

T-14026

Temporary

Drought

T-14026

Name Debra Jane DavisAddress 3315 NE 17th St
Redmond or 97756Applicant Madras Farms Co
PO Box 638 Madras orChange in PODate Filed 6/14/2022Initial notice date 6/14/2022DPD issued date PD issued date PD notice date Date of FO 8-19-2022 Vol 125 Page 629C-Date COBU due date COBU Received date Certificate issued

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Crane Prairie ResTrib. of DeschutesUse County Cook Deschutes JeffersonQuantity of water (CFS) No. of Acres Name of ditch App# 513180 Per # 523250 Cert # 710714 PR Date App# Decree Per # Deschutes Cert # 94950 PR Date App# Per # Cert # PR Date App# Per # Cert # PR Date App# Per # Cert # PR Date

FEES PAID

Date 6-6-2022 Amount \$ 200.00 Receipt # 138350

FEES REFUNDED

Date Amount Receipt # Assignments: Irrigation District BOR, COIDAgent CWRE CC's list Jefferson county
Deschutes county☐ - Oversized map - Location



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August 19, 2022

DEBRA JANE DAVIS
3315 NE 17TH STREET
REDMOND, OR 97756

MADRAS FARMS CO
PO BOX 638
MADRAS, OR 97741

REFERENCE: Temporary Drought Transfer Application T-14026

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

The temporary change shall be effective upon issuance of this final order. Please note, the use shall revert back to the original authorized place of use at the end of the 2022 irrigation season or the end of the Governor's declared drought, whichever occurs first.

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

Sincerely,

Stacy H. Phillips
Restoration Program Technician
Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. #11 (via email)
Leslie Clark, Central Oregon Irrigation District
Mike Britton, North Unit Irrigation District
Bureau of Reclamation
Deschutes County
Jefferson County

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING AN
T-14026, Crook, Deschutes, Jefferson)	EMERGENCY USE DROUGHT TEMPORARY
County)	CHANGE IN PLACES OF USE

Authority

Oregon Revised Statute (ORS) 536.750 establishes the process in which a water right holder may submit a request to temporarily transfer the use, place of use or point of diversion of water in the event of a declaration of drought, without complying with the notice and waiting requirements under ORS 540.520. Oregon Administrative Rule (OAR) Chapter 690, Division 019 implements the statutes and provides the Department's procedures and criteria for evaluating drought transfer applications.

Applicants

DEBRA JANE DAVIS
3315 NE 17TH STREET
REDMOND, OR 97756

MADRAS FARM COMPANY
PO BOX 638
MADRAS, OR 97741

Findings of Fact

1. On June 6, 2022, DEBRA JANE DAVIS AND MADRAS FARM COMPANY, filed an application to temporarily change the places of use under Certificates 76714 and 94956 for the remainder of the 2022 irrigation season or the term of the Governor's declared drought, whichever is shorter. The Department assigned the application number T-14026.
2. Notice of the application for transfer was published on June 14, 2022, pursuant to OAR 690-380-4000.
3. The portion of the first right to be temporarily transferred is as follows:

Certificate:	76714 in the name of CENTRAL OREGON IRRIGATION DISTRICT (perfected under Permit S-23256)
Use:	SUPPLEMENTAL IRRIGATION of 3.92 acres
Priority Date:	February 28, 1913
Limit/Duty:	Limited to 50,000 acre-feet of stored water only
Source:	CