

regular

Name Carol ChuggAddress 55979 Arrow Gap rd
Silver Lake ca 97628Change in PODate Filed 6/13/2022Initial notice date 6/14/2022

DPD issued date

PD issued date 4/25/2024PD notice date 4/30/2024Date of FO 6/10/2024 Vol 131 Page 287-290

C-Date

COBU due date

COBU Received date

Certificate issued

DESCRIPTION OF WATER RIGHT(S)

Name of Stream

Trib. of

Use County

Quantity of water (CFS) No. of Acres

Name of ditch

App# Per # Cert # 31068 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>6/3/2022</u>	<u>\$1,360.00</u>	<u>138324</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments:

Irrigation District

Agent John Wanner Water Solung

CWRE

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

22
Oregon

Water Resources Department
Transfers and Conservation Section (TACS)
725 Summer St NE Ste A
Salem, OR 97301-1266

ADDRESS SERVICE REQUESTED

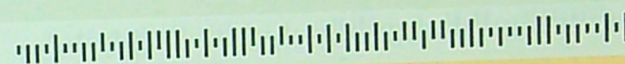
T-14025

ADDRESS SERVICE
REQUESTED

Presort
First Class Mail
CombisPrice



US POSTAGE PAID BY PITNEY BOWES
ZIP 97301 \$ 000.54⁹
02 4W
0000383149 JUN 13 2024

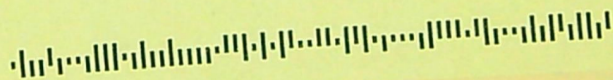


Herman Paul Koehler
Rt.2 Box 90
Philomath, OR 97370

Received
JUL 12 2024
OWRD

-R-T-S- 973705060-1N 07/10/24

RETURN TO SENDER
NO SUCH NUMBER
UNABLE TO FORWARD
RETURN TO SENDER



Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer: Nick
Transfer #: T-14025	
Date Received: 1/8/2025	
CWRE Name: John Warinner	
Priority Date (s): 11/29/1954	

Fees Required:

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

Map Review:

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

Report Review:

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

Groundwater File Review:

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

MONEY SLIP

DATE:		RECEIPT #:	
RECEIVED FROM:		APPLICATION:	
		PERMIT:	
		TRANSFER:	
CASH	CHECK #	OTHER (IDENTIFY)	TOTAL REC'D: \$
☐	☐	☐	
TREASURY		4718 MISC CASH ACCT	
6407	COPIES	(IDENTIFY)	
6407	OTHER	(IDENTIFY)	
6243	Interest Loans	6244	Min Water Right Plan
6245	Cons. Yield	6246	Cons. Yield
TREASURY		4719 MISC OPERA INNG ACCT	
6407	MISCELLANEOUS	4611	
6410	COPY & TRAF. FEES		
6408	RESEARCH FEES		
6409	MISC REVENUE (IDENTIFY)		
6410	EXTENSION OF TIME		
WATER RIGHTS		EXAM FEE	
6201	SURFACE WATER	6202	RECORD FEE
6203	GROUND WATER	6204	RECORD FEE
6205	TRANSFER	6206	RECORD FEE
WELL CONSTRUCTION		EXAM FEE	
6218	WELL DRILL CONSTRUCTION	6219	RECORD FEE
6220	LANDOWNER'S PERMIT	6221	RECORD FEE
6222	OTHER (IDENTIFY)	6223	RECORD FEE
TREASURY		6407 HYDROELEC TRAC	
6223	POWER LICENSE FEE (HYDRO)	6224	RECORD FEE
6225	HYDRO LICENSE FEE (HYDRO)	6226	RECORD FEE
HYDRO APPLICATION		LIC. NUMBER	

SPECIAL INSTRUCTIONS:

☐ RETURN TO APPLICANT - LETTER ATTACHED

Fill in App
or Transfer
Number



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

1/9/024

Carol Chugg
55979 Arrow Gap Road
Silver Lake, OR 97638

RE: Transfer T-14025

Dear Transfer Holder,

On January, 8, 2024, the Department received the Claim of Beneficial Use that you submitted for the above referenced file.

Enclosed, you will find as refund check in the amount of \$230.00. You are receiving this check because the right involved in the transfer has a priority date prior to July 9, 1987. Due to the priority date of the right, there was no fee required to submit the Claim.

If you have any additional questions, please feel free to contact me at 503-986-0810.

Sincerely,

Nick Reece
Public Service Representative
Certificates

cc:
file T-14025

Enclosures:
Check (3341)

CLAIM OF BENEFICIAL USE for Transfers Place of Use Only



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

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

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

A separate form shall be completed for each transfer.

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

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

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

"Section 7" of this form is intended to aid in the completion of this form and should not be submitted.

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

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

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

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

SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change in place of use.

☒ YES ☐ NO

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

1. File Information

APPLICATION #
T-14025

Received

JAN 08 2025

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2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Carol Chugg		PHONE NO. (541) 647-0840	ADDITIONAL CONTACT NO. N/A
ADDRESS 55979 Arrow Gap Road			
CITY Silver Lake	STATE OR	ZIP 97638	E-MAIL j_onpoint@yahoo.com (daughter)

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

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

TRANSFER HOLDER OF RECORD Carol Chugg		
ADDRESS 55979 Arrow Gap Road		
CITY Silver Lake	STATE OR	ZIP 97638

4. Date of Site Inspection: **October 4, 2024**

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Carol Chugg	2024-10-04	Landowner
Janell Warkentin	2024-10-04	Daughter of Landowner

6. County: **Lake County**

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

OWNER OF RECORD N/A		
ADDRESS		
CITY	STATE	ZIP

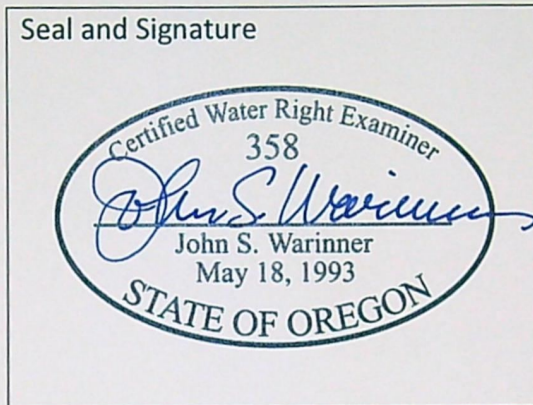
Add additional tables for owners of record as needed

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SECTION 2
SIGNATURES

CWRE Statement, Seal and Signature

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

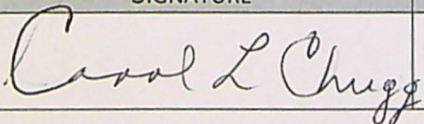


CWRE NAME John Warinner		PHONE NO. (541) 815-4103	ADDITIONAL CONTACT NO. N/A
ADDRESS 23321 Chisholm Trail			
CITY Bend	STATE OR	ZIP 97702	E-MAIL johnw@watersolving.com

Transfer Holder of Record Signature or Acknowledgement

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

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

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Carol Chugg	Landowner	1/2/25

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SECTION 3
EXTENT OF CHANGE COMPLETED

1. Claim Summary:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
17.5 acres	17.5 acres

If the use(s) was not irrigation or nursery:

WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER? (INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP)		
YES	NO	NA

2. Variations:

Was the use developed differently from what was authorized by the transfer final order? ☒ YES ☐ NO

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

The authorized water right transfer was fully developed but the resulting place of use and acres per quarter-quarter section differed slightly from the proposed and authorized acres.

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SECTION 4 CONDITIONS

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

1. Time Limits:

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

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGE WAS COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	Jun 10, 2024	
COMPLETENESS DATE FROM ORDER (C)	Oct 1, 2025	Oct 1, 2024

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

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

YES ☒ NO

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

3. Measurement Conditions:

a. Does the transfer final order require the installation of a meter or approved measuring device?

☒ YES NO

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

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

b. Has a meter been installed?

☒ YES NO

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
POA 1 main	McCrometer	17-13942-08	Working	65,564,900 gal	2017
POA 1 pivot	McCrometer	17-19348-08	Working	96,201,700 gal	2017

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

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department?

☒ N/A

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE
N/A	N/A	N/A

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
N/A	N/A	N/A

4. Other conditions required by the transfer final order:

a. Other conditions?

YES ☐ NO ☒

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

N/A

SECTION 5 ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
CBU Map	Claim of Beneficial Use Map

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SECTION 6

CLAIM OF BENEFICIAL USE MAP

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

For the purpose of this Claim, the map must identify the developed new place of use. The existing point(s) of diversion or point(s) of appropriation are required to be included on the Claim map, based on the locations described in the transfer final order.

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

CBU Map was prepared using Esri ArcGIS including un-dated aerial imagery included in ArcGIS and ground-truthed with an on-site visit.

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Map Checklist

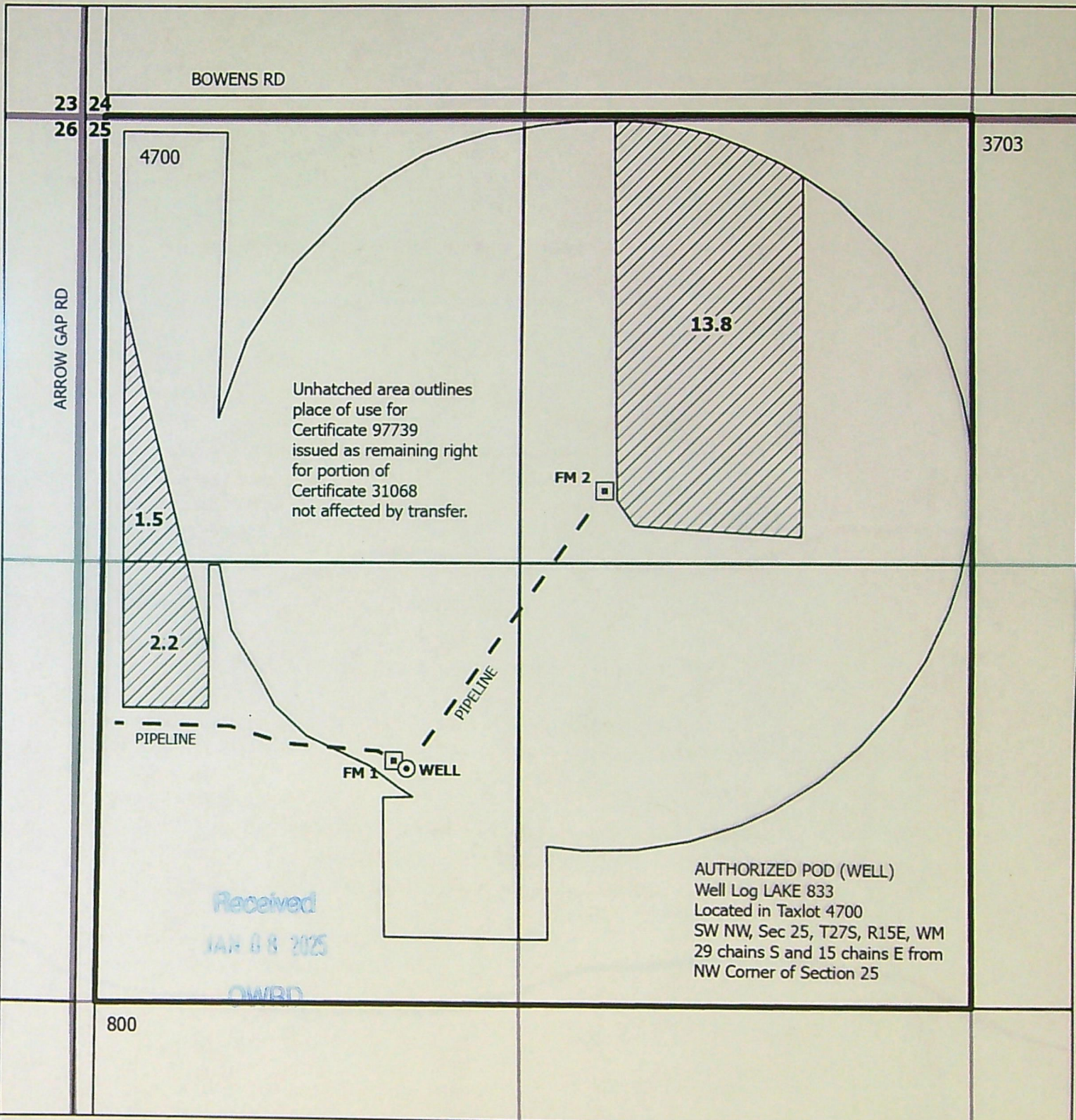
Please be sure that the map you submit includes ALL the items listed below.

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

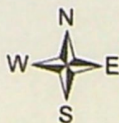
- ☒ Map on polyester film.
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☐ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion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

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JAN 08 2025
OWRD

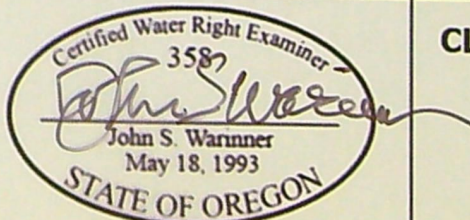
Section 25, T27S, R15E, WM (Lake County)



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



0 100 200 400 US Feet
[Scale bar with 5 segments]



WATERSOLVING LLC
johnw@watersolving.com
(541) 815-4103 mobile

CLAIM OF BENEFICIAL USE MAP

TRANSFER 14025
Certificate 31068
Change Place of Use

CAROL CHUGG
Revised 2024-12-27



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

June 10, 2024

Carol Chugg
55979 Arrow Gap Rd.
Silver Lake, OR 97638

REFERENCE: Transfer Application T-14025

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

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

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

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

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

Sincerely,

Elyse D. Richman
Water Rights Services Support
Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)
John Warinner, Agent
Lake County Planning Department, Local Government
Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING OF A CHANGE
T-14025, Lake County	)	IN PLACE OF USE

Authority

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

Applicant

CAROL CHUGG
55979 ARROW GAP ROAD
SILVER LAKE, OR 97638

Findings of Fact

1. On June 3, 2022, CAROL CHUGG filed an application to change the place of use under Certificate 31068. The Department assigned the application number T-14025.
2. Notice of the application for transfer was published on June 14, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 20, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14025 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 16, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. On April 25, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14025 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on April 30, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 31068 in the name of HERMAN PAUL KOEHLER (perfected under Permit U-706)
Use: IRRIGATION OF 17.5 ACRES
Priority Date: NOVEMBER 29, 1954
Rate: 0.22 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: LANDER WELL NO. 1, a tributary of SILVER CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	15 E	WM	25	SW NW	29 CHAINS SOUTH AND 15 CHAINS EAST FROM THE NW CORNER OF SECTION 25

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	15 E	WM	25	NE NW	4.8
27 S	15 E	WM	25	NW NW	5.0
27 S	15 E	WM	25	SW NW	2.2
27 S	15 E	WM	25	SE NW	5.5
				Total	17.5

6. Transfer Application T-14025 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	15 E	WM	25	NE NW	14.9
27 S	15 E	WM	25	NW NW	0.7
27 S	15 E	WM	25	SW NW	1.9
				Total	17.5

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2200]

7. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14025.
9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed change, as conditioned, would not result in enlargement of the right.
11. The proposed change, as conditioned, would not result in injury to other existing water rights.
12. All other application requirements are met.

Conclusions of Law

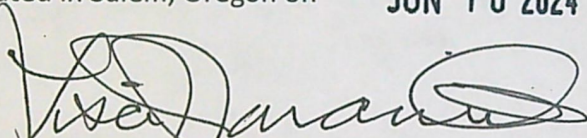
The change in place of use proposed in Transfer Application T-14025 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in Transfer Application T-14025 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 31068 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new place of use.
4. Water right Certificate 31068 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
5. The former place of use of the transferred right shall no longer receive water under the right.
6. 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.
7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2025. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
8. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **JUN 10 2024**



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

Mailing date: **JUN 11 2024**



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

June 10, 2024

Herman Paul Koehler
Rt. 2 Box 90
Philomath, OR 97370

RE: Water Right Certificate 97739 – Remaining Right

The enclosed water right *may* be appurtenant to land you own. This water right certificate describes the water right that remains UNCHANGED as a result of Transfer Application T-14025.

The enclosed document (Certificate 97739) **does NOT confirm** the validity or status of the water right regarding the provisions of Oregon Revised Statute 540.610 pertaining to forfeiture or abandonment.

Please feel free to call the Department's Customer Service Group at (503) 986-0801, if you have any questions.

Sincerely,

Elyse Richman
Water Right Services Support
Transfers and Conservation Section

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HERMAN PAUL KOEHLER
RT 2 BOX 90
PHILOMATH, OR 97370

confirms the right to use the waters of LANDER WELL NO. 1 a tributary of SILVER CREEK for IRRIGATION of 85.6 ACRES.

This right was perfected under Permit U-706. The date of priority is NOVEMBER 29, 1954. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.07 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	15 E	WM	25	SW NW	29 CHAINS SOUTH AND 15 CHAINS EAST FROM THE NW CORNER OF SECTION 25

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

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

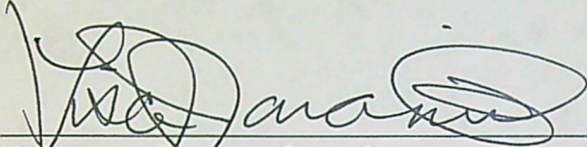
IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	15 E	WM	25	NE NW	19.4
27 S	15 E	WM	25	NW NW	29.2
27 S	15 E	WM	25	SW NW	16.2
27 S	15 E	WM	25	SE NW	20.8
				Total	85.6

This certificate describes that portion of water right Certificate 31068, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUN 10 2024, approving Transfer Application T-14025.

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

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

WITNESS the signature of the Water Resources Director, affixed JUN 10 2024.

