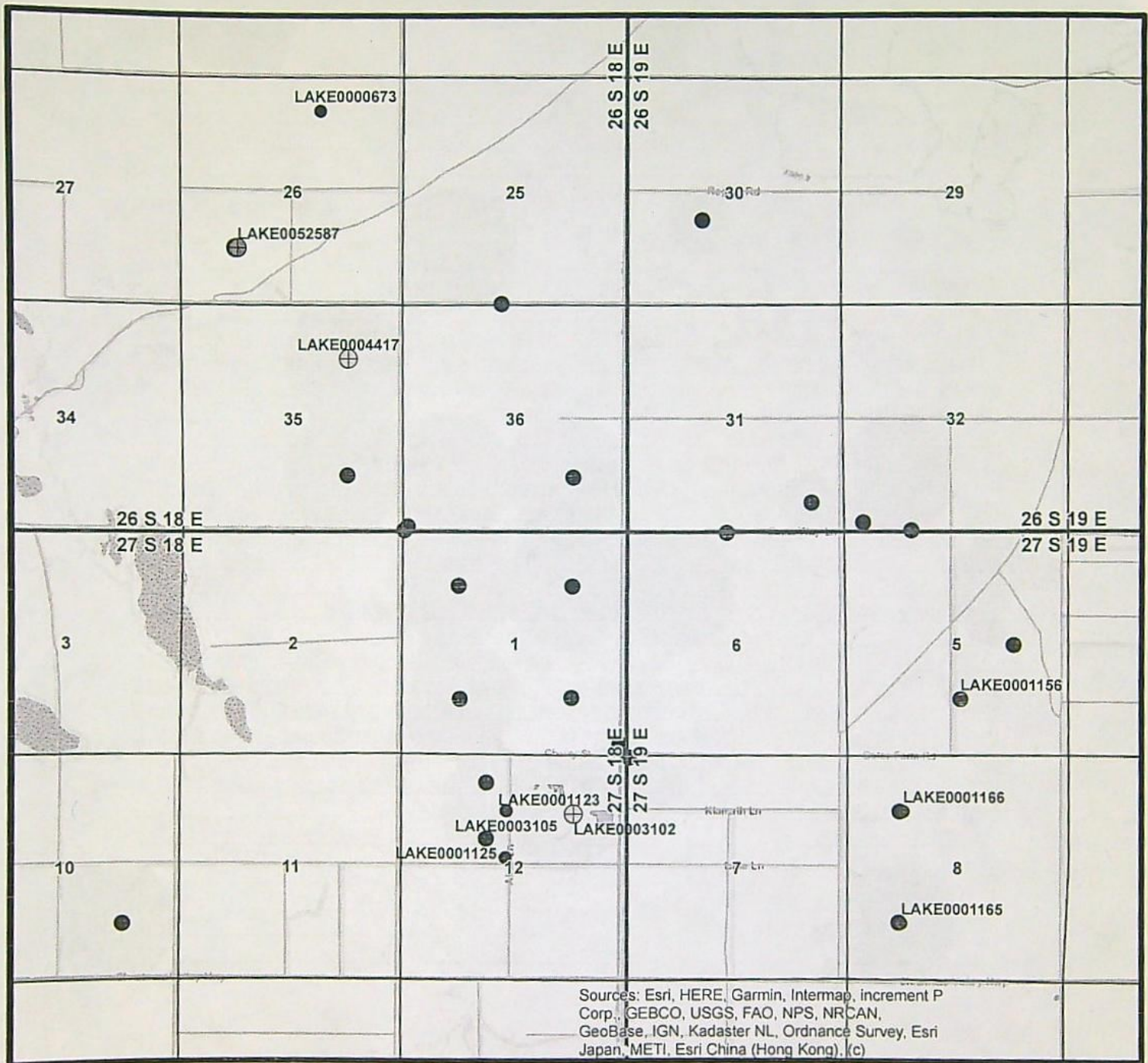
8. Any additional comments: _____

No additional comments.

References:

Miller, D.W., 1986, Appraisal of ground-water conditions in the Fort Rock Basin, Lake County, Oregon: Oregon Water Resources Department, Ground Water Report No. 31, 196 p and plates.

Groundwater Transfer Application T-13949 Flowerree Farms Inc.

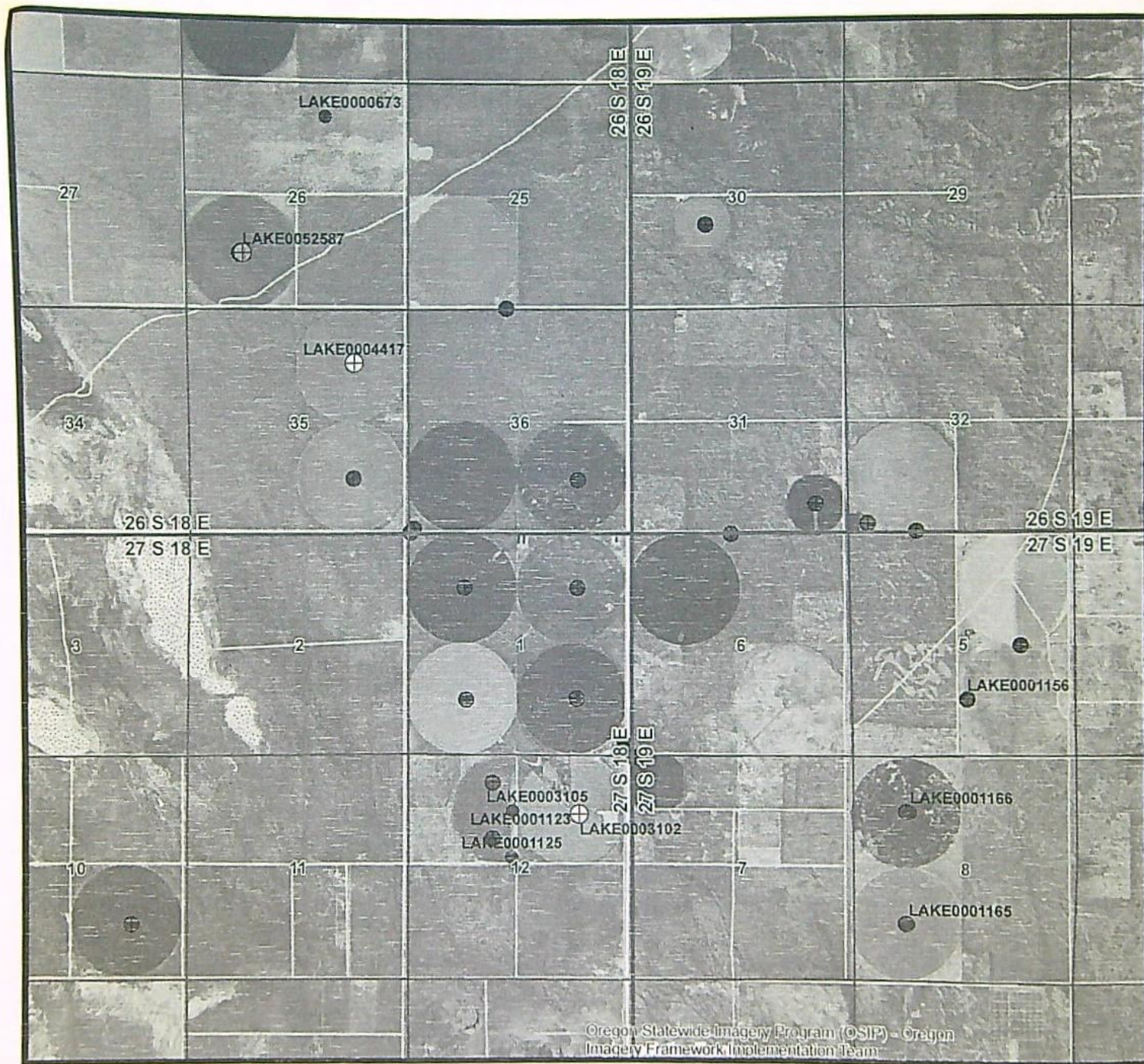


Green = Proposed Well
 Yellow = Authorized Wells
 Red = Groundwater PODs or Other Wells
 Blue = Surface Water PODs



Groundwater Transfer Application T-13949

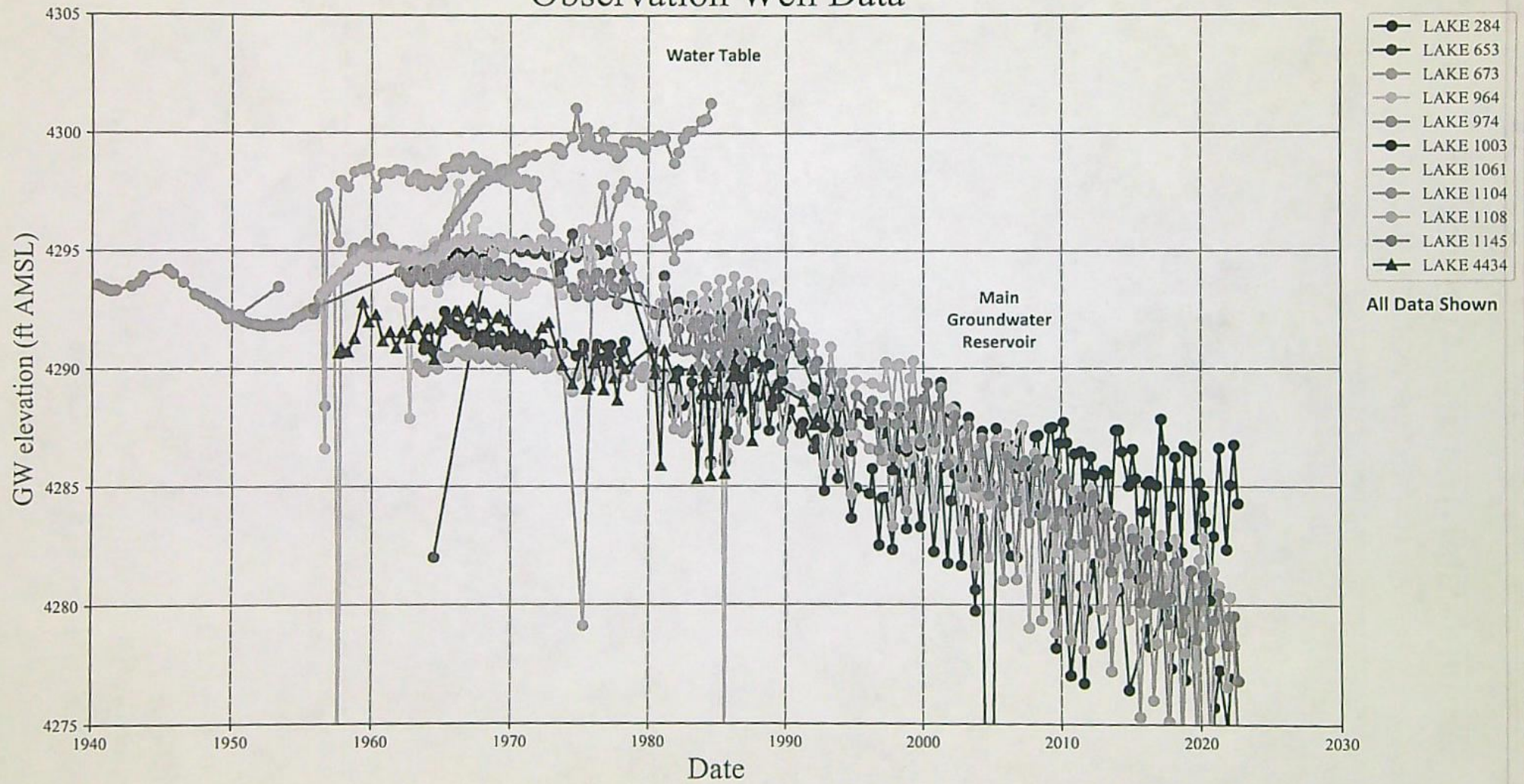
Flowerree Farms Inc.



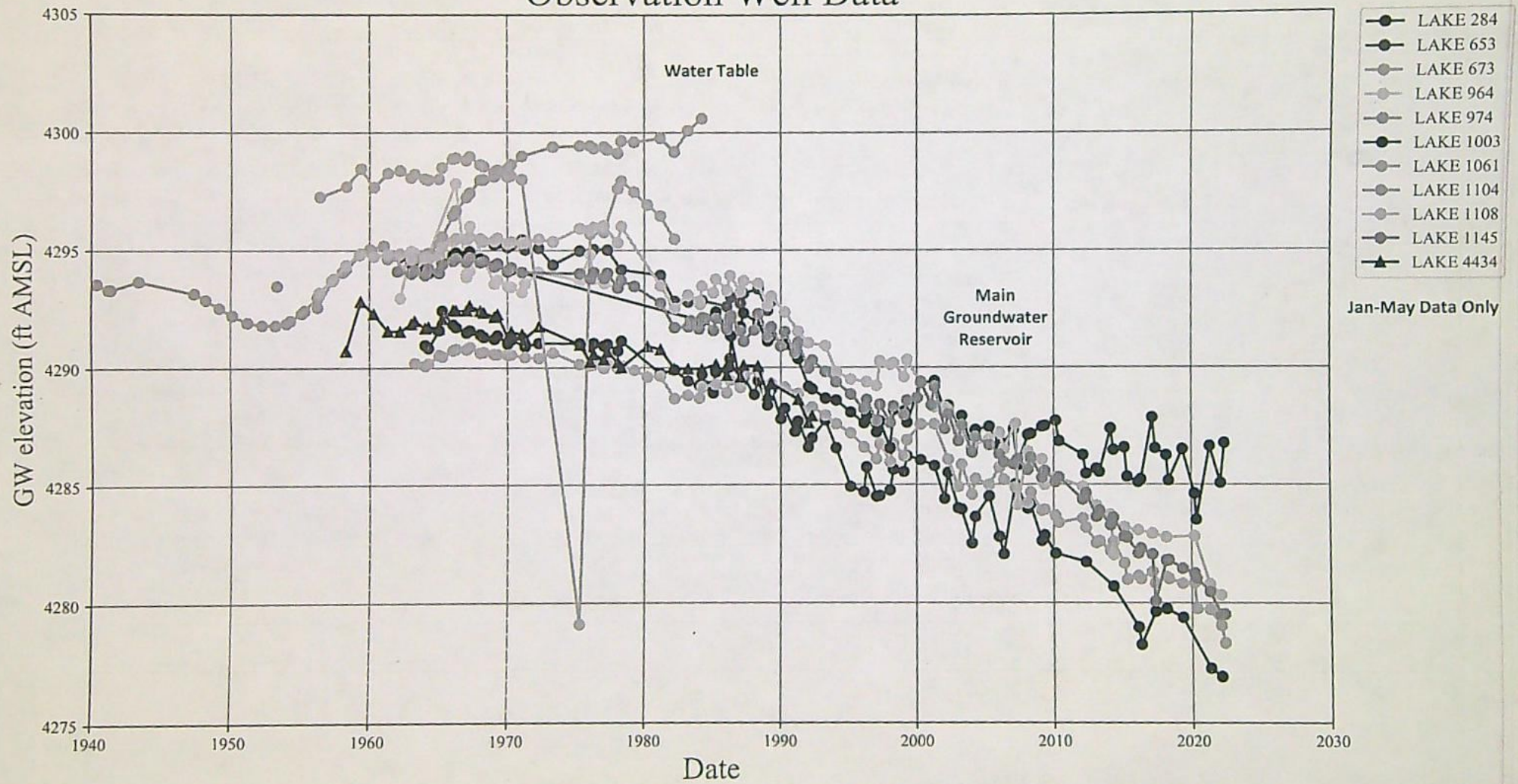
Green = Proposed Well
Yellow = Authorized Wells
Red = Groundwater PODs or Other Wells
Blue = Surface Water PODs



Observation Well Data



Observation Well Data



Drawdown Calculations Using Theis Equation

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

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

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

s = drawdown (L)

T = transmissivity (L²/T)

