

Temporary

T-13953

Name Jacob CollierAddress 42719 marble creek
Baker city or 97814Change in PowDate Filed 3/25/2022Initial notice date 4/5/2022

DPD issued date

PD issued date

PD notice date

Date of FO 7/20/2022 Vol 125 Page 433-35

C-Date

COBU due date

COBU Received date

Certificate issued

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Gravel PitTrib. of Pine creekUse S. Irrigation County Baker

Quantity of water (CFS) No. of Acres

Name of ditch

App# G5547 Per # G4953 Cert # 39117 PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

FEES PAID		
Date	Amount	Receipt #
<u>3-25-2022</u>	<u>\$ 1109.¹⁰</u>	<u>137754</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments:

Irrigation District

Agent Baker county

CWRE

CC's list

☐ - Oversized map - Location



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 20, 2022

JACOB COLLIER
42719 MARBLE CREEK
BAKER CITY, OR 97814

REFERENCE: District Temporary Transfer Application T-13953

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,

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

cc: Marcy J. Osborn, Watermaster Dist. # 8 (via email)
Baker County Planning Department

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A TEMPORARY
T-13953, Baker County	)	CHANGE IN PLACE OF USE

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.

Applicant

JACOB COLLIER
42719 MARBLE CREEK
BAKER CITY, OR 97814

Findings of Fact

1. On March 25, 2022, JACOB COLLIER, filed an application to temporarily change the place of use under Certificate 39117 for a period of 5 years. The Department assigned the application number T-13953.
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 right to be transferred is as follows:

Certificate:	39117 in the name of JAMES W. COLEMAN (perfected under Permit G-4953)
Use:	SUPPLEMENTAL IRRIGATION of 17.0 ACRES
Priority Date:	JUNE 11, 1971
Rate:	0.21 CUBIC FOOT PER SECOND
Limit/Duty:	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to a 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

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.

each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

Source: A GRAVEL PIT a tributary of PINE CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
8 S	39 E	WM	29	NW SE	2750 FEET SOUTH AND 340 FEET EAST FROM THE N1/4 CORNER OF SECTION 29

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	39 E	WM	29	NE SE	17.0

4. Temporary Transfer Application T-13953 proposes to temporarily change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	39 E	WM	29	SW NE	17.0

Temporary Transfer Review Criteria

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

Conclusions of Law

The temporary change in place of use proposed in Temporary Transfer Application T-13953 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

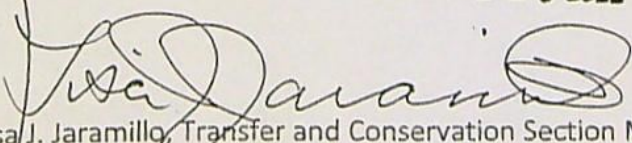
Now, therefore, it is ORDERED:

- The temporary change in place of use proposed in Temporary Transfer Application T-13953 is approved.

2. The former place of use **shall not** be irrigated as part of this water right 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.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificate 39117 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 39117.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device at each point of appropriation (new and existing) or at each new point of appropriation.
 - b. The water user shall maintain the meter or measuring device in good working order.
 - c. The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.
9. The use of the remaining water right described by Certificate 39117 shall continue to be in accordance with the terms and conditions of Certificate 39117.

Dated in Salem, Oregon on

JUL 20 2022


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

Mailing Date:

JUL 21 2022

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 13953



In order to avoid enlargement of the right or injury to other rights, a weir 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: Marcy Osborn

District: 8

Address: 1995 3rd St.

City/State/Zip: Baker City, OR 97814

Phone: 541-519-6395

Email: marcy.j.osborn@water.oregon.gov

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

Approval of an Alternate Measurement Device

T-

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

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

Watermaster signature

District

Date

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

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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13953

Transfer Specialist:

Transfer Type: Temporary Transfer

Aula

Applicant: JACOB COLLIER 42719 MARBLE CREEK BAKER CITY, OR 97814 Email: _____ Phone: _____		Agent: ☐ N/A UNAVAILABLE Email: _____ Phone: _____	
Irrigation District: ☐ N/A Email: _____		CWRE: ☐ N/A Email: _____	
Affected Local Gov'ts: ☐ N/A Baker County Email: _____		Affected Tribal Gov't: ☐ N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: ☐ N/A Email: _____		Receiving Landowner: ☐ N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	G5547	G4953	39117	☐ Yes ☒ No	N/A
☐				☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd: March 25, 2022	Proposed Action(s): PLACE OF USE	
Fees Pd: 1109.10	WM District: 8	ODFW District:
Initial Public Notice: 04/05/2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent ☒		GW Review sent: ☐ N/A
County sent cc: of Ack Letter ☐	BOR notified (date): ☐ N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: <i>5/22/22</i> Initials: <i>JP</i>	Date: <i>5/22/22</i> Initials: <i>JP</i>	Date: _____ Initials: _____	Date: <i>6/10/22</i> Initials: <i>PKS</i>	Date: _____ Initials: _____	Date: _____	Date: <i>11/20/2022</i>

Special Issues: Temp - POU only - 5 yrs

Special Order Volume: Vol. _____ Pages _____

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-13953

Review Due Date: 05/05/2022

Applicant Name: Jacob Collier

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

Reviewer(s): Marcy Osborn

Date of Review: 04/15/2022

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:

The water user must install a measuring device before the water enters Pine Creek and then a measuring device at the ditch they use from Pine Creek. "Measure In - Measure Out"

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

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

This Is to Certify, That **JAMES W. COLEMAN**

of **Route 1, Box 150, Baker**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of **a gravel pit**

a tributary of **Pine Creek** for the purpose of
supplemental irrigation of 17.0 acres

under Permit No. **G-4953** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **June 11, 1971**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **0.21 cubic foot per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, T. 8 S., R. 39 E., W. M., 2750 feet South and 340 feet East from N $\frac{1}{4}$ Corner, Section 29.**

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

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

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

**17.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 29
T. 8 S., R. 39 E., W. M.**

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

WITNESS the signature of the State Engineer, affixed

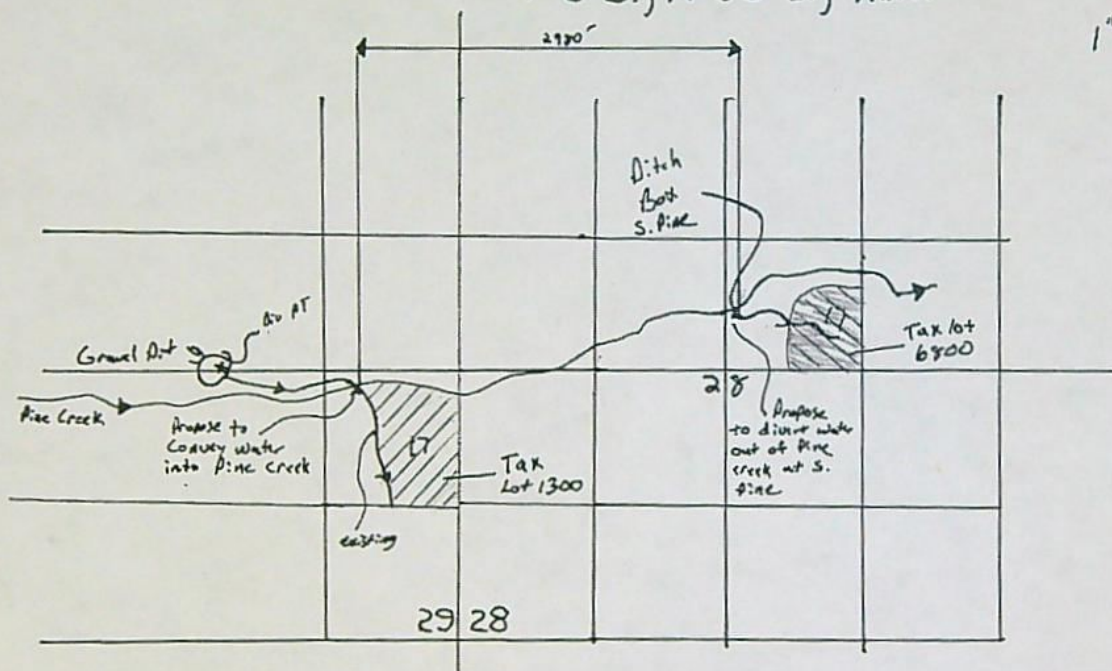
this date. **May 10, 1973**

CHRIS L. WHEELER

State Engineer

T 8 S., R 39 E., W.M.

N ↑
1" = 1,320 feet



13953

Current
G-4953



Proposed



RECEIVED

MAR 25 2022

OWRD

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 $\frac{1}{4}$, 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.	E. X. W.	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.	E. X. W.	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	15	NW	NW	500	1	10.0		POD #5	1901	
EXAMPLE												2	S	9	E	2	SW	NW	500		5.0		POD #6	1901		
8	S	39	E	29	NE	SE	1300		17	IRRIGATION	GRAVEL PIT	1971	POU/POD	8	S	39	E	28	SW	NE	6800		17		S/ PINE	1971
TOTAL ACRES									17.	TOTAL ACRES											17.					

Additional remarks:

RECEIVED

MAR 25 2022

TACS

CWRD



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

JACOB COLLIER
42719 MARBLE CREEK
BAKER CITY, OR 97814

Reference: Application T-13953

On March 25, 2022, OWRD received your water right Temporary Transfer Application. The application was accompanied by \$1109.10. Our receipt number 137754 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 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. #8, Marcy J. Osborn (via email)
Baker County Planning Department

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **137754**

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

INVOICE # _____

RECEIVED FROM: Jacob J. Collier ;
BY: Kathryn M. Collier

APPLICATION	
PERMIT	
TRANSFER	<u>T-13953</u>

CASH: ☐ CHECK: # 4785 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,109.10

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS 46110

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

WATER RIGHTS:

EXAM FEE	
\$	0202
\$	0204
\$ <u>1109.10</u>	

RECORD FEE	
\$	
\$	

0201 SURFACE WATER \$ _____
0203 GROUND WATER \$ _____
0205 TRANSFER \$ 1109.10

WELL CONSTRUCTION

EXAM FEE	
\$	0219
	0220

LICENSE FEE	
\$	
\$	

0218 WELL DRILL CONSTRUCTOR \$ _____
LANDOWNER'S PERMIT \$ _____
OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____
0210 MONITORING WELLS \$ _____ CARD# _____
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD) \$ _____
0231 HYDRO LICENSE FEE (FWWRD) \$ _____
HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