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

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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14025

Transfer Specialist: *Scott*

Transfer Type: Regular Transfer

Applicant: CAROL CHUGG 55979 ARROW GAP ROAD SILVER LAKE, OR 97638 Email: _____ Phone: _____		Agent: ☐ N/A JOHN WARINNER 23321 CHISHOLM TRAIL BEND, OR 97702 Email: _____ Phone: _____	
Irrigation District: ☐ N/A Email: _____		CWRE: ☐ N/A Email: _____	
Affected Local Gov'ts: ☐ N/A Lake County Planning Department 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.
☐	U765	U706	31068	☒ Yes ☐ No	97739
☐				☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd: June 3, 2022	Proposed Action(s): PLACE OF USE	
Fees Pd: 1360.00	WM District: 11	ODFW District:
Initial Public Notice: June 14, 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:

NO NEWSPAPER REQ

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <i>5/12/23</i> Initials: <i>Scott</i>	Date: <i>5/16/23</i> Initials: <i>ACP</i>	Date: _____ Initials: _____	Date: <i>2/18/24</i> Initials: <i>PUS</i>	Date: <i>2/16/23</i> Initials: <i>Scott</i>	CW Sent: <i>2/20/23</i>	N/A
PD	Date: <i>4/11/23</i> Initials: <i>Scott</i>	Date: <i>4/12/24</i> Initials: <i>John</i>	Date: <i>4/15/24</i> Initials: <i>CC</i>	Date: <i>4/15/24</i> Initials: <i>CC</i>	Date: <i>4-16-24</i> Initials: <i>Scott</i>	Date: <i>4/22/24</i>	Date: <i>4/24/24</i>
FO	Date: <i>5-2-24</i> Initials: <i>Scott</i>	Date: <i>5/8/24</i> Initials: <i>John</i>	Date: _____ Initials: _____	Date: <i>5/23/24</i> Initials: <i>CC</i>	Date: <i>5/23/24</i> Initials: <i>Scott</i>	Date: _____	Date: <i>6/10/24</i>

Special Issues: *DPD 6/10/24 to DATA sent 4/16/24 / rec'd 4/19/24*

Special Order Volume: Vol. *131* Pages *287-290*

PUBLISH AFTER: 5-30-24

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☐ Adult Signature Restricted Delivery \$ _____

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PS Form 3800, April 2015 PSN 7530-02-000-9047

See Reverse for Instructions

SENDER: COMPLETE THIS SECTION

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

1. Article Addressed to:

Carol Chugg
55979 Arrow Gap Road
Silver Lake, OR 97638



9590 9402 6816 1074 5410 10

2. Article Number (Transfer from service label)

7018 0680 0002 0041 9051

PS Form 3811, July 2020 PSN 7530-02-000-9053

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

Carol Chugg

☐ Agent

☒ Addressee

B. Received by (Printed Name)

Carol Chugg

C. Date of Delivery

5/1

D. Is delivery address different from item 1? ☐ Yes

If YES, enter delivery address below: ☒ No

MAY 03 2024

OWRD

3. Service Type

- ☐ Adult Signature
☐ Adult Signature Restricted Delivery
☒ Certified Mail®
☐ Certified Mail Restricted Delivery
☐ Collect on Delivery
☐ Collect on Delivery Restricted Delivery
☐ Insured Mail
☐ Insured Mail Restricted Delivery (over \$500)

☐ Priority Mail Express®

☐ Registered Mail™

☐ Registered Mail Restricted Delivery

☐ Signature Confirmation™

☐ Signature Confirmation Restricted Delivery

T-14025 ER/SG TACS

Domestic Return Receipt



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904
www.oregon.gov/owrd

April 25, 2024

VIA CERTIFIED MAIL AND E-MAIL

CAROL CHUGG
55979 ARROW GAP ROAD
SILVER LAKE, OR 97638

SUBJECT: Water Right Transfer Application T-14025

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14025. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

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

Sincerely,

Scott Grew

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14025
Jeremy T. Giffin, District 11 Watermaster (via e-mail)
John Warinner, Agent for the applicant (via e-mail)

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-14025, Lake County	)	PROPOSING APPROVAL OF A CHANGE IN
	)	PLACE OF USE

Authority

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

Applicant

CAROL CHUGG
55979 ARROW GAP ROAD
SILVER LAKE, OR 97638

Findings of Fact

1. On June 3, 2022, CAROL CHUGG filed an application to change the place of use under Certificate 31068. The Department assigned the application number T-14025.
2. Notice of the application for transfer was published on June 14, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On February 20, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14025 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of March 16, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

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

Certificate: 31068 in the name of HERMAN PAUL KOEHLER (perfected under Permit U-706)
Use: IRRIGATION OF 17.5 ACRES
Priority Date: NOVEMBER 29, 1954
Rate: 0.22 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: LANDER WELL NO. 1, a tributary of SILVER CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	15 E	WM	25	SW NW	29 CHAINS SOUTH AND 15 CHAINS EAST FROM THE NW CORNER OF SECTION 25

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	15 E	WM	25	NE NW	4.8
27 S	15 E	WM	25	NW NW	5.0
27 S	15 E	WM	25	SW NW	2.2
27 S	15 E	WM	25	SE NW	5.5
				Total	17.5

5. Transfer Application T-14025 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	15 E	WM	25	NE NW	14.9
27 S	15 E	WM	25	NW NW	0.7
27 S	15 E	WM	25	SW NW	1.9
				Total	17.5

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2200]

6. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14025.

8. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
9. The proposed change, as conditioned, would not result in enlargement of the right.
10. The proposed change, as conditioned, would not result in injury to other existing water rights.
11. All other application requirements are met.

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-14025 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14025 is approved, the final order will include the following:

1. *The change in place of use proposed in Transfer Application T-14025 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 31068 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new place of use.*
4. *Water right Certificate 31068 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
5. *The former place of use of the transferred right shall no longer receive water under the right.*
6. *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.*
7. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

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

Dated in Salem, Oregon on

APR 25 2024



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

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

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and

- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. For more information contact the Oregon State Bar at 1-800-452-8260, the Oregon Military Department at 971-355-4420, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>. The Oregon Military Department does not have a toll free number.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.

GREW Scott A * WRD

From: GRAHAM Elisabeth A * WRD
Sent: Friday, April 19, 2024 1:26 PM
To: GREW Scott A * WRD; WRD_DL_is_data_techs
Subject: RE: PD review for Reimbursement Authority Transfer Application T-14025

Hi Scott,

This one has been completed. (No time noted, from your additional email that this one is not RA.)

Cheers,
Lisa

From: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Sent: Tuesday, April 16, 2024 12:27 PM
To: WRD_DL_is_data_techs <WRD_DL_is_data_techs@water.oregon.gov>
Cc: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: PD review for Reimbursement Authority Transfer Application T-14025

Hello Datafriends,

Please review the Preliminary Determination (PD) for Transfer Application T-14025. Remaining right attached.

Thank you so much!

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

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Tuesday, April 16, 2024 12:27 PM
To: WRD_DL_is_data_techs
Cc: GREW Scott A * WRD
Subject: PD review for Reimbursement Authority Transfer Application T-14025
Attachments: T-14025-pd-FINAL.docm; T-14025-rr-31068-97739.docm

Hello Datafriends,

Please review the Preliminary Determination (PD) for Transfer Application T-14025. Remaining right attached.

Thank you so much!

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

GREW Scott A * WRD

From: Janell Warkentin <j_onpoint@yahoo.com>
Sent: Thursday, March 14, 2024 9:04 AM
To: GREW Scott A * WRD
Subject: Re: T-14025 - Issuance of Draft Preliminary Determination - Action Required!

Hi Scott,

Thank you for your email and info provided on the transfer of Carol Chugg's water rights. (My mother)

CAROL CHUGG
55979 ARROW GAP ROAD
SILVER LAKE, OR 97638

Reference: Water Right Transfer Application T-14025

Carol Chugg does find the water transfer document to be accurate and agrees to fulfill the requirements outlined in the water rights transfer application.

Thank you for your work on her case.

Best regards,
Janell Warkentin

Emailing on Carol Chugg's behalf

On Feb 21, 2024, at 3:05 PM, GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov> wrote:

February 20, 2023

VIA E-MAIL

Applicant

CAROL CHUGG
55979 ARROW GAP ROAD
SILVER LAKE, OR 97638

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14025. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by March 21, 2024.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by March 21, 2024 with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

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

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.
 - d) Must include a list of owners at the time the report was generated; **AND**
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at: [https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)

Conditions of your water right...

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

Please note the proposed date by which all conditions must be met: **October 1, 2025**. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

GREW Scott A * WRD

From: Kim Callaghan <Kim.Callaghan@amerititle.com>
Sent: Tuesday, April 2, 2024 11:09 AM
To: GREW Scott A * WRD
Subject: FW: Property Profile
Attachments: Ownership cover sheet.docx

You don't often get email from kim.callaghan@amerititle.com. [Learn why this is important](#)

From: Kim Callaghan
Sent: Tuesday, April 2, 2024 11:06 AM
To: ScottAgrew@water.oregon.gov
Subject: FW: Property Profile

From: Kim Callaghan
Sent: Tuesday, April 2, 2024 10:41 AM
To: ScottA.GREW@water.oregon.gov
Subject: Property Profile

Good Morning Scott,

Please find attached the Property Profile for Carol Chugg at 55979 Arrow Gap Rd, Silver Lake, OR 97638. Let me know if you need anything else.

Have a great day!



Kim Callaghan | Escrow Assistant

AmeriTitle, LLC

405 N 1st St | Lakeview, OR | 97630

(541) 947-3019 Direct | (541) 947-3283 Fax

kim.callaghan@amerititle.com | www.amerititle.com

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Received by OWRD

APR 02 2024

Salem, OR

GREW Scott A * WRD

From: Kim Callaghan <Kim.Callaghan@amerititle.com>
Sent: Tuesday, April 2, 2024 12:09 PM
To: GREW Scott A * WRD
Subject: RE: Property Profile
Attachments: 20240402111843499.pdf

You don't often get email from kim.callaghan@amerititle.com. [Learn why this is important](#)

Scott,

Sorry about that. Here's the full report.