S = storage coefficient (dimensionless)

pi = 3.141592654

r = radial distance (L)

t = time (T)

u = dimensionless

W(u) = well function

Transmissivity T (gpd/ft)	Transmissivity T (ft ² /day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft ³ /sec)	Time t (days)	Distance r (feet)	pi	u	W(u)	Drawdown s (feet)	Drawdown Change s (feet)	Well	Comments
Note : W(u) calculation valid when u < 7.1													
Note: yellow grid areas are where values are calculated													
W(u) calculation test													
"From" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	115.57	0.26	30.00	9,620.00	3.14	0.0514	2.4414	0.2882		LAKE 1123	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	11.22	0.03	30.00	2,740.00	3.14	0.0042	4.9066	0.0562		LAKE 4417	Continuous Pumping at Full Rate
			126.79	0.28						0.3444			
"To" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	126.79	0.28	30.00	5,945.00	3.14	0.0196	3.3728	0.4367		LAKE 52587	Continuous Pumping at Full Rate
			126.79	0.28						0.4367	0.0924		
"From" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	57.08	0.13	30.00	9,620.00	3.14	0.0514	2.4414	0.1423		LAKE 1123	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	5.54	0.01	30.00	2,740.00	3.14	0.0042	4.9066	0.0278		LAKE 4417	Continuous Pro-Rated Pumping
			62.62	0.14						0.1701			
"To" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	62.62	0.14	30.00	5,945.00	3.14	0.0196	3.3728	0.2157		LAKE 52587	Continuous Pro-Rated Pumping
			62.62	0.14						0.2157	0.0456		
"From" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	115.57	0.26	245.00	9,620.00	3.14	0.0063	4.4970	0.5308		LAKE 1123	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	11.22	0.03	245.00	2,740.00	3.14	0.0005	7.0030	0.0802		LAKE 4417	Continuous Pumping at Full Rate
			126.79	0.28						0.6110			
"To" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	126.79	0.28	245.00	5,945.00	3.14	0.0024	5.4557	0.7064		LAKE 52587	Continuous Pumping at Full Rate
			126.79	0.28						0.7064	0.0954		
"From" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	57.08	0.13	245.00	9,620.00	3.14	0.0063	4.4970	0.2621		LAKE 1123	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	5.54	0.01	245.00	2,740.00	3.14	0.0005	7.0030	0.0396		LAKE 4417	Continuous Pro-Rated Pumping
			62.62	0.14						0.3018			
"To" POA wells to Water Right Well closest to Proposed "To" Well (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	62.62	0.14	245.00	5,945.00	3.14	0.0024	5.4557	0.3489		LAKE 52587	Continuous Pro-Rated Pumping
			62.62	0.14						0.3489	0.0471		

Theis Equation: $s = \frac{Q}{4 \cdot T \cdot \pi} [W(u)]$
 $u = \frac{(r^2 \cdot S)}{4 \cdot T \cdot t}$
 $W(u) = (-\ln u) - (0.5772157) + (u/1^2 \cdot 1) - (u^2/2^2 \cdot 2) + (u^3/3^2 \cdot 3) - (u^4/4^2 \cdot 4) + \dots$

s = drawdown (L)
 T = transmissivity (L²/T)
 S = storage coefficient (dimensionless)
 π = 3.141592654

r = radial distance (L)
 t = time (T)
 u = dimensionless
 $W(u)$ = well function

Page 1 of 1

Drawdown Calculations Using Theis Equation

Theis Equation: $s = [Q/(4 \cdot T \cdot \pi)] W(u)$
 $u = (r^2 \cdot S)/(4 \cdot T \cdot t)$
 $W(u) = (-\ln u) - (0.5772157) + (u/1 \cdot 1!) - (u^2/2 \cdot 2!) + (u^3/3 \cdot 3!) - (u^4/4 \cdot 4!) + \dots$

s = drawdown (L)
 T = transmissivity (L²/T)
 S = storage coefficient (dimensionless)
 π = 3.141592654

r = radial distance (L)
 t = time (T)
 u = dimensionless
 $W(u)$ = well function

Transmissivity T (gpd/ft)	Transmissivity T (ft ² /day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft ³ /sec)	Time t (days)	Distance r (feet)	pi	u	W(u)	Drawdown s (feet)	Drawdown Change s (feet)	Well	Comments
Note: yellow grid areas are where values are calculated													
Note: W(u) calculation valid when u < 7.1													
"From" POA wells to Silver Lake (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	115.57	0.26	30.00	101,200.00	3.14	5.6897	0.0005	0.0001		LAKE 1123	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	11.22	0.03	30.00	102,645.00	3.14	5.8533	0.0004	0.0000		LAKE 4417	Continuous Pumping at Full Rate
			126.79	0.28						0.0001			
"To" POA wells to Silver Lake (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	126.79	0.28	30.00	102,150.00	3.14	5.7970	0.0004	0.0001		LAKE 52587	Continuous Pumping at Full Rate
			126.79	0.28						0.0001	0.0000		
"From" POA wells to Silver Lake (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	57.08	0.13	30.00	101,200.00	3.14	5.6897	0.0005	0.0000		LAKE 1123	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	5.54	0.01	30.00	102,645.00	3.14	5.8533	0.0004	0.0000		LAKE 4417	Continuous Pro-Rated Pumping
			62.62	0.14						0.0000			
"To" POA wells to Silver Lake (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	62.62	0.14	30.00	102,150.00	3.14	5.7970	0.0004	0.0000		LAKE 52587	Continuous Pro-Rated Pumping
			62.62	0.14						0.0000	0.0000		
"From" POA wells to Silver Lake (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	115.57	0.26	245.00	101,200.00	3.14	0.6967	0.3761	0.0444		LAKE 1123	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	11.22	0.03	245.00	102,645.00	3.14	0.7167	0.3621	0.0041		LAKE 4417	Continuous Pumping at Full Rate
			126.79	0.28						0.0485			
"To" POA wells to Silver Lake (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	126.79	0.28	245.00	102,150.00	3.14	0.7098	0.3669	0.0475		LAKE 52587	Continuous Pumping at Full Rate
			126.79	0.28						0.0475	-0.0010		
"From" POA wells to Silver Lake (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	57.08	0.13	245.00	101,200.00	3.14	0.6967	0.3761	0.0219		LAKE 1123	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	5.54	0.01	245.00	102,645.00	3.14	0.7167	0.3621	0.0020		LAKE 4417	Continuous Pro-Rated Pumping
			62.62	0.14						0.0240			
"To" POA wells to Silver Lake (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	62.62	0.14	245.00	102,150.00	3.14	0.7098	0.3669	0.0235		LAKE 52587	Continuous Pro-Rated Pumping
			62.62	0.14						0.0235	-0.0005		

STATE OF OREGON

State Well No.

State Permit No. G-1191

(USE ADDITIONAL SHEETS IF NECESSARY)

23/82/12

Well Number:

City Christmas Valley State Or Zip _____

☐ New Well ☒ Deepen ☐ Recondition ☐ Abandon

☒ Rotary Air ☐ Rotary Mud ☐ Cable
☐ Other

☐ Domestic ☐ Community ☐ Industrial ☒ Irrigation
☐ Thermal ☐ Injection ☐ Other _____

Special Construction approval Yes No Depth of Completed Well _____ ft.

Explosives used ☐ Yes ☐ No ☐ Type _____ Amount _____

HOLE		SEAL		Amount
Diameter	From To	Material	From To	Shells or pounds

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

Backfill placed from _____ ft. to _____ ft. Material _____
Gravel placed from _____ ft. to _____ ft. Size of gravel _____

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

☐ Perforations Method _____

☐ Screens Type _____ Material _____

[illegible]☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem at	Time
1500		300	1 hr

Temperature of water _____ Depth Artesian Flow Found _____
Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☐ Too little
☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

County LAKES Latitude _____ Longitude _____

Township 27.3 N or S, Range 18E E or W, WM.

Section 19 1/4 1/4

Tax Lot 100 Lot _____ Block _____ Subdivision _____

Street Address of Well (or nearest address) 17th NORTH V POINT PARK

20 ft. below land surface. Date 5-2-89

Artesian pressure _____ lb. per square inch. Date _____

Depth at which water was first found

From	To	Estimated Flow Rate	SWL
283	300		20

Ground elevation

[illegible]

Date started 7/12/89 Completed 13-2-89

(unbonded) Water Well Constructor Certification:

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

Signed M. L. Sarch WWC Number _____
Date _____

(bonded) Water Well Constructor Certification:

I accept responsibility for the construction, 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 well construction standards. This report is true to the best of my knowledge and belief.

Signed W. L. Search WWC Number 561
Date 5-6-89

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

WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

RECEIVED

NOV 28 1979

State Well No.

State Permit No.

SALEM, OREGON

(1) OWNER:

Name Daniel F. Peters
Address P.O. Box 232 Gatesore

(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 ☐
☐ Bored ☐

(4) PROPOSED USE (check):

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

(5) CASING INSTALLED:

12" Diam. from 0 ft. to 117 ft. Gage 250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) 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.
" " " " " "
" " " " " "
Ballor test gal./min. with ft. drawdown after hrs.
" " " " " "
" " " " " "
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used Bentonite
Well sealed from land surface to 39 ft.
Diameter of well bore to bottom of seal 12 in.
Diameter of well bore below seal 12 in.
Number of sacks of cement used in well seal sacks
How was cement grout placed?