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

RECEIPT: **137754**

DATED: 3-25-2022 BY: Mindy Cadde

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

MAR 25 2022

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

OWRD

- ☒ 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. If you have questions, call Customer Service at (503) 986-0801.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1** List them here: 39/17
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: 2026.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- ☒ Completed Temporary Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ Current recorded deed for the land from which the authorized place of use is temporarily being moved.
- ☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- ☐ ☒ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature (or signed land use form receipt stub) from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (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/or is insufficient ☐ Map not included or incomplete
☐ Land Use Form not enclosed or incomplete
☐ Additional signature(s) required ☐ Part 13953 is incomplete
 Other/Explanation _____
 Staff: _____ 503-986-0 _____ Date: 13953

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

MAR 25 2022

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. **DWRD**

- ☐ ☒ 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°).

13953

Part 3 of 5 – Fee Worksheet

[illegible]

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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*): _____ (2a) 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)		
2	and multiply 2c by \$50, then enter on line 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).

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Jacob Collier			PHONE NO. 541-519-5019	ADDITIONAL CONTACT NO.
ADDRESS 42719 Marble Creek			FAX NO. n/a	
CITY Baker City	STATE OR	ZIP 97814	E-MAIL Jake@GLBM.net	
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.				

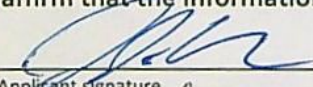
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

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

Explain in your own words what you propose to accomplish with this transfer application and why:
Better and more efficiently utilize the water.

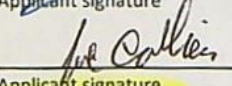
If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1".

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


Applicant signature

Jacob J. Collier
Print Name (and Title if applicable)

3/21/2022
Date


Applicant signature

Joseph I Collier
Print Name (and Title if applicable)

3/21/2022
Date

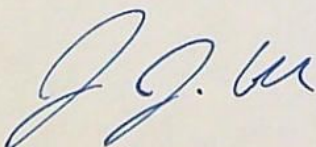
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Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☐ Yes ☒ No

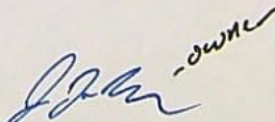
If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

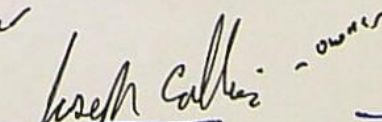


landowner & Entity owner

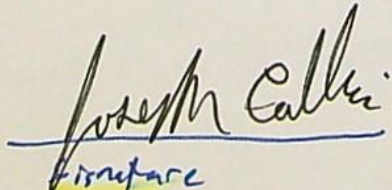
3/21/2022

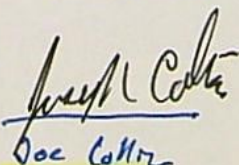
Collier Ranch LLC


Jacob Collier


Joseph Collier

03/21/2022
Date


Signature


Joseph Collier

landowner & Entity owner

03/21/2022
Date

13953

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

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME BAKER COUNTY	ADDRESS 1995 3 RD ST.	
CITY BAKER CITY	STATE OR	ZIP 97814

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

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

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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 # 39117

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Description of Water Delivery System

MAR 25 2022

System capacity: .21 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water comes from spring action and sub flow in a Baker County gravel pit. Ditching carries the water the the property line in addition to a 266 foot connecting ditch to already existing ditches on property. A flume carries the water across Pine Creek to the acres to the South.

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)
Co. Gravel Pit	☒ Authorized ☐ Proposed		8	S	39	E	29	N W	SE	1300	2750 ft South and 340 East from N1/4, Sec 29
S Pine	☐ Authorized ☒ Proposed		8	S	39	E	28	S W	NE	6800	None Given RE-DIVERSION
	☐ Authorized ☐ Proposed										
	☐ Authorized ☐ 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) |

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 # 39117

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	Acre	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	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901				
"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901				
8	S	39	E 29 NE SE	1300		17	IRRIGATION	GRAVEL PIT	1971	POU/POD	8	S	39	E 28 SW NE	6800		17		S/ PINE	1971				
						TOTAL ACRES	17.												TOTAL ACRES	17.				

Additional remarks: _____

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MAR 25 2022

Water Right Certificate # 39117

For Place of Use Changes

OWRD

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: 68124

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

13953

Tax Statements To:
Joseph I. Collier, Jacob J. Collier and Kathryn M
Collier
16085 Wingville Lane
Baker City, OR 97814

Grantee(s) address:
Joseph I. Collier, Jacob J. Collier and
Kathryn M Collier
16085 Wingville Lane
Baker City, OR 97814

B20320048

After Recording Return To:
Elkhorn Title Company
1725 Main Street
Baker City OR 97814

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MAR 25 2022

WARRANTY DEED

OWRD

Daniel L. McQuisten and Teresa McQuisten, husband and wife, as tenants by the entirety, Grantor, conveys and warrants to Joseph I. Collier, and Jacob J. Collier and Kathryn M Collier, husband and wife, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

*as tenants by the entirety, all as tenants in common,

SEE EXHIBIT "A" ATTACHED HERETO FOR DETAILED LEGAL DESCRIPTION

This property is free from liens and encumbrances, EXCEPT:

Those of record

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

The true consideration for this conveyance is \$495,000.00. (Here to comply with requirements of ORS 93.030)

Dated this 16 day of August, 2020.