From: GREW Scott A * WRD <Scott.A.Grew@water.oregon.gov>
Sent: Tuesday, April 2, 2024 11:30 AM
To: Kim Callaghan <Kim.Callaghan@amerititle.com>
Cc: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: RE: Property Profile

Thank you Kim,

You sent only the cover page. I need the entire report.

I can accept it along with your e-mail that shows your information.

I was concerned because typically we see something like this from Amerititle. Usually it has the full address and contact information of the office.

Example.

Received by OWRD

APR 02 2024

Salem, OR

Thank you,
Scott

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

From: Kim Callaghan <Kim.Callaghan@amerititle.com>
Sent: Tuesday, April 2, 2024 11:09 AM
To: GREW Scott A * WRD <Scott.A.Grew@water.oregon.gov>
Subject: FW: Property Profile

You don't often get email from kim.callaghan@amerititle.com. [Learn why this is important](#)

From: Kim Callaghan
Sent: Tuesday, April 2, 2024 11:06 AM
To: ScottAgrew@water.oregon.gov
Subject: FW: Property Profile

From: Kim Callaghan
Sent: Tuesday, April 2, 2024 10:41 AM
To: ScottA.GREW@water.oregon.gov
Subject: Property Profile

Good Morning Scott,

Please find attached the Property Profile for Carol Chugg at 55979 Arrow Gap Rd, Silver Lake, OR 97638. Let me know if you need anything else.

Have a great day!



Kim Callaghan | Escrow Assistant
AmeriTitle, LLC

405 N 1st St | Lakeview, OR | 97630
(541) 947-3019 Direct | (541) 947-3283 Fax
kim.callaghan@amerititle.com | www.amerititle.com

[Online Ordering](#) | [Online Tools](#) | [Find an Office Near You](#)

AMERITITLE

Property Profile

Prepared on: April 2, 2024

Prepared for: Carol Chugg

Property Address: 55979 Arrow Gap Rd,
Silver Lake, OR 97638

Property Parcel Number: 27S15E00-00-04700

Includes the following:

Map

Tax Information

Last Vesting Deed

Received by OWRD

APR 02 2024

Salem, OR

Prepared By: Kim Callaghan

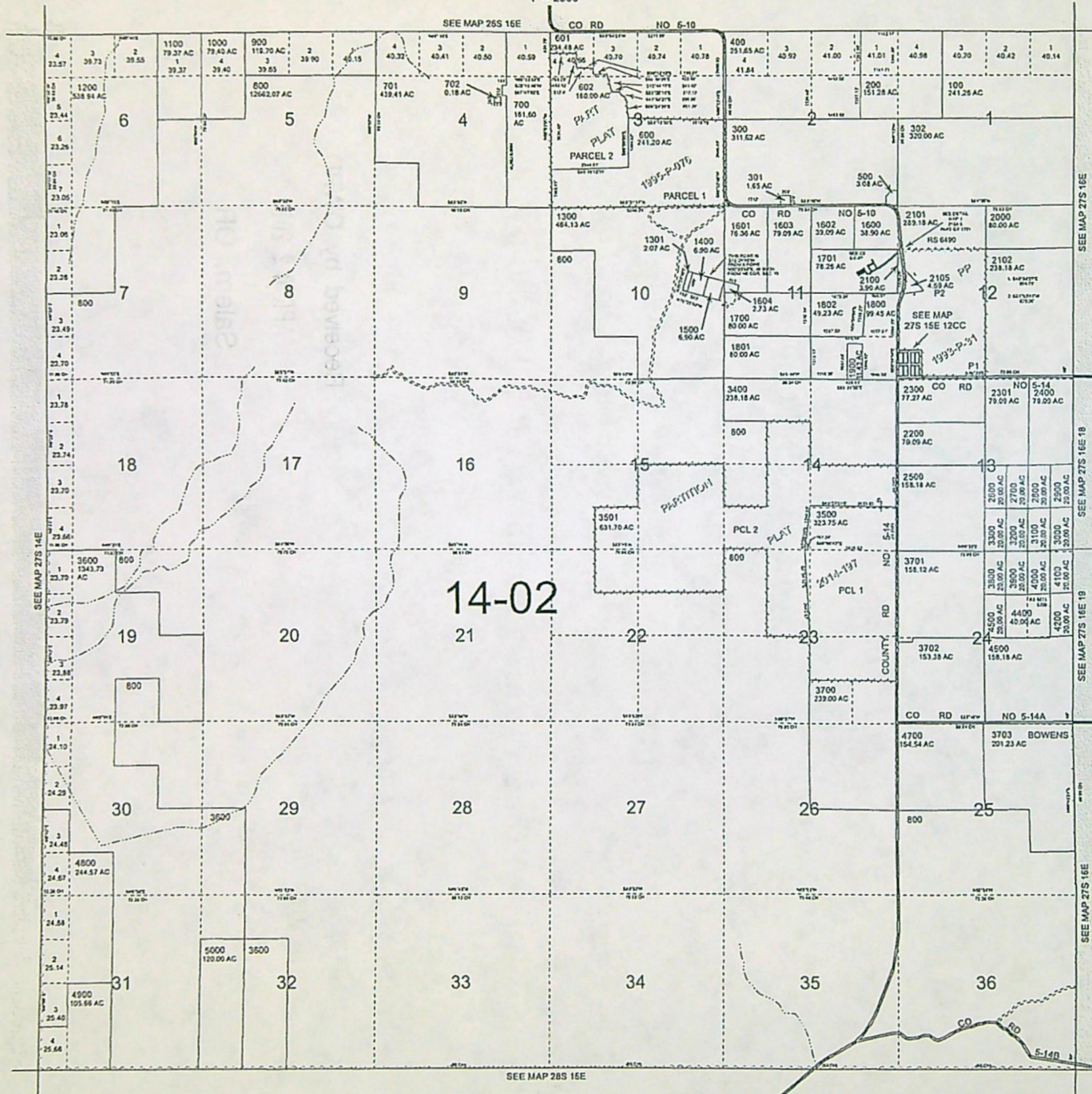
27S15E

PHYLLISY - 2020-07-06 14:11

CANCELLED NOS.
2103
4300

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APR 02 2024
Salem, OR

27S15E



14-02

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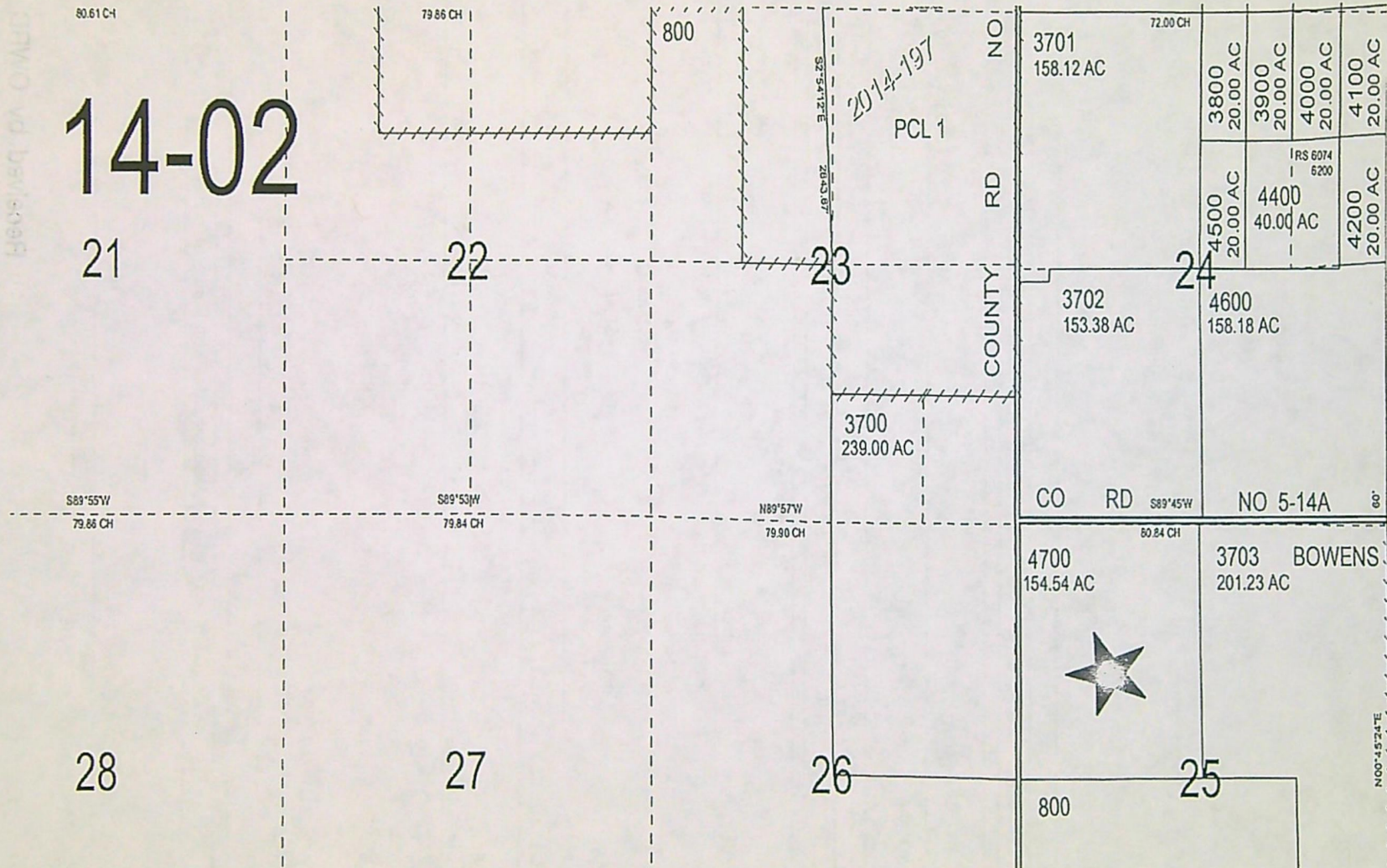
24