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:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lake Driller's well number
S.E. 1/4 N.E. 1/4 Section 35 T. 26 S. R. 18 E W.M.

Bearing and distance from section or subdivision corner

10 ft. South 10 ft. East of N.W.
corner of S.E. 1/4 of N.E. 1/4 Sec 35-26-18

(11) WATER LEVEL: Completed well.

Depth at which water was first found 27 ft.

Static level 20.2' ft. below land surface. Date Oct. 79

Artesian pressure 0 lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 12"

Depth drilled 340 ft. Depth of completed well 335 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
Sand & Soil	0	7	
White Clay Earth	7	27	27'
Block Sand	27	29	27'
White Clay Earth	29	81	27'
Block Sand	81	103	24'
Grey Green Clay	103	230	24'
Block Rock	230	350	24'
Grey Green Clay	250	320	24'
Block Rock	320	330	24'
Gravel	330	335	20'-1"

Work started Oct 1978 Completed Nov 1979

Date well drilling machine moved off of well Oct 26 1979

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] _____ Date _____, 19____
(Drilling Machine Operator)

Drilling Machine Operator's License No. _____

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 Daniel F. Peters
(Person, firm or corporation) (Type or print)

Address P.O. Box 232 Gatesore

[Signed] Daniel F. Peters
(Water Well Contractor)

Contractor's License No. _____ Date Nov. 26 1979

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-45658-119

WATER WELL REPORT
STATE OF OREGON

RECEIVED

FEB 13 1981

WATER RESOURCES DEPT
SALEM, OREGON

State Well No.

265/8E-35a

State Permit No.

deepened & Reconditioned

(1) OWNER:

Name John Flowerree
Address 3180 S.W. 98th
City Portland State OR

(2) TYPE OF WORK (check):

New Well ☐ Deepening ☒ Reconditioning ☒ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

☒ Air ☒ Driven ☐
☐ Rotary Mud ☐ Dug ☐
☐ Cable ☐ Bored ☐

(4) PROPOSED USE (check):

☐ Domestic ☐ Industrial ☐ Municipal ☐
☒ Irrigation ☒ Test Well ☐ Other ☐
☐ Thermal: ☐ Withdrawal ☐ Reinjection ☐

(5) CASING INSTALLED:

Steel ☒ Plastic ☐
Threaded ☐ Welded ☒
" Diam. from 1 ft. to 139 ft. Gauge 2.50
" Diam. from _____ ft. to _____ ft. Gauge _____

LINER INSTALLED:

10 " Diam. from 100 ft. to 188 ft. Gauge 1.88

(6) 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.

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.

Air test 1000 gal./min. with drill stem at 120 ft. 1 hrs.

Water test _____ gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow _____ g.p.m.

Temperature of water _____ Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Special standards: Yes ☐ No ☒

Well seal—Material used Cement

Well sealed from land surface to 139 ft.

Diameter of well bore to bottom of seal 18 in.

Diameter of well bore below seal 12 in.

Number of sacks of cement used in well seal 138 sacks

How was cement grout placed? Cement was mixed up

1" pipe run down along side

and pressure grouted in.

Was pump installed? ☐ Yes ☒ No Type _____ HP _____ Depth _____ ft.

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: _____

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Lake Driller's well number _____
NE 35 T. 26S R. 18E W.M.

Tax Lot # _____ Lot _____ Blk _____ Subdivision _____
Address at well location: 12 mi. East of C.V.

(11) WATER LEVEL: Completed well.

Depth at which water was first found Already drilled ft.

Static level 21 ft. below land surface. Date 2/10/81

Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing Thru 6"

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

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

MATERIAL	From	To	SWL
Pulled 117' of 12" casing			4 put in
141' of 14" casing			
Brown Clay	0	26	
Yellow Clay	26	39	
Green Stone	39	81	
Black Sand caving	81	314	
Grey Stone	314	379	
Pumice w/B	379	387	
Grey Stone	387	400	

Work started <u>1/6</u>	19 <u>81</u>	Completed <u>2/3</u>	19 <u>81</u>
Date well drilling machine moved off of well <u>2/3</u>			19 <u>81</u>

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) Mel Search Date 2/10/81
(Drilling Machine Operator)

Drilling Machine Operator's License No. 699

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 Mel Search Well Drilling
(Person, firm or corporation) (Type or print)
Address P.O. Box 83, Silver Lake, OR 97638

(Signed) Mel Search (Water Well Contractor)
Contractor's License No. 567 Date 2/10, 19 81

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date of well completion.

SP-12658-690

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

RECEIVED BY OWRD
LAKRE 32587

DEC 12 2014

WELL LABEL # L

START CARD #

LAKRE 32587

115912

211204

Instructions for completing this report are on the last page of this form.

(1) LAND OWNER
First Name _____ Last Name _____
Company ELWELLER FLAY x 6/12/11
Address 800 Bay 820
City Bend State OR Zip 97701

(2) TYPE OF WORK ☒ New Well ☐ Deepening ☐ Conversion
☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD
☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)
Depth of Completed Well 600 ft.

BORE HOLE				SEAL			
Dia	From	To	Material	From	To	Amount	Scks/lbs
14"	0	60	Cement	60	80	15	SCM
18"	60	260	Bent	50	0	96	SCM
10"	260	600					

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

Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____
Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Casing/Liner	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X	18"	+	59	250	250	X		X	
X	16"	-	20	260	250	Y		X	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____
Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
Screens Type _____ Material _____

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

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

☐ Pump ☐ Bailor ☒ Air ☐ Flowing Artesian
Yield gal/min _____ Drawdown _____ Drill stem/Pump depth _____ Duration (hr) _____
7000+ 600 hr 2

Temperature 53 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units
------	----	-------------	--------	-------

SALEM, OR

(9) LOCATION OF WELL (legal description)

County Lake Twp 26 N or S Range 18 E or W W.M.
Sec 26 1/4 of the SW 1/4 Tax Lot 200
Tax Map Number _____ Lot _____
Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD
Street Address of Well (or nearest address) 57764 Fossil
Lake Rd Christina's Valley 97601

(10) STATIC WATER LEVEL

	Date	SWL (psi)	+	SWL (ft)
Existing Well/Predeepening				
Completed Well	<u>11-15-14</u>			<u>28"</u>

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes

WATER BEARING ZONES Depth water was first found 60'

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
<u>11-10-14</u>	<u>60</u>	<u>15</u>	<u>50+</u>			<u>28"</u>
<u>11-10-14</u>	<u>160</u>	<u>180</u>	<u>800+</u>			<u>28"</u>
<u>11-10-14</u>	<u>450</u>	<u>600</u>	<u>2000+</u>			<u>28"</u>

(11) WELL LOG

Ground Elevation

Material	From	To
Brown Clay	0	2
Gray Clay	2	140
Black Sand	140	255
Gray Clay	255	340
Green Clay	340	395
Brown Clay	395	450
Black Laminar Rock	450	610
Pumice	510	540
Black Clam	540	600

RECEIVED BY OWRD

JUL 10 2017

SALEM, OR

Start 11-8-14 Completed 11-15-14

(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 _____ Date _____

Signed _____

(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 16541 Date 11-19-14

Signed [Signature]

Contact Info. (optional) _____

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-13949

Review Due Date: 05/05/2022

Applicant Name: Flowerree Hay & Grain, LLC

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

Reviewer(s): Giffin

Date of Review: 04/06/2022

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

☒ N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

☒ N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

☒ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

9. For POU changes: ☐ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☒ No If "Yes", explain:

10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste?

☐ Yes ☒ No If "Yes", explain:

11. For POU changes that involve micro-irrigation: ☒ N/A

- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

☐ Yes ☐ No If "Yes", explain:

- b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

☐ Yes ☒ No If "Yes", answer the following:

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:
- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:
- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:
- iv. Do you have any other observations regarding the temporary transfer? ☐ Yes ☐ No If "Yes", describe:
- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- c. To the best of your knowledge, if this transfer is approved, does it appear that:

- i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☒ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☒ No If "Yes", explain:

12. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

☐ Yes ☒ No If "Yes", explain:

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

DAVIS Arla L * WRD

From: Johnshort@usa.com
Sent: Friday, February 17, 2023 10:35 AM
To: DAVIS Arla L * WRD
Cc: Bryce Withers
Subject: Re: Temporary Transfer Application T-13949 for FLOWERREE HAY AND GRAIN LLC. /BEN SELZNICK AND FLOWERREE FARMS INC. /JOHN FLOWERREE

2022 - 2026 please!