[Signature]
Daniel L. McQuisten

[Signature]
Teresa McQuisten

STATE OF OREGON)
)ss.
COUNTY OF BAKER)

Signed or attested before me on this 16th day of August, 2020 by Daniel L. McQuisten and Teresa McQuisten, husband and wife, as tenants by the entirety.



[Signature]
Rachael McCulloch
Notary Public for the State of: Oregon
My commission expires: December 04, 2022

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EXHIBIT "A"

RECEIVED

MAR 25 2022

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A tract of land in the Southeast quarter of the Northeast quarter and the Northeast quarter of the Southeast quarter of Section 29, in Township 8 South, Range 39 East of the Willamette Meridian, County of Baker and State of Oregon, more particularly described as follows:

Beginning at a point 410.9 feet South and 1257.7 feet West of the East quarter corner of said section; thence North 0°12' East 590.0 feet to the True Point of Beginning;
 thence South 0°12' West to the point of intersection of this line with the South line of the Northeast quarter of the Southeast corner of said section;
 thence East along said South line to the Southeast corner of said Northeast quarter of the Southeast quarter;
 thence North along the section line to a point which is South 89°48' East from the True Point of Beginning;
 thence North 89°48' West to the True Point of Beginning.

This legal description was created prior to January 1, 2008.

(532 08S3929 1300; Ref. No. 8621)

STATE OF OREGON

County of Baker

} SS

I certify that this instrument was received and recorded in the book of records of said county.

Stefanie Kirby
 Baker County Clerk

by: *Karen Phillips* Deputy.

DOC#: B20320048

91.00

8/07/2020 12:20 PM

REFUND:

.00

13953

STATE OF OREGON
COUNTY OF **BAKER**

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MAR 25 2022

OWRD

CERTIFICATE OF WATER RIGHT

This Is to Certify, That **JAMES W. COLEMAN**

of **Route 1, Box 150, Baker**, State of **Oregon**, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of a gravel pit

a tributary of **Pine Creek** for the purpose of supplemental irrigation of 17.0 acres

under Permit No. **G-4953** of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from **June 11, 1971**

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed **0.21 cubic foot per second**

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the **NW $\frac{1}{4}$ SE $\frac{1}{4}$, Section 29, T. 8 S., R. 39 E., W. M., 2750 feet South and 340 feet East from N $\frac{1}{2}$ Corner, Section 29.**

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

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

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

**17.0 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 29
T. 8 S., R. 39 E., W. M.**

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

WITNESS the signature of the State Engineer, affixed

this date. **May 10, 1973**

CHRIS L. WHEELER

State Engineer

Recorded in State Record of Water Right Certificates, Volume 31, page 39117

13953

Permit No. G-4953

CERTIFICATE NO. 39112

APPLICATION FOR A PERMIT

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To Appropriate the Ground Waters of the State of Oregon MAR 25 2022

OWRD

I, James W. Coleman (Name of applicant)
of Route 1 Box 138 Baker, county of Baker,
(Postoffice Address)
state of Oregon, do hereby make application for a permit to appropriate the
following described ground waters of the state of Oregon, SUBJECT TO EXISTING RIGHTS:

If the applicant is a corporation, give date and place of incorporation

None

1. Give name of nearest stream to which the well, tunnel or other source of water development is
situated spring fed and sub flow gravel pit
(Name of stream)

tributary of

2. The amount of water which the applicant intends to apply to beneficial use is ONE cubic
feet per second or gallons per minute.

3. The use to which the water is to be applied is Irrigation

4. The well or other source is located 0 ft. E. or S. 525 ft. West from the NW
(N. or S.) (E. or W.)
corner of Section 29, Twp. 8 S., R. 39 E., W. 1
(Section or subdivision)

(If preferable, give distance and bearing to section corner)

(If there is more than one well, each must be described. Use separate sheet if necessary)

being within the NE 1/4 of Sec. 29, Twp. 8 S., R. 39 E.,
W. 1, in the county of Baker

5. The Canal to be 266 feet
(Canal or pipe line)
in length, terminating in the NE 1/4 of Sec. 29, Twp. 8 S.,
(Smallest legal subdivision)
R. 39 E., W. 1, the proposed location being shown throughout on the accompanying map.

6. The name of the well or other works is A Gravel Pit

DESCRIPTION OF WORKS

7. If the flow to be utilized is artesian, the works to be used for the control and conservation of the
supply when not in use must be described.

None

8. The development will consist of having a
(Give number of wells, tunnels, etc.)
diameter of inches and an estimated depth of feet. It is estimated that
feet of the well will require casing. Depth to water table is estimated 30
(Kind) (Feet)

13953

MUNICIPAL SUPPLY—

G 4953

13. To supply the city of _____
in _____ county, having a present population of _____
and an estimated population of _____ in 19____.