28

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Salem, OR

Lake County
2023 Real Property Assessment Report
 Account 2590

Map 27S15E00-00-04700
 Code - Tax ID 1402 - 2590

Tax Status Assessable
 Account Status Active
 Subtype NORMAL

Legal Descr See Record

Mailing CHUGG CAROL
 55979 ARROW GAP RD
 SILVER LAKE OR 97638

Deed Reference # See Record

Sales Date/Price See Record

Appraiser

Property Class 551 MA SA NH
 RMV Class 551 04 00 076

Site	Situs Address	City
	55979 ARROW GAP RD	SILVER LAKE

Value Summary					
Code Area		RMV	MAV	AV	RMV Exception CPR %
1402	Land	462,260		Land	0
	Impr	80,200		Impr	0
Code Area Total		542,460	57,120	128,988	0
Grand Total		542,460	57,120	128,988	0

Land Breakdown									
Code Area	ID #	RFPD	Ex	Plan Zone	Value Source	Trend %	Size	Land Class	Trended RMV
1402	5	☒			Farm / Timber Market Only	116	1.00 AC	HS	2,150
	3	☒			Farm Use Zoned	116	105.65 AC	N3-11	387,150
	9	☒			Farm Use Zoned	116	9.44 AC	N3-21	24,890
	1	☒			Farm Use Zoned	116	38.45 AC	NR-2	16,770
					SA OSD	100			31,300
Code Area Total							154.54 AC		462,260

Improvement Breakdown									
Code Area	ID #	Year Built	Stat Class	Description	Trend %	Total Sqft	Ex%	MS Acct	Trended RMV
1402	1	0	121	RES One story	120	1,516			64,940
	3	0	554	PUMP HOUSE	120	64			1,920
	4	0	517	GP BUILDING	120	792			5,580
	5	0	528	MACHINE SHED	120	432			5,690
	6	0	518	MP SHED	120	96			1,330
	7	0	518	MP SHED	120	0			740
Code Area Total						2,900			80,200

Exemptions / Special Assessments / Notations		
Code Area 1402		
Exemptions (AV)	Amount	
■ VETERAN'S LEVEL 1 (BASE AMOUNT)	24,793	

Appraisal Maint 2024-NEW CONSTRUCTION (CR - NEW CONSTRUCTION)

Received by OWRD

4/2/2024 9:30 AM

APR 02 2024

Page 1 of 1

Salem, OR

STATEMENT OF TAX ACCOUNT

LAKE COUNTY TAX COLLECTOR

513 CENTER STREET

LAKEVIEW, OR 97630

(541) 947-6000

2-Apr-2024

Tax Account #	2590	Lender Name	
Account Status	A	Loan Number	
Roll Type	Real	Property ID	1402
Situs Address	55979 ARROW GAP RD SILVER LAKE OR 97638	Interest To	Apr 2, 2024

Tax Summary

Tax Year	Tax Type	Total Due	Current Due	Interest Due	Discount Available	Original Due	Due Date
2023	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,072.09	Nov 15, 2023
2022	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,064.78	Nov 15, 2022
2021	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,133.01	Nov 15, 2021
2020	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,097.35	Nov 15, 2020
2019	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,090.55	Nov 15, 2019
2018	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$973.13	Nov 15, 2018
2017	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$962.78	Nov 15, 2017
2016	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$936.07	Nov 15, 2016
2015	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$909.65	Nov 15, 2015
2014	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$878.36	Nov 15, 2014
2013	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$864.04	Nov 15, 2013
2012	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$808.73	Nov 15, 2012
2011	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$807.50	Nov 15, 2011
2010	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$797.69	Nov 15, 2010
2009	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$898.87	Nov 15, 2009
2008	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$886.57	Nov 15, 2008
2007	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$869.49	Nov 15, 2007
2006	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$853.13	Nov 15, 2006
2005	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$1,024.55	Nov 15, 2005
2004	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$994.14	Nov 15, 2004
2003	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$982.88	Nov 15, 2003
2002	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$956.27	Nov 15, 2002
2001	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$938.45	Nov 15, 2001
2000	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$839.37	Nov 15, 2000
1999	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$711.91	Nov 15, 1999
1998	ADVALOREM	\$0.00	\$0.00	\$0.00	\$0.00	\$700.67	Nov 15, 1998
Total		\$0.00	\$0.00	\$0.00	\$0.00	\$24,052.03	

Received by OWRD

APR 02 2024

Salem, OR

OA

WARRANTY DEED—TENANTS BY ENTIRETY

58768

KNOW ALL MEN BY THESE PRESENTS, That DAVID P. BELLUMINI and KATHRYN R. BELLUMINI, husband and wife

hereinafter called the grantor, for the consideration hereinafter stated to the grantor paid by FREDERICK M. CHUGG and CAROL CHUGG, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the grantees, as tenants by the entirety, the heirs of the survivor and their assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Lake, State of Oregon, described as follows, to-wit:

Land in the County of Lake, State of Oregon, to-wit:

In Township 27 South, Range 15 East of the Willamette Meridian,
Section 25: NW¼.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the above described and granted premises unto the said grantees, as tenants by the entirety, their heirs and assigns forever.

And grantor hereby covenants to and with grantees and the heirs of the survivor and their assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances except reservations in Patent recorded in Book 135, Page 251, Deed Records of Lake County, Oregon; and deferred taxes as a result of the special assessment for farm use and that grantor will warrant and forever defend the said 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 \$146,100.00.
 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 12th day of April, 1985; 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.

THIS INSTRUMENT DOES NOT GUARANTEE THAT ANY PARTICULAR USE MAY BE MADE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT. A BUYER SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

STATE OF OREGON,

County of Lake Deschutes ss.
April 12, 1985

Personally appeared the above named
David P. Bellumini and
Kathryn R. Bellumini

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

Before me:
 (OFFICIAL SEAL) [Signature]
 Notary Public for Oregon.
 My commission expires 10-4-85

STATE OF OREGON, County of _____ ss.

Personally appeared _____, 19____
 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:

Notary Public for Oregon
 My commission expires: _____

(OFFICIAL SEAL)

(If executed by a corporation, affix corporate seal)

BELLUMINI, David P. & Kathryn R.

GRANTOR'S NAME AND ADDRESS

CHUGG, Frederick M. & Carol

GRANTEE'S NAME AND ADDRESS

After recording return to:

LAND TITLE COMPANY OF GRANT COUNTY, INC.

103 W. Main St.

John Day, OR 97845

NAME, ADDRESS, ZIP

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

Department of Veterans' Affairs

700 Summer St., N.E.

Salem, OR 97310

NAME, ADDRESS, ZIP

STATE OF OREGON,

County of Lake ss.

I certify that the within instru-
 ment was received for record on the
12 day of April, 1985,
 at 2:55 o'clock A.M., and recorded
 in book/reel/volume No. 200 on
 page 522 or as fee/file/instru-
 ment/microfilm/reception No. _____

Record of Deeds of said county.
 Witness my hand and seal of
 County affixed.

[Signature] As Clerk
 NAME TITLE

By [Signature] Deputy

Received by OWRD

APR 02 2024

Salem, OR



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

February 20, 2023

VIA E-MAIL

Applicant

CAROL CHUGG

55979 ARROW GAP ROAD

SILVER LAKE, OR 97638

Reference: Water Right Transfer Application T-14025

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14025. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by March 21, 2024.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by March 21, 2024 with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

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

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

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

Conditions of your water right...

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

Please note the proposed date by which all conditions must be met: October 1, 2025. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

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

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

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

If we do not receive the items listed above by March 21, 2024, a Preliminary Determination may be issued denying the application as incomplete.

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

Sincerely,

Scott Grew

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14025
Jeremy T. Giffin, District 11 Watermaster (via e-mail)
John Warinner, Agent for the applicant (via e-mail)

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-14025, Lake County

)
)
)
)
)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A CHANGE IN
PLACE OF USE

Authority

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

Applicant

CAROL CHUGG
55979 ARROW GAP ROAD
SILVER LAKE, OR 97638

Findings of Fact

1. On June 3, 2022, CAROL CHUGG filed an application to change the place of use under Certificate 31068. The Department assigned the application number T-14025.
2. Notice of the application for transfer was published on June 14, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The portion of the right to be transferred is as follows:

Certificate:	31068 in the name of HERMAN PAUL KOEHLER (perfected under Permit U-706)
Use:	IRRIGATION OF 17.5 ACRES
Priority Date:	NOVEMBER 29, 1954
Rate:	0.22 CUBIC FOOT PER SECOND
Limit/Duty:	The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source:	LANDER WELL NO. 1, a tributary of SILVER CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	15 E	WM	25	SW NW	29 CHAINS SOUTH AND 15 CHAINS EAST FROM THE NW CORNER OF SECTION 25

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	15 E	WM	25	NE NW	4.8
27 S	15 E	WM	25	NW NW	5.0
27 S	15 E	WM	25	SW NW	2.2
27 S	15 E	WM	25	SE NW	5.5
				Total	17.5

4. Transfer Application T-14025 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
27 S	15 E	WM	25	NE NW	14.9
27 S	15 E	WM	25	NW NW	0.7
27 S	15 E	WM	25	SW NW	1.9
				Total	17.5

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2200]

5. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
6. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14025.
7. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
8. The proposed change, as conditioned, would not result in enlargement of the right.
9. The proposed change, as conditioned, would not result in injury to other existing water rights.
10. All other application requirements are met.