Thx, Arla.

John

John A. Short CCB # 197121
Water Right Services, LLC
PO Box 1830
Bend, OR 97709
541-389-2837
johnshort@usa.com

On Feb 17, 2023, at 10:33 AM, DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov> wrote:

Good Morning,

Temporary Transfer Application T-13949 proposes temporary changes to Certificates 64243 and 76469. The application indicates the temporary changes are for a 5 year period of time, specifically 2022-2027. This is actually a 6 year period of time, being 2022, 2023, 2024, 2025, 2026 and 2027. However, due to staffing shortages at the Department, we were not able to approve Temporary Transfer Application T-13960 for the 2022 season. Would the applicant like to change the application to 2023-2027? Or would they prefer 2022-2026? Please send updated application page 1 indicating the length of time the applicant would like for this Temporary Transfer Application T-13949. I have received the groundwater review and am working on processing this transfer now. Please let me know if there are any questions.

Thank you!

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129

<image001.jpg>

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



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

April 5, 2022

JOHN H. FLOWERREE
PO BOX 1869
RENO, NV 89505

FLOWERREE HAY & GRAIN
BEN SELZNICK
PO BOX 7839
KETCHUM ID 83340

Reference: Application T-13949

On March 22, 2022, OWRD received your water right Temporary Transfer Application. The application was accompanied by \$1321.02. Our receipt number 137734 is enclosed.

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

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

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

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

Cc: Watermaster Dist. #11, Jeremy T. Giffin (via email)
Lake County Planning Department
John A. Short, Agent

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

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

RECEIPT # **137734**

INVOICE # _____

RECEIVED FROM: Flowerice Hay and Grain

BY: _____

CASH: ☐ CHECK: # 4271 OTHER: (IDENTIFY) ☐

APPLICATION	
PERMIT	
TRANSFER	<u>T-13949</u>

TOTAL REC'D \$ 1,321.02

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	\$	0202	\$
0203	GROUND WATER	\$	0204	\$

0205 TRANSFER \$ 1321.02

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND	TITLE	
OBJ. CODE	VENDOR #	
DESCRIPTION		\$

RECEIPT: **137734**

DATE: 3-22-2022 BY: Mindy Cools

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



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

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

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

RECEIVED

MAR 22 2022

FOR ALL TEMPORARY TRANSFER APPLICATIONS

OWRD

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 2 List them here: C-64243 & C-76469**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2022 End Year: 2027.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

- ☐ Application fee not enclosed/insufficient ☐ Map not included or incomplete
- ☐ Land Use Form not enclosed or incomplete
- ☐ Additional signature(s) required ☐ Part _____ is incomplete

Other/Explanation _____

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

13949

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

OWRD

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

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

Part 3 of 5 – Fee Worksheet

[illegible]

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

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

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

13949

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME BEN SELZNICK / FLOWERREE HAY & GRAIN, LLC		PHONE NO. 406-570-6791	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 7839		FAX NO.	
CITY KETCHUM	STATE ID	ZIP 83340	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

APPLICANT/BUSINESS NAME JOHN FLOWERREE / FLOWERREE FARMS INC.		PHONE NO. 406-570-6791	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 1869		FAX NO.	
CITY RENO	STATE NV	ZIP 89505	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

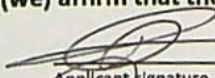
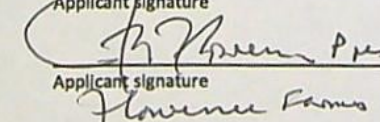
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME JOHN A. SHORT / WATER RIGHT SERVICES, LLC		PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 1830		FAX NO.	
CITY BEND	STATE OR	ZIP 97709	E-MAIL JOHNSHORT@USA.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:
MOVE A PORTION OF TWO CERTIFICATES TO A DIFFERENT POU AND POA FOR 5 YEARS.

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

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

 Applicant signature	<u>Ben Selznick</u> Print Name (and Title if applicable)	<u>3/20/22</u> Date
 Applicant signature	<u>JOHN FLOWERREE</u> Print Name (and Title if applicable)	<u>3/20/22</u> Date

RECEIVED

MAR 22 2022

OWRD

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

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

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

DISTRICT NAME 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 local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME LAKE COUNTY PLANNING DEPARTMENT	ADDRESS 513 CENTER ST	
CITY LAKEVIEW	STATE OR	ZIP 97630

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 rows to tables within the form.

Water Right Certificate # **64243**

Description of Water Delivery System

System capacity: 1.25 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **PIPED FROM WELL TO PIVOT**

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)
WELL #2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 3102	27 S	18 E	12	SE NE	100	1400' S, 1410' E OF N 1/4 COR SEC 12
WELL #3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 52587 / L-115912	26 S	18 E	26	SE SW	200	1327' S, 1335' E OF W 1/4 COR SEC 26
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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

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

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

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

Additional remarks:

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For Place of Use Changes

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

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

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

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

- ☒ Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

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_____ gallons per minute (gpm)

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 76469

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901			
"	"	"	" " " "	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901			
26	S	18	E 35 NE NE	9300		0.5	IR	WELL #1	8/27/ 1980	POU & POA	26	S	18	E 26 NW SW	200		2.0	IR	WELL #3	8/27/ 1980			
"	"	"	" " " NW NE	"		0.5	"	"	"	"													
"	"	"	" " " SW NE	"		0.5	"	"	"	"													
"	"	"	" " " SE NE	"		0.5	"	"	"	"													
TOTAL ACRES						2.0						TOTAL ACRES						2.0					

Additional remarks: _____

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For Place of Use Changes

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

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

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

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

- ☒ Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well, OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

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LAKE 32587

DEC 12 2014

WELL LABEL # L

START CARD #

LAKE 32587

115912

211204

Instructions for completing this report are on the last page of this form.

SALEM, OR

(1) LAND OWNER

Owner Well I.D. _____
First Name _____ Last Name _____
Company FLOW-ARE Flax & Grain
Address 80 Bay 820
City Bend State OR Zip 97708

(2) TYPE OF WORK ☒ New Well ☐ Deepening ☐ Conversion
☐ Alteration (repair/recondition) ☐ Abandonment

(3) DRILL METHOD

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

(4) PROPOSED USE ☐ Domestic ☒ Irrigation ☐ Community
☐ Industrial/Commercial ☐ Livestock ☐ Dewatering ☐ Injection
☐ Thermal ☐ Other _____

(5) BORE HOLE CONSTRUCTION Special Standard: ☐ Yes (attach copy)

Depth of Completed Well 600 ft.

BORE HOLE			SEAL			Amount	Seks/lbs
Dia	From	To	Material	From	To		
24"	0	60	Cement	60	80	15	SCM
18"	60	260	Bent	50	0	96	SCM
16"	260	600					

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

Backfill placed from _____ ft. to _____ ft. Material _____
Filter pack from _____ ft. to _____ ft. Material _____ Size _____
Explosives used: ☐ Yes Type _____ Amount _____

(6) CASING/LINER

Csg/Linr	Dia	+	From	To	Gauge	Steel	Plastic	Welded	Thrd
X	18"	+	59	1250	X				
X	16"	-	20	260	1250	Y		Y	

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s) _____
Temporary casing ☐ Yes Diameter _____ From _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method _____
Screens Type _____ Material _____

Perf	Scrn	Csg	Linr	Screen Dia	From	To	Screen/slot width	Slot length	# of slots	Tele/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) _____
2000+ 600 hr 2

Temperature 53° F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below)

From	To	Description	Amount	Units
------	----	-------------	--------	-------

(9) LOCATION OF WELL (legal description)

County Lake Twp 26 N or S Range 18 E or W W.M.
Sec 26 1/4 of the 1/4 1/4 Tax Lot 200
Tax Map Number _____ Lot _____

Lat _____ " or _____ DMS or DD
Long _____ " or _____ DMS or DD

Street Address of Well (or nearest address) 57764 Fossil
Lake Rd Christus Valley 97601

(10) STATIC WATER LEVEL

Existing Well/Predeepening	Date	SWL (psi)	+	SWL (ft)
Completed Well	11-15-14			28"

Flowing Artesian? ☐ Yes Dry Hole? ☐ Yes
WATER BEARING ZONES Depth water was first found 60'

SWL Date	From	To	Est Flow	SWL (psi)	+	SWL (ft)
11-10-14	60	15	50+			28"
11-10-14	160	180	800+			28"
11-10-14	450	100	2000+			28"