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MAR 25 2022

ANSWER QUESTIONS 14, 15, 16, 17 AND 18 IN ALL CASES

14. Estimated cost of proposed works, \$ 400.00
15. Construction work will begin on or before _____ completed _____
16. Construction work will be completed on or before _____ completed _____
17. The water will be completely applied to the proposed use on or before _____ used in 1969 _____

OWRD

18. If the ground water supply is supplemental to an existing water supply, identify any application for permit, permit, certificate or adjudicated right to appropriate water, made or held by the applicant. _____ Certificate No. 4265 and permit No. 26508 and permit No. G-3840

[Signature]
(Signature of applicant)

Remarks: As indicated on the enclosed water permit map, this water comes from spring action and sub flow in a Baker County gravel pit, and I now have verbal agreement with the County for its use. I have completed ditching necessary to carry the water to my property line in addition to a 266 foot connecting ditch to already existing ditches on my property. A flume carries the water across Pine Creek to the 28 acres irrigated to the South.

STATE OF OREGON, }
County of Marion, } ss.

This is to certify that I have examined the foregoing application, together with the accompanying maps and data, and return the same for _____ completion _____

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before _____ September 7 _____, 1971.

WITNESS my hand this 7th day of July, 1971.

RECEIVED
JUL 21 1971
STATE ENGINEER
SALEM, OREGON

CHRIS L. WHEELER
STATE ENGINEER
By *[Signature]* 12953
Larry W. Jebousek
ASSISTANT

STATE OF OREGON, }
County of Marion, } ss.

PERMIT

This is to certify that I have examined the foregoing application and do hereby grant the same, SUBJECT TO EXISTING RIGHTS and the following limitations and conditions:

The right herein granted is limited to the amount of water which can be applied to beneficial use and shall not exceed 0.39 cubic feet per second measured at the point of diversion from the well or source of appropriation, or its equivalent in case of rotation with other water users, from gravel pit

The use to which this water is to be applied is supplemental irrigation

If for irrigation, this appropriation shall be limited to 1/80 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 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.

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

The well shall be cased as necessary in accordance with good practice and if the flow is artesian the works shall include proper capping and control valve to prevent the waste of ground water.

The works constructed shall include an air line and pressure gauge or an access port for measuring line, adequate to determine water level elevation in the well at all times.

The permittee shall install and maintain a weir, meter, or other suitable measuring device, and shall keep a complete record of the amount of ground water withdrawn.

The priority date of this permit is June 11, 1971

Actual construction work shall begin on or before March 16, 1973 and shall thereafter be prosecuted with reasonable diligence and be completed on or before October 1, 1973

Complete application of the water to the proposed use shall be made on or before October 1, 1974

WITNESS my hand this 16th day of March, 1972

STATE ENGINEER

Application No. G-5547
Permit No. G-4953

PERMIT

TO APPROPRIATE THE GROUND
WATERS OF THE STATE
OF OREGON

This instrument was first received in the
office of the State Engineer at Salem, Oregon,
on the 11th day of June,
1971, at 8:00 o'clock A. M.

Returned to applicant:

Approved:

March 16, 1972

Recorded in book No. 139 of
Ground Water Permits on page G-4953

CHRIS L. WHEELER
STATE ENGINEER

Drainage Basin No. 2 page 77

File 202

Refund 125

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CWRD

Proposed to

PROPERTY INFORMATION

Notice: The information provided here is for convenience ONLY. The records located at Baker County Assessor's office are and only legal instruments for Assessment purposes. Although reasonable attempts are made to maintain this information as possible, these documents are being provided as an informational convenience ONLY. Baker County is not, in any way, any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained at the Baker County Assessor Office, Baker City, Oregon.

Date Web Site was last updated 3/18/2022

Tax Year: 2021 _____ Ref#: 8500

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC
08S39	6800	0	532	551 FARM USE/EFU IMPROV

OWNER

COLLIER RANCH, LLC ETAL

CONTRACT

MAILING ADDRESS:

16427 WINGVILLE LANE

CITY/ST:

BAKER CITY, OR 97814

PROPERTY ADDRESS:

16427 WINGVILLE LN COUNTY

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NOTES:

*ZONED FARM USE-POTENTIAL ADD. TAX

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$795190	
STRUCTURES	\$196140	
SUBTOT	\$991330	\$273875
TOTAL	\$991330	\$273875

PROPERTY TAX INFORMATION

TAX	\$3352.40
SPECIAL ASSESSMENTS	
BLUE MNT TV	\$100.00
TOTAL TAX & SPECIAL ASSESSMENTS	\$3452.40

(Total tax is the base amount of taxes owed, does not show discounted amount or payment made.)