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-14025 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14025 is approved, the final order will include the following:

- 1. The change in place of use proposed in Transfer Application T-14025 is approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 31068 and any related decree.*
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new place of use.*
- 4. Water right Certificate 31068 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
- 5. The former place of use of the transferred right shall no longer receive water under the right.*
- 6. 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.*
- 7. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

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

Dated in Salem, Oregon on

D R A F T

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

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

**Notice of Preliminary Determination for
Water Right Transfer T-14025**

T-14025 filed by Carol Chugg, 55979 Arrow Gap Road, Silver Lake, OR 97638, proposes a change in place of use under Certificate 31068. The right allows the use of 0.22 cubic foot per second from Lander Well No. 1 in Sec. 25, T27S, R15E, WM for irrigation in Sec. 25, T27S, R15E, WM. The applicant proposes to change the place of use to Sec. 25, T27S, R15E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may protest the preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-9000, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by an \$950 protest fee for non-applicant, or \$480 protest fee for applicant. Call (503) 986-0935 to obtain additional information. Protests must be received by the Department on or before [30 days after WRD notice], or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14025



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@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

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Monday, April 1, 2024 10:16 AM
To: Janell Warkentin
Cc: John Warinner; GIFFIN Jeremy T * WRD; GREW Scott A * WRD
Subject: RE: T-14025 - Issuance of Draft Preliminary Determination - Action Required!

Dear Carol Chugg,

I am just reaching to follow up on the required report of ownership required to move forward with transfer T-14025.

The original letter gave the deadline as March 21, 2024 to get the required items into the Department. (see letter below)

We did receive the e-mailed response (#2 on list) on March 14, 2024.

If we do not receive the items listed above by April 15, 2024, a Preliminary Determination may be issued denying the application as incomplete.

Thank you,

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

From: Janell Warkentin <j_onpoint@yahoo.com>
Sent: Thursday, March 14, 2024 9:04 AM
To: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: Re: T-14025 - Issuance of Draft Preliminary Determination - Action Required!

Hi Scott,

Thank you for your email and info provided on the transfer of Carol Chugg's water rights. (My mother)

CAROL CHUGG
55979 ARROW GAP ROAD
SILVER LAKE, OR 97638

Reference: Water Right Transfer Application T-14025

Carol Chugg does find the water transfer document to be accurate and agrees to fulfill the requirements outlined in the water rights transfer application.

Thank you for your work on her case.

Best regards,
Janell Warkentin

Emailing on Carol Chugg's behalf

On Feb 21, 2024, at 3:05 PM, GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov> wrote:

February 20, 2023

VIA E-MAIL

Applicant

CAROL CHUGG
55979 ARROW GAP ROAD
SILVER LAKE, OR 97638

Reference: Water Right Transfer Application T-14025

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14025. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by March 21, 2024.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by March 21, 2024 with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

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-14025

Review Due Date: 07/14/2022

Applicant Name: Carol Chugg

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

Reviewer(s): Giffin

Date of Review: 06/15/2022

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:

This transfer application was at the request of the Watermaster to fix the irrigated footprint to match the water right of record.

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.

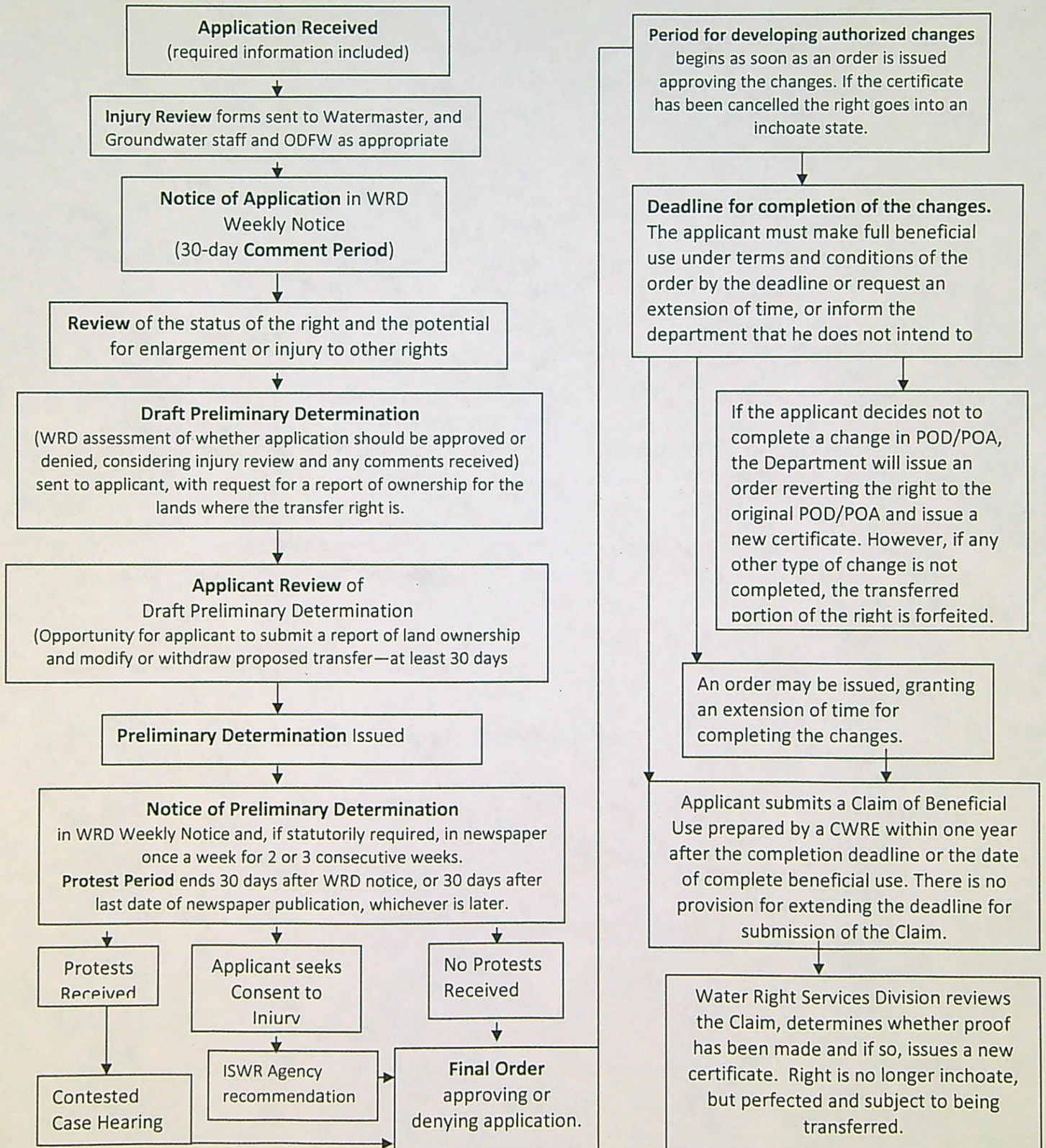
* The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:

☐ Weir
☐ Parshall Flume
☐ Other: ____

☐ Submerged Orifice
☐ Flow Restrictor

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

OAR 690 Division 380



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

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

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

RECEIPT #

138324

INVOICE #

RECEIVED FROM:

BY:

CASH:

CHECK: #

OTHER: (IDENTIFY)

APPLICATION

PERMIT

TRANSFER

TOTAL REC'D

\$ 1,300.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$ 1,360.00

WELL CONSTRUCTION

EXAM FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD#

0210 MONITORING WELLS

\$

CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY

LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY

OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT:

138324

DATED:

06/03/2022

BY:

[Signature]

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

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

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

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

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- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☐ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☐ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? 1 List them here: CERTIFICATE 31068
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

JUN 03 2022

Part 2 of 5 – Transfer Application Map

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

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

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

Part 3 of 5 – Fee Worksheet

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

TACS

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME <i>CAROL CHUGG</i>		PHONE NO. <i>541.647.0841</i>	ADDITIONAL CONTACT NO. <i>N/A</i>
ADDRESS <i>55979 ARROW GAP ROAD</i>		FAX NO. <i>N/A</i>	
CITY <i>SILVER LAKE</i>	STATE <i>OR</i>	ZIP <i>97638</i>	E-MAIL <i>J.ONPOINT@YAHOO.COM</i>
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 <i>JOHN WARINNER, PE, CWRE / WATERSOLVING</i>		PHONE NO. <i>541.815.4103</i>	ADDITIONAL CONTACT NO. <i>N/A</i>
ADDRESS <i>23321 CHISHOLM TRAIL</i>		FAX NO. <i>N/A</i>	
CITY <i>BEND</i>	STATE <i>OR</i>	ZIP <i>97702</i>	E-MAIL <i>JOHNW@WATERSOLVING.COM</i>
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:

CHANGING PLACE OF USE TO MATCH ACTUAL FARMING AND WATER USE PRACTICES THAT HAVE BEEN OCCURRING FOR SEVERAL DECADES.