(11) WELL LOG

Material	From	To
Brown Clay	0	2
Gray Clay	2	140
Black Sand	140	255
Gray Clay	255	340
Green Clay	340	345
Black Clay	345	450
Black Lam Rock	450	610
Pyral	510	540
Black Cider	540	600

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JUL 10 2017

SALEM, OR

Date Started 11-8-14 Completed 11-15-14

(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 _____ Date _____

Signed _____

(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 16501 Date 11-19-14

Signed _____

Contact Info. (optional) _____

13949

1-1-74

BARGAIN AND SALE DEED

51897 49

KNOW ALL MEN BY THESE PRESENTS, That Theodore J. Struck and Barbara E. Struck, husband and wife, hereinafter called grantor, for the consideration hereinafter stated, does hereby grant, bargain, sell and convey unto Flowerree Farms Inc., an Oregon corporation hereinafter called grantee, and unto grantee's heirs, successors and assigns all of that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining, situated in the County of Lake, State of Oregon, described as follows, to-wit:

NE $\frac{1}{4}$ of Section 35, Township 26 South, Range 18 East of the Willamette Meridian.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ exchange of property. However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 19th day of November, 1982; if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Theodore J. Struck
Barbara E. Struck

(If executed by a corporation,
affix corporate seal)

STATE OF OREGON,

County of Lake

November 19, 1982

Personally appeared the above named

Theodore J. & Barbara E. Struck

and acknowledged the foregoing instrument as their voluntary act and deed.

Notary Public for Oregon

My commission expires 1-29-83

NOTARY PUBLIC SEAL

NOTARY PUBLIC SEAL

NOTARY PUBLIC SEAL

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NOTARY PUBLIC SEAL

STATE OF OREGON, County of Lake

November 19, 1982

Personally appeared Theodore J. & Barbara E. Struck

who, being duly sworn,

each for himself and not one for the other, did say that the former is the

president and that the latter is the

secretary of

a corporation,

and that the seal affixed to the foregoing instrument is the corporate seal

of said corporation and that said instrument was signed and sealed in be-

half of said corporation by authority of its board of directors; and each of

them acknowledged said instrument to be its voluntary act and deed.

Before me:

(OFFICIAL SEAL)

Notary Public for Oregon

My commission expires:

Theodore J. & Barbara E. Struck

Route 6

Lakeview, OR 97630

GRANTOR'S NAME AND ADDRESS

Flowerree Farms Inc.

P. O. Box 4462

Sun River, OR 97702

GRANTEE'S NAME AND ADDRESS

After recording return to:

Nichols & Bogardus

35 G Street South

Lakeview, OR 97630-1897

NAME, ADDRESS, ZIP

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

Flowerree Farms Inc.

P. O. Box 4462

Sun River, OR 97702

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of Lake

I certify that the within instrument was received for record on the 19 day of December, 1982, at 11:30 o'clock A.M., and recorded in book/reel/volume No. 124 on page 49 or as document/tee/life/instrument/microfilm No. Record of Deeds of said county.

Witness my hand and seal of County affixed.

Fay Hammon Co. Clerk
NAME TITLE

By *James Carter* Deputy

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047301

KNOW ALL MEN BY THESE PRESENTS, That Wayne D. Baileyhereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by Flowerree Farms Inc., an Oregon corporationhereinafter called the grantee, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Lake and State of Oregon, described as follows, to-wit:Township 27 South, Range 18 East of the Willamette Meridian,
Section 12: NE $\frac{1}{4}$.

SUBJECT TO:

- (1) Location of power and telephone lines and public roads as the same may now exist.
- (2) An outstanding interest in C. H. Langslet and Madge E. Langslet, husband and wife, for one half of the coal, oil, gas and minerals on, in or under the land described herein, reserved under that certain deed, including the terms and provisions thereof, recorded in Book 130 at page 634 of the Record of Deeds.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances excepting those set forth above

and that grantor will warrant and forever defend the above granted premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$55,000.00. However, the actual consideration consists of or includes other property or value given or promised which is part of the consideration (indicate which).^⑥

In construing this deed and where the context so requires, the singular includes the plural.

WITNESS grantor's hand this 22nd day of May, 1980.Wayne D. BaileySTATE OF OREGON, County of Polk) ss. May 22, 1980
I hereby appeared the above named Wayne D. Bailey

acknowledged the foregoing instrument to be his voluntary act and deed.

Before me: C. S. Clary
Notary Public for OregonMy commission expires 7/15/80

between the symbols ⑥, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967, as amended by the 1967 Special Session.

Wayne D. Bailey

GRANTOR'S NAME AND ADDRESS

Flowerree Farms Inc.
3180 S. W. 98th
Portland, OR 97225

GRANTEE'S NAME AND ADDRESS

After recording return to:
Flowerree Farms Inc.
3180 S. W. 98th
Portland, OR 97225

NAME, ADDRESS, ZIP

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

Flowerree Farms Inc.
3180 S. W. 98th
Portland, OR 97225

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of _____ } ss.

I certify that the within instrument was received for record on the 25 day of August, 1981, at 3:33 o'clock P.M., and recorded in book/reel/volume No. 189 on page 529 or as document/fee/title/instrument/microfilm No. _____ of Deeds of said county.

Witness my hand and seal of _____

By Thomas S. Co. Clerk TITLE
By Deputy Deputy

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Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of DESCHUTES

I, JOHN A. SHORT, in my capacity as WATER RIGHT SPECIALIST,

mailing address PO BOX 1830 BEND, OR 97709

telephone number (541)389-2837, 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 # 64243 & 76469; OR

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

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

OR

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

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

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

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

(continues on reverse side)

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

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

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[Signature]
Signature of Affiant

March 01, 2022
Date

Signed and sworn to (or affirmed) before me this 01 day of March, 2022.

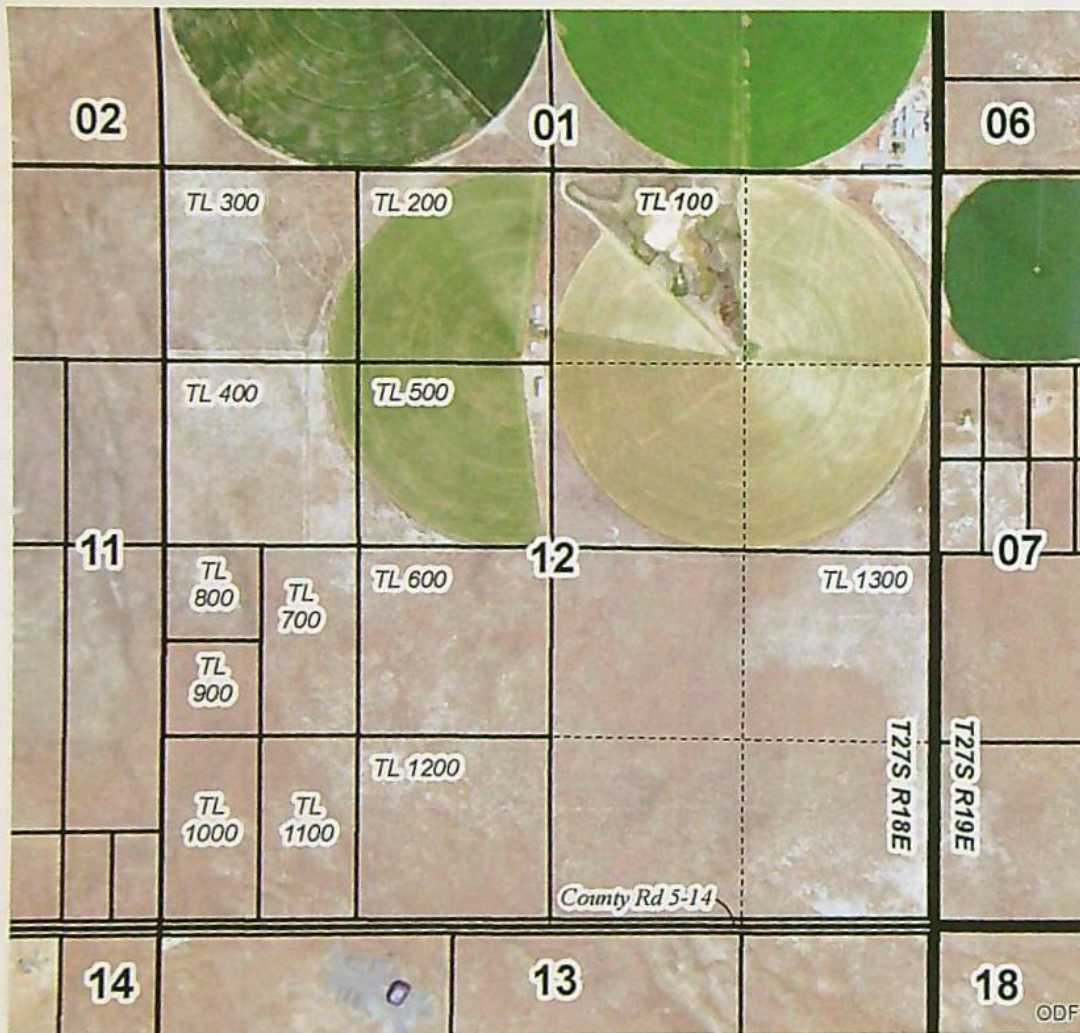
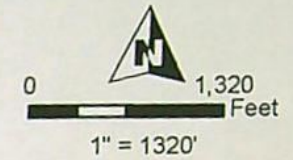