BUILDING DESCRIPTIONS

ROOM COUNT (For Structure #1 below)

13953

NO OF FLOORS	LIVING ROOM	KITCHEN	DINING ROOM	FAMILY ROOM	BED ROOM	BATH	1/2 BATH	UTIL	OTHER	FIREPLACE/ WOODSTOVE
1	1	1	0	1	3	1	0	1	0	0

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STRUCTURES

LINE #	BLDG CLASS	DESCRIPTION	SQ FT	YEAR BLT	YEAR APPRAISED	MARKET VALUE	RE
1	131	CLASS 3 SINGLE FAMILY DWELLING	1868	1950	2021	\$116640	0
2	135	C PORT ATTACHED HOUSE ROOF	480	0	2021	\$12390	0
3	999	RESIDENTIAL MISC IMPROVEMENTS	0	0	2021	\$4490	0
4	324	GENERAL PURPOSE BLDG - CLASS 4	1800	0	2021	\$19260	0
5	324	GENERAL PURPOSE BLDG - CLASS 4	1320	0	2021	\$10070	0
6	324	GENERAL PURPOSE BLDG - CLASS 4	576	2014	2021	\$7330	0
7	365	HAY COVER - CLASS 5	4032	2014	2021	\$25960	0

LAND DESCRIPTIONS

LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	0.00	OSD2	OSD S/W TYPE LSCAPE		\$24200
2	1.00	FHS	FARM HOME SITE		\$60000
3	144.00	1-	MVF CLASS 1 MINUS		\$682760
4	8.00	3	MVF CLASS 3		\$26560
5	5.18	6D	MVF CLASS 6 DRY		\$1670

(Assessor_Search.html)



Search Again (Assessor_Search.html)

(http://www.bakercounty.org/index.html)



(http://www.bakercounty.org/index.html)

13953

Baker County operates under an EEO policy and complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with Disabilities Act. Assistance is available for individuals with disabilities by calling 541-523-8200 (TTY: 541-523-8201). Read our Liability Statement

"from" or "off"

PROPERTY INFORMATION

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Date Web Site was last updated 3/08/2022

Tax Year: 2021 _____ Ref#: 8621

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC
08S3929	1300	0	532	541 FARM USE/UNZONED/IMP

OWNER

COLLIER, JOSEPH I ETAL

CONTRACT

MAILING ADDRESS:

16085 WINGVILLE LN

CITY/ST:

BAKER CITY, OR 97814

PROPERTY ADDRESS:

16085 WINGVILLE LN COUNTY

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NOTES:

*UNZONED FARM USE-POTENTIAL ADD. TAX

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$200510	
STRUCTURES	\$94190	
SUBTOT	\$294700	\$107386
TOTAL	\$294700	\$107386

PROPERTY TAX INFORMATION

TAX	\$1303.05
SPECIAL ASSESSMENTS	
BLUE MNT TV	\$100.00
TOTAL TAX & SPECIAL ASSESSMENTS	\$1403.05

(Total tax is the base amount of taxes owed, does not show discounted amount or payment made.)

BUILDING DESCRIPTIONS

ROOM COUNT (For Structure #1 below)

13953

NO OF FLOORS	LIVING ROOM	KITCHEN	DINING ROOM	FAMILY ROOM	BED ROOM	BATH	1/2 BATH	UTIL	OTHER	FIREPLACE/ WOODSTOVE
2	1	1	1	0	3	2	0	1	1	1

STRUCTURES

LINE #	BLDG CLASS	DESCRIPTION	SQ FT	YEAR BLT	YEAR APPRAISED	MARKET VALUE	RE
1	131	CLASS 3 SINGLE FAMILY DWELLING	1468	1930	2021	\$68500	0
2	133	GARAGE DETACHED	240	0	2021	\$7120	0
3	305	DRC BUILDING	0	0	2021	\$1800	0
4	365	HAY COVER - CLASS 5	2850	0	2021	\$11900	0
5	324	GENERAL PURPOSE BLDG - CLASS 4	960	0	2021	\$4870	0

LAND DESCRIPTIONS

LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	0.00	OSD2	OSD S/W TYPE LSCAPE		\$24200
2	41.38	EP	EAST OF POCAHONTAS		\$176310

SALES

SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	8/07/2020	495000	1	WD	20320048
2	9/18/2018	256000	1	WD	18380257
3	7/30/1992	120000	1	WD	9231009

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Search Again (Assessor_Search.html)

(http://www.bakercounty.org/index.html)



(http://www.bakercounty.org/index.html)

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^

Baker County operates under an EEO policy and complies with Section 504 of the Rehabilitation Act of 1973 and the Americans with

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 BAKER)

I, JACOB COLLIER, in my capacity as OWNER,
mailing address 42719 MARBLE CREEK

telephone number (541)519-5017, 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 # 39117; **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)
39117	8	S	39	E	W	29	NE	SE	13	17

OR

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

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

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

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

(continues on reverse side)

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

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

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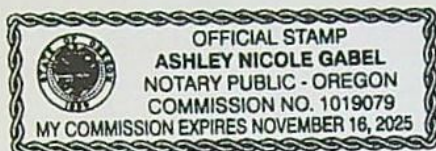
OWRD

Signature of Affiant

Date

3/21/2022

Signed and sworn to (or affirmed) before me this 21 day of March, 2022.