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

Check One Box

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

By my signature below, I confirm that I understand:

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

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

Carol Chugg
Applicant signature

CAROL CHUGG
Print Name (and Title if applicable)

5/27/22
Date

Applicant signature

Print Name (and Title if applicable)

Date

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

Check the following boxes that apply:

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

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

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

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

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

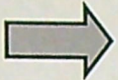
RECEIVING LANDOWNER NAME <u>N/A</u>			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	RECEIVED JUN 03 2022 OWRD
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: ☐ Applicant ☐ Receiving Landowner				

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

IRRIGATION DISTRICT NAME <i>N/A</i>	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 <i>N/A</i>	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME <i>LAKE COUNTY</i>	ADDRESS <i>513 CENTER STREET</i>	
CITY <i>LAKEVIEW</i>	STATE <i>OR</i>	ZIP <i>97630</i>

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 31068

Description of Water Delivery System

System capacity: 1.29 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. GROUNDWATER WELL, BURIED MAINLINE, WHEEL LINE(S) AND CENTER 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)
POA 1	☒ Authorized ☐ Proposed	WELL LOG LAKE 833	27 S	15 E	25	SW NW	TL 4700	29 CHAINS S AND 15 CHAINS E FROM NW COR S25
	☐ Authorized ☐ Proposed							RECEIVED
	☐ Authorized ☐ Proposed							JUN 03 2022
	☐ Authorized ☐ Proposed							OWRD

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

14025

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

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

Additional remarks: CHANGING PLACE OF USE WITHIN THE SAME TAXLOT.

JUN 03 2022

QWRD

For Place of Use or Character of Use Changes

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

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

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

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

Ground water supplemental Permit or Certificate # N/A;

Surface water primary Certificate # N/A.

RECEIVED**JUN 03 2022****For a change from Supplemental Irrigation Use to Primary Irrigation Use**

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

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

14025

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 LAKE)

I, CAROL CHUGG, in my capacity as LANDOWNER

mailing address 55979 ARROW GAP ROAD, SILVER LAKE, OR 97638

telephone number (541) 647.0841, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the entire place of use for
Certificate # 31068; OR

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

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

OR

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

(continues on reverse side)

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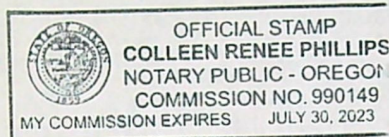
OWRD

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

Carol L. Chryg
Signature of Affiant

5/27/22
Date

Signed and sworn to (or affirmed) before me this 27 day of May, 2022.



Colleen R Phillips
Notary Public for Oregon

My Commission Expires: July 30, 2023

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.terraserver.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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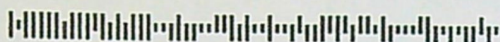
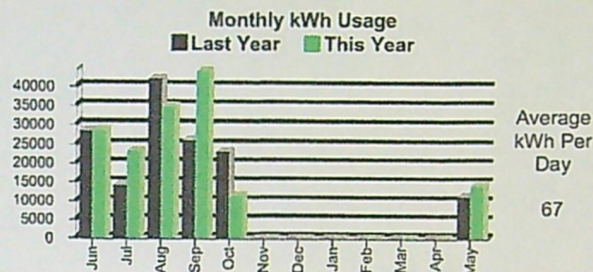
16755 Finley Butte Rd
PO Box 127
LaPine OR 97739-0127

IMPORTANT INFORMATION

Co-Op News

OUR OFFICE WILL BE CLOSED ON MONDAY, MAY 31ST FOR MEMORIAL DAY. OUR AFTER-HOURS OUTAGE LINE, (800)752-5935, IS AVAILABLE 24 HOURS A DAY TO ASSIST YOU.

REBECCA K MILES
81341 BUICK LN
SILVER LAKE OR 97638-0000

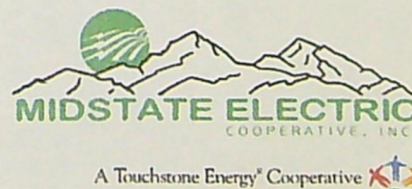


Account Number: [REDACTED] Service Location: 75 HP AT HSE
Billing Date: 05/18/2021 Billing Cycle: 3 Rate: Irr-Seasonal Bill Type: Regular

Account Detail		Electric Service Detail	
Previous Balance	2,339.03 Credit	Meter Number: 68385	Multiplier: 1.0
Payments Received	0.00	Reading Dates: 09/30/2020 - 04/30/2021	
Balance Forward	\$2,339.03 Credit	Number of Days: 212	
		Current Reading: 906386	
Energy Charge (kWh) 14,252 @ \$0.0449	639.91	Last Reading: 892134	
Demand Charge (kW) 50.000 @ \$0.00	0.00	kWh: 14,252	
Demand Charge (kW) 13.284 @ \$4.40	58.45	kW: 63.284	
Facilities Charge	64.00		
Current Charges	\$762.36		
Credit Balance \$1,576.67 Credit			
		RECEIVED	
		JUN 03 2022	
		OWRD	

Prompt Payment Discount - 1.5% will be credited to your next electric bill if your current bill is paid in full and received within 10 days of billing date.
Late Charge - \$5 or 1.5%, whichever is greater, for outstanding balances not received in our office by 5:30 PM the day prior to your next billing.

Account Number: [REDACTED] Billing Cycle: 3
Balance Forward: \$2,339.03 Credit
Current Charges Due Date: \$762.36
Total Amount Due: \$1,576.67 Credit
Relief Fund Contribution: (optional)
Total Amount Paid:



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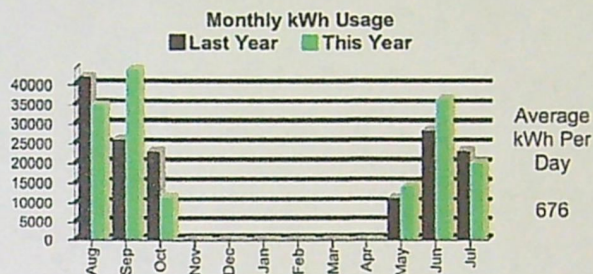
IMPORTANT INFORMATION

Your Debit/Credit Card will be charged for \$1,273.86 on 07/20/2021.

Co-Op News

The last day to submit a photograph for the 2022 Calendar Contest is Monday, August 16th. Call (541)536-2126 option 5 for additional information.

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SILVER LAKE OR 97638-0000



Account Number: [REDACTED]

Service Location: 75 HP AT HSE

Billing Date: 07/20/2021 Billing Cycle: 3 Rate: Irr-Seasonal Bill Type: Regular

Account Detail		Electric Service Detail	
Previous Balance	444.58	Meter Number: 68385	Multiplier: 1.0
Payments Received 06/15/2021	444.58 Credit	Reading Dates: 05/31/2021 - 06/30/2021	
Balance Forward	\$0.00	Number of Days: 30	
Energy Charge (kWh) 20,268 @ \$0.0449	910.03	Current Reading: 963168	
Demand Charge (kW) 63.523 @ \$5.20	330.32	Last Reading: <u>942900</u>	
Facilities Charge	64.00	kWh: 20,268	
Prompt Pay Discount	30.49 Credit	kW: 63.523	
Current Charges	\$1,273.86		
Total Amount Due \$1,273.86			
		RECEIVED	
		JUN 03 2022	
		OWRD	

Prompt Payment Discount - 1.5% will be credited to your next electric bill if your current bill is paid in full and received within 10 days of billing date.
Late Charge - \$5 or 1.5%, whichever is greater, for outstanding balances not received in our office by 5:30 PM the day prior to your next billing.

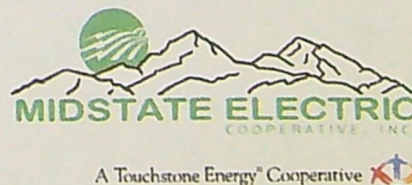
Account Number: [REDACTED] Billing Cycle: 3

Current Charges Due Date:

Total Amount Due: Paid with Credit/Debit Card

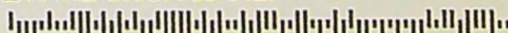
Relief Fund Contribution: (optional)

Total Amount Paid:



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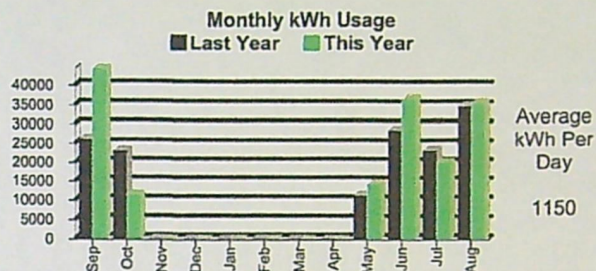
IMPORTANT INFORMATION

Your Debit/Credit Card will be charged for \$1,988.20 on 08/17/2021.

Co-Op News

OUR OFFICE WILL BE CLOSED ON MONDAY, SEPTEMBER 6TH FOR LABOR DAY. OUR AFTER-HOURS OUTAGE LINE, (800)752-5935, IS AVAILABLE 24 HOURS A DAY TO ASSIST YOU. Please update your contact information at www.mse.coop or call (541)536-2126, option 3.