[Signature]
Notary Public for Oregon

My Commission Expires: July 12, 2025

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

T27S R18E, WM,
LAKE COUNTY, OR



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"OREGONAERIAL2020" ESRI IMAGERY
FLOWERREE

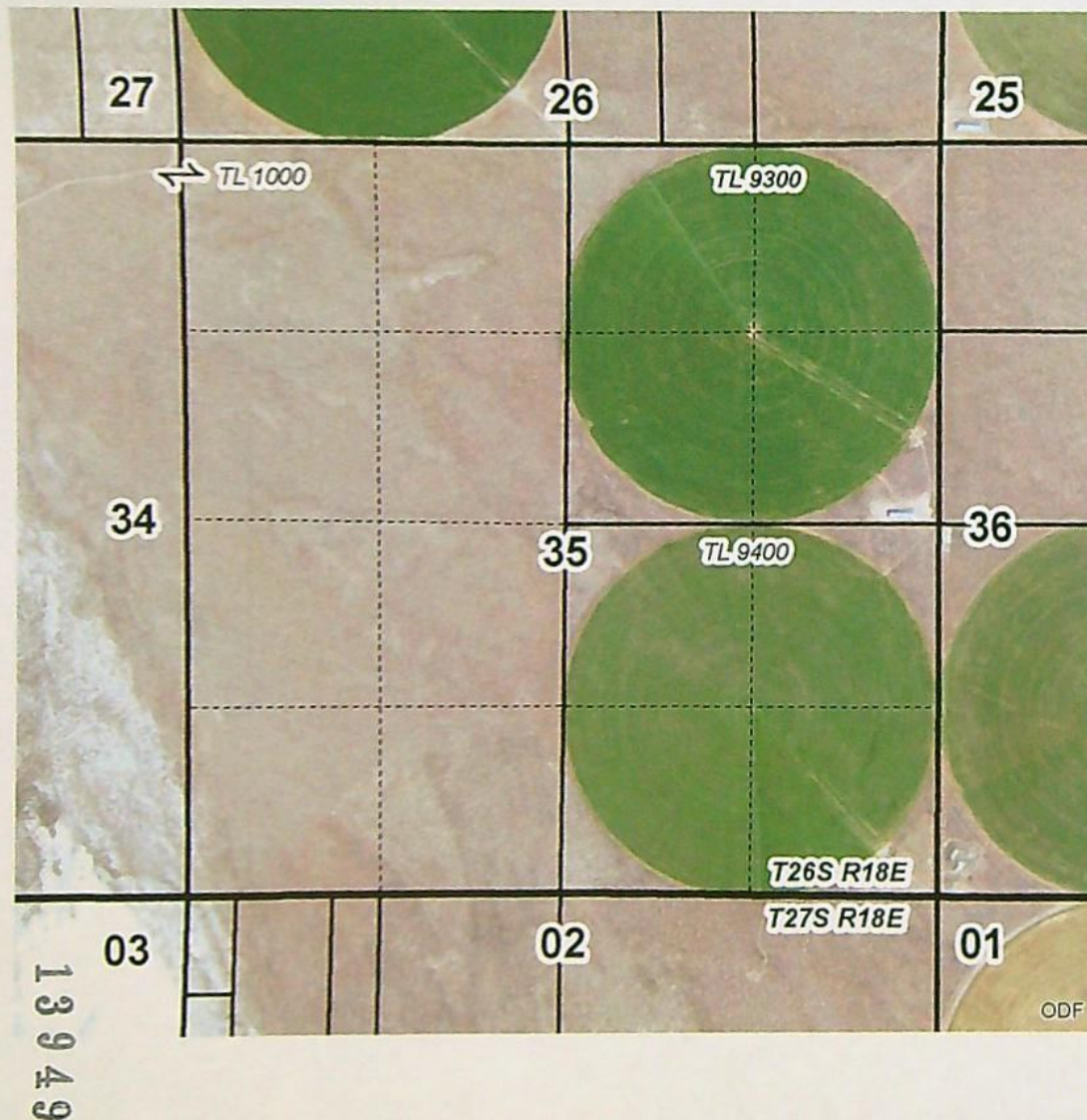
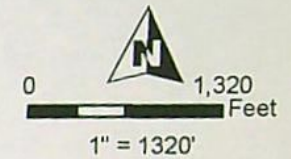
Date: 2/28/2022

C-64243

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

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US 541-389-2837
johnshort@usa.com CCB # 197121

**T26S R18E, WM,
LAKE COUNTY, OR**



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**"OREGONAERIAL2020" ESRI IMAGERY
FLOWERREE**

Date: 2/28/2022

C-76469

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

WATER RIGHT SERVICES, LLC

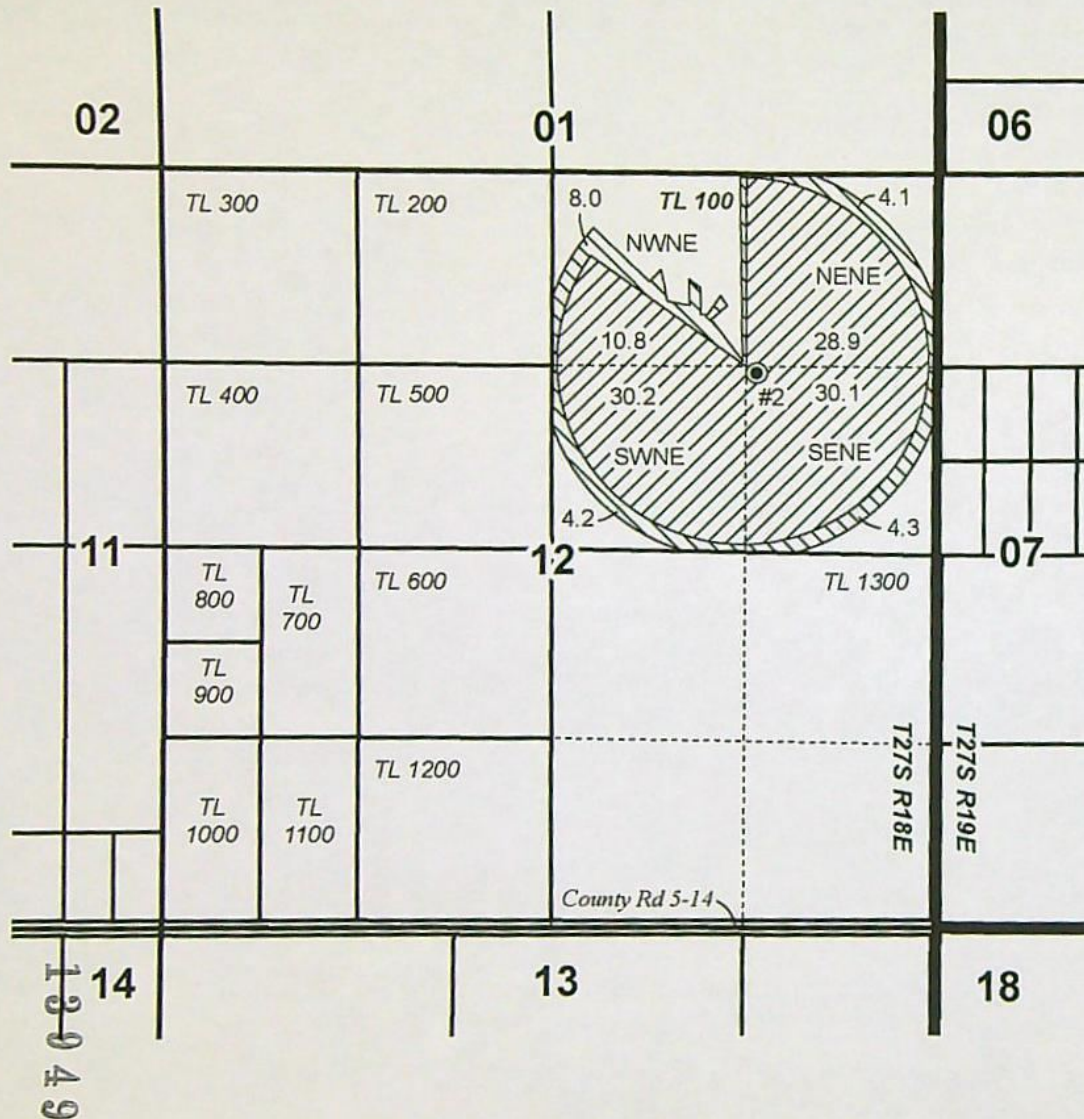
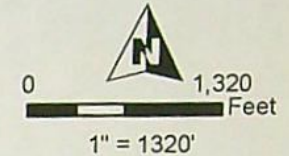
PO BOX 1830, BEND, OR 97709