Ashley Gabel
Notary Public for Oregon

My Commission Expires: November 16, 2025

Supporting Documents	Examples
☐ 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
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• 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
☒ 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
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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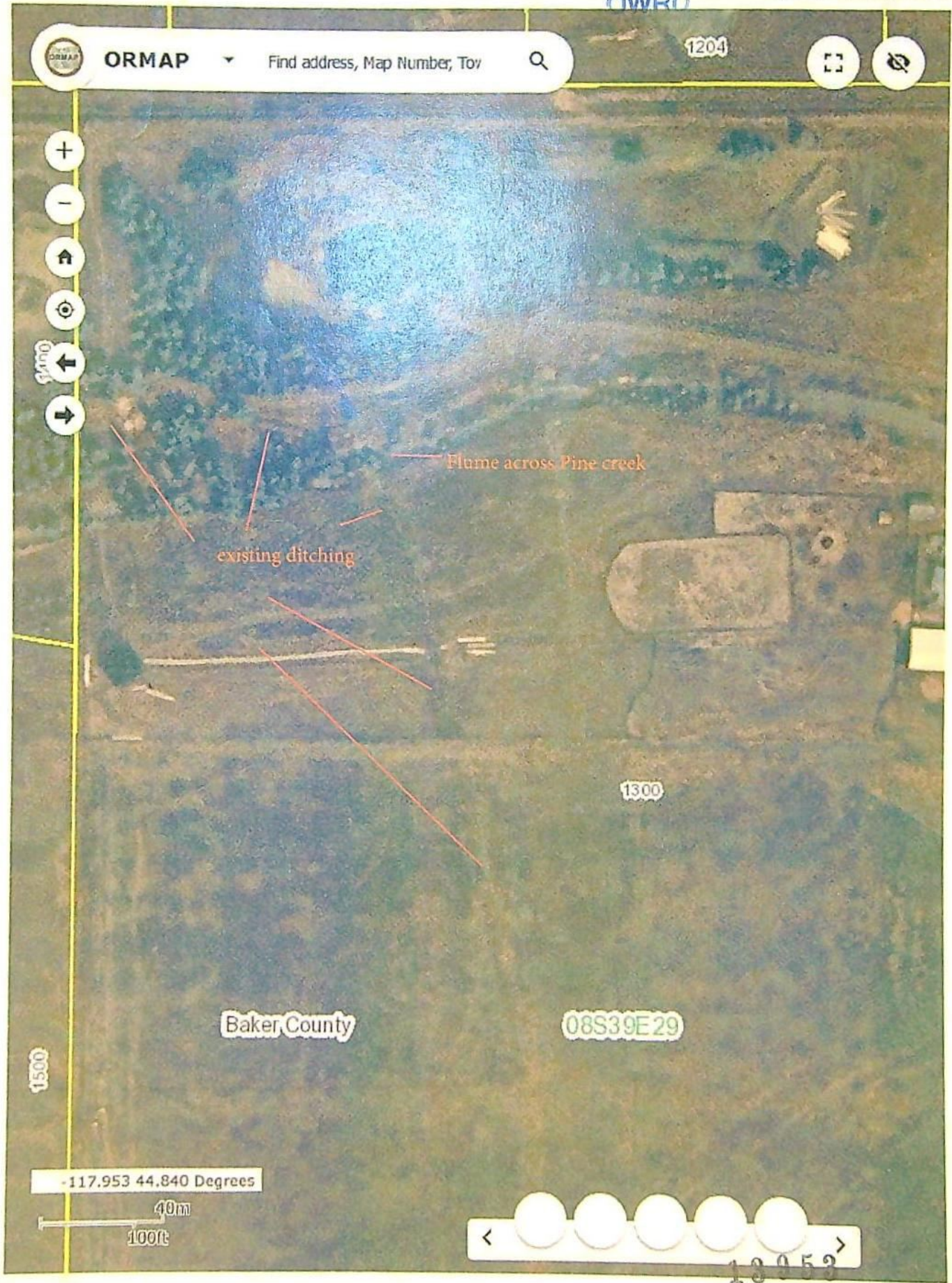
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Source: Esri, DigitalGlobe, GeoEye, Earthstar Geographics, CNES/Airbus DS, USDA, USGS, AeroGRID, IGN, and the GIS User Community

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MAR 25 2022

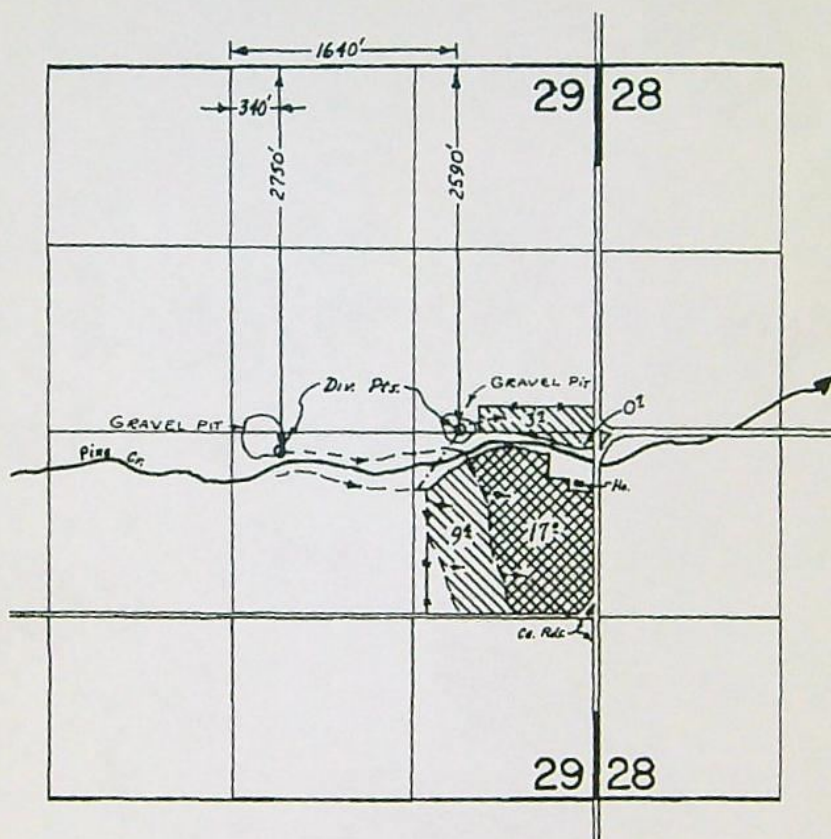
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T. 8 S., R. 39 E., W.M.