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SILVER LAKE OR 97638-0000



Account Number: [REDACTED]

Service Location: 75 HP AT HSE

Billing Date: 08/17/2021 Billing Cycle: 3 Rate: Irr-Seasonal Bill Type: Regular

Account Detail

Previous Balance	1,273.86
Payments Received 07/20/2021	1,273.86 Credit
Balance Forward	\$0.00
Energy Charge (kWh) 35,664 @ \$0.0449	1,601.31
Demand Charge (kW) 65.858 @ \$5.20	342.46
Facilities Charge	64.00
Prompt Pay Discount	19.57 Credit
Current Charges	\$1,988.20

Total Amount Due \$1,988.20

Electric Service Detail

Meter Number: 68385
Reading Dates: 06/30/2021 - 07/31/2021
Number of Days: 31
Current Reading: 998832
Last Reading: 963168
kWh: 35,664
kW: 65.858

Multiplier: 1.0

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Prompt Payment Discount - 1.5% will be credited to your next electric bill if your current bill is paid in full and received within 10 days of billing date.
Late Charge - \$5 or 1.5%, whichever is greater, for outstanding balances not received in our office by 5:30 PM the day prior to your next billing.

Account Number: [REDACTED] Billing Cycle: 3

Current Charges Due Date:

Total Amount Due: Paid with Credit/Debit Card

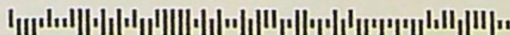
Relief Fund Contribution: (optional)

Total Amount Paid:



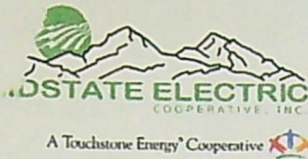
REBECCA K MILES
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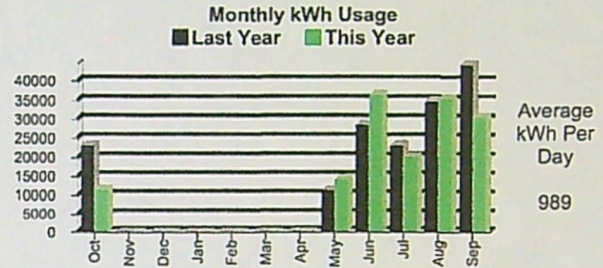
IMPORTANT INFORMATION

Your Debit/Credit Card will be charged for \$1,754.02 on 09/21/2021.

Co-Op News

Midstate Electric is on Facebook. To receive notifications about your Co-op, find us and follow us.

REBECCA K MILES
81341 BUICK LN
SILVER LAKE OR 97638-0000



Account Number: [REDACTED]

Service Location: 75 HP AT HSE

Billing Date: 09/21/2021 Billing Cycle: 3 Rate: Irr-Seasonal Bill Type: Regular

Account Detail

Previous Balance	1,988.20
Payments Received 08/17/2021	1,988.20 Credit
Balance Forward	\$0.00
Energy Charge (kWh) 30,647 @ \$0.0449	1,376.05
Demand Charge (kW) 66.171 @ \$5.20	344.09
Facilities Charge	64.00
Prompt Pay Discount	30.12 Credit
Current Charges	\$1,754.02

Total Amount Due \$1,754.02

Electric Service Detail

Meter Number: 68385
Reading Dates: 07/31/2021 - 08/31/2021
Number of Days: 31
Current Reading: 29479
Last Reading: 998832
kWh: 30,647
kW: 66.171

Multiplier: 1.0

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JUN 03 2022

OWRD

Prompt Payment Discount - 1.5% will be credited to your next electric bill if your current bill is paid in full and received within 10 days of billing date.
Late Charge - \$5 or 1.5%, whichever is greater, for outstanding balances not received in our office by 5:30 PM the day prior to your next billing.

Account Number: [REDACTED] Billing Cycle: 3

Current Charges Due Date:

Total Amount Due:

Paid with Credit/Debit Card

Relief Fund Contribution: (optional)

Total Amount Paid:



A Touchstone Energy® Cooperative

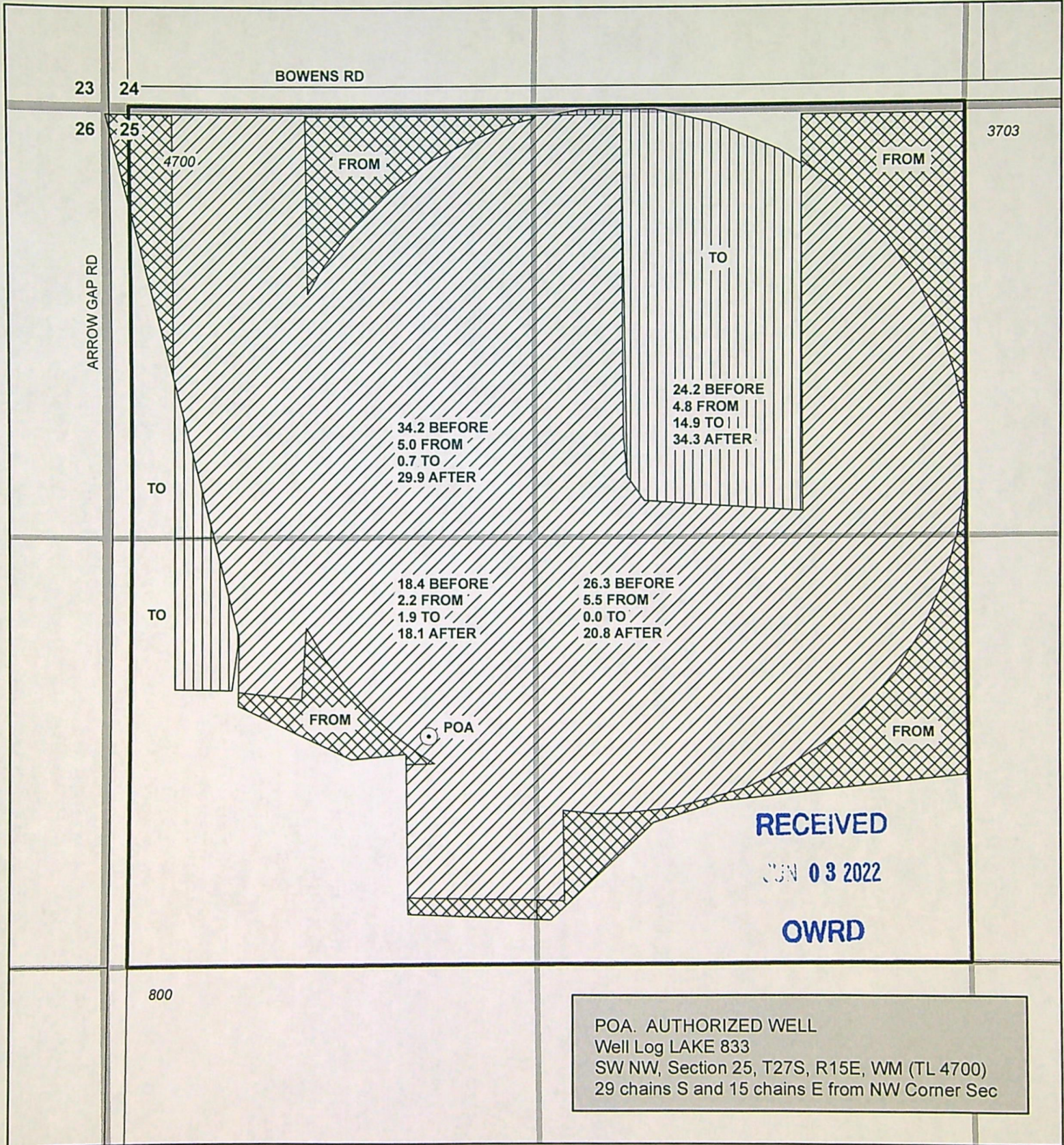
REBECCA K MILES
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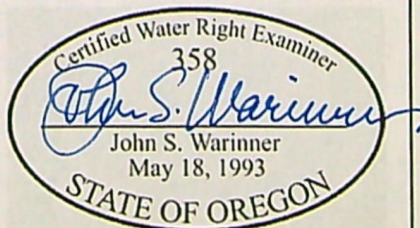
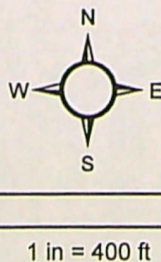


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SECTION 25, T27S, R15E, WM -- LAKE COUNTY



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



TRANSFER MAP
Certificate 31068
Change Place of Use
14025
in the name of
CAROL CHUGG
Revised 2022-05-18

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T-14025

Checked by: <u>SGH</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution	Supplemental to Primary	☒ POU	☐ POD	☐ APOD
Date: <u>6/8/22</u>		Gov Action	Surface to Ground	☐ USE	☐ POA	☐ APOA
Fee Received: <u>1360</u>		How many rights to be Transferred?				
Calculated Fee: <u>1360</u>		Certificate # <u>31068</u>				
Additional Observations: <u>cond use exempt</u>						

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

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

OR: ☐ If all boxes to the left are **NOT** checked, then this application is deficient and **CANNOT** be accepted.
It should be returned and the **deficiencies listed in the "staff" section at the bottom of Application Page 1, unless** the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken: _____ Date: _____