WWW.OREGONWATER.US 541-389-2837

johnshort@usa.com

CCB # 197121

**T27S R18E, WM,
LAKE COUNTY, OR**



- Well
- POU IR C-64243 6/11/1980 "NO CHANGE"
- POU IR C-64243 6/11/1980 "OFF"
- Township
- Section
- Quarter Quarter
- Tax Lot

Well Location:

#2 (LAKE 3102): 1400' S, 1410' E of N 1/4 Cor Sec 12

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**TEMPORARY TRANSFER "OFF" MAP
FLOWERREE**

Date: 2/27/2022

C-64243

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WATER RIGHT SERVICES, LLC

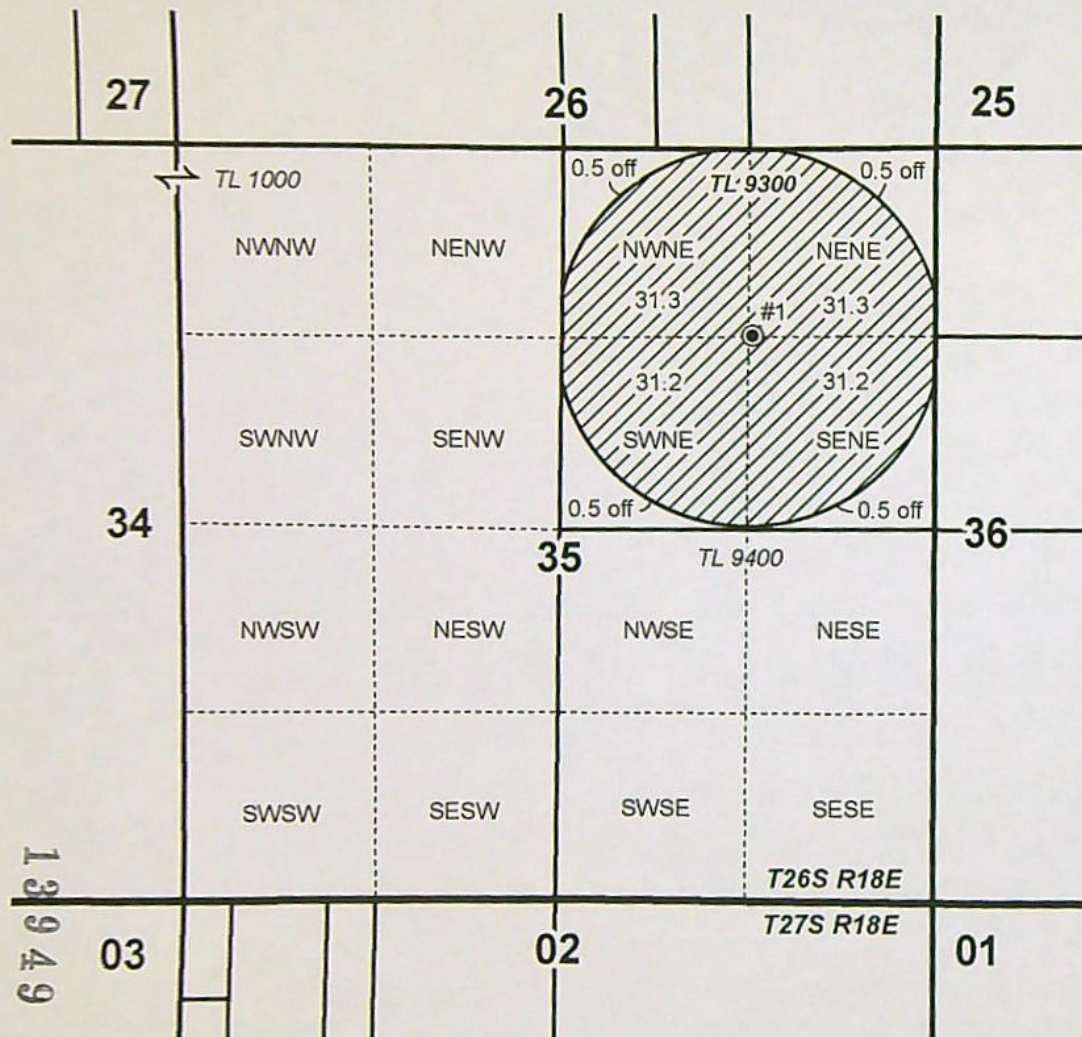
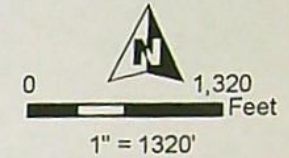
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CCB # 197121

**T26S R18E, WM,
LAKE COUNTY, OR**



- Well
- Township
- Section
- Quarter Quarter
- Tax Lot
- ▨ POU IR C-76469 8/27/1980 "NO CHANGE"
- POU IR C-76469 8/27/1980 "OFF"

Well Locations:

#1 (LAKE 698): 1260' S, 1300' W of NE Cor Sec 35

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**TEMPORARY TRANSFER "OFF" MAP
FLOWERREE**

Date: 2/25/2022

C-76469

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

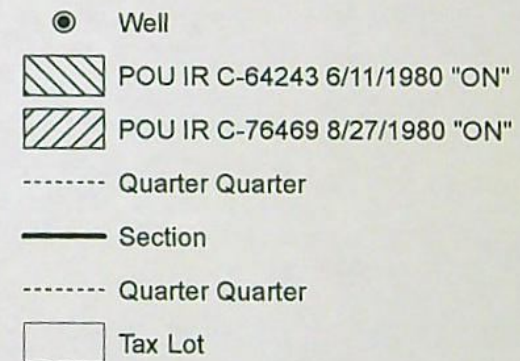
WATER RIGHT SERVICES, LLC

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johnshort@usa.com

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#3 (LAKE 52587 / L-115912): 1327' S, 1335' E of W 1/4 Cor Sec 26



CCB # 197121

Land Use Information Form



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

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NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

Land Use Information Form

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

Applicant(s): BEN SELZNICK / FLOWERREE HAY & GRAIN, LLC & JOHN FLOWERREE / FLOWERREE FARMS INC.

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Mailing Address: PO BOX 7839

MAR 22 2022

City: KETCHUM

State: ID

Zip Code: 83340

Daytime Phone: _____

OWRD

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>26S</u>	<u>18E</u>	<u>26</u>	_____	<u>200</u>	<u>FARM USE</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>26S</u>	<u>18E</u>	<u>35</u>	_____	<u>9300</u>	<u>FARM USE</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
<u>27S</u>	<u>18E</u>	<u>12</u>	_____	<u>100</u>	<u>FARM USE</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>IR</u>
_____	_____	_____	_____	_____	_____	<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:

LAKE COUNTY

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 2.83 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

TRANSFER TO NEW PLACE OF USE AND POINT OF APPROPRIATION.

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

See bottom of Page 3. →

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For Local Government Use Only

QWRD

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Lake County Zoning Ordinance Article 3 Agreements etc
- ☐ 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.

26-18-26-200; 26-18-35-9300; 27-18-12-100

Name: Darwin Johnson Title: Planning Director

Signature: [Signature] Phone: 541-947-6036 Date: 3/14/2022

Government Entity: LAKE COUNTY PLANNING DEPARTMENT

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: _____

LUCS Paid w/ invoice 3/3/2022

13949

Regular Temporary Water Right Transfer Application Checklist

Checked by Scott

Date 3/25/22

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

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

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

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

If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.