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FINAL PROOF SURVEY
UNDER

G-5547 G-4953
Application No. G-4088 Permit No. G-3840
IN NAME OF

JAMES W. COLEMAN

Surveyed Oct. 18, 1972, by R.G. Mucken

13953

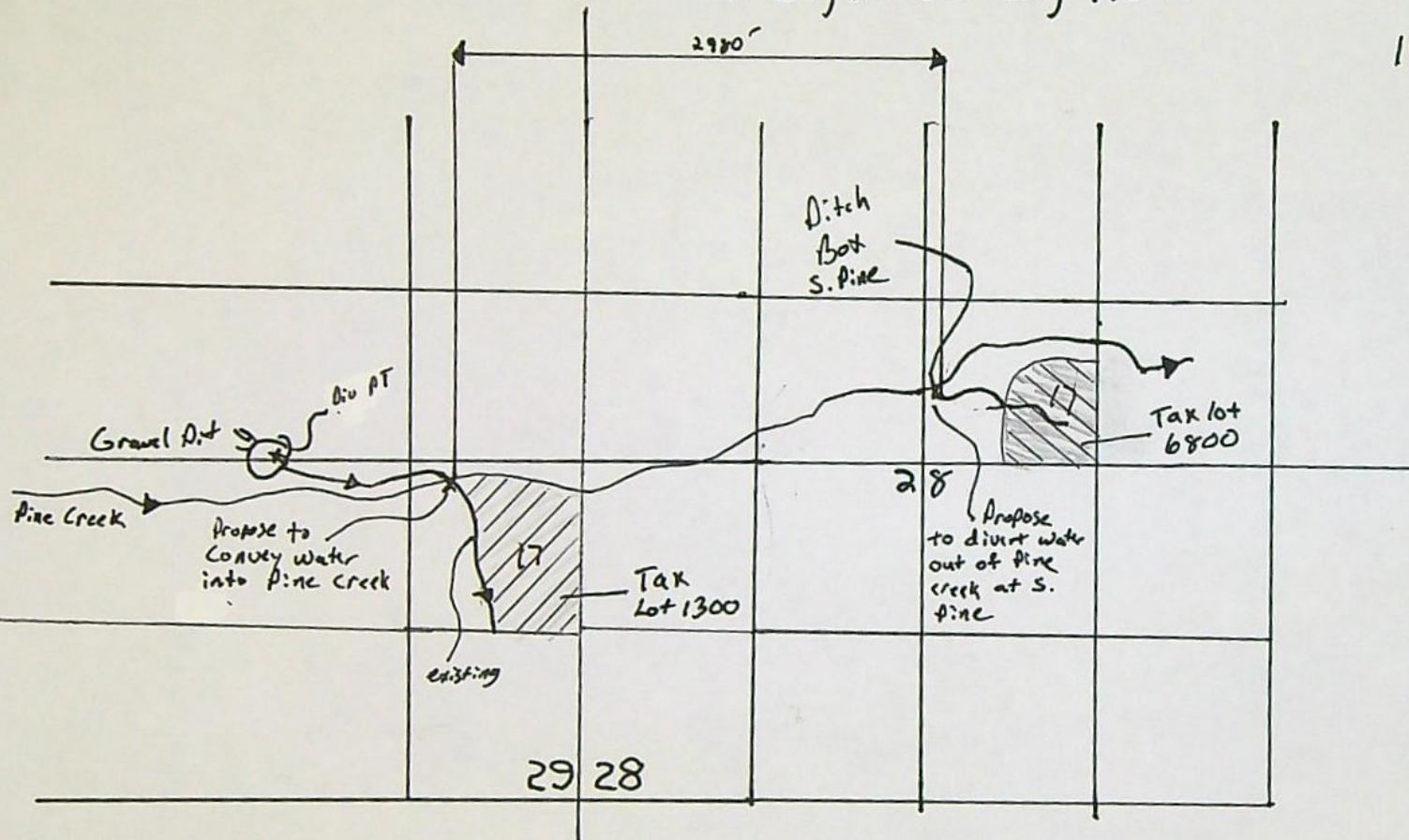
BBB-4KK-136

44 172

T 8 S., R 39 E., W.M.

N ↑

1" = 1,320 feet



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Current
G-4953



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Regular Temporary Water Right Transfer Application Checklist

Checked by Aula

Date 3/30/22

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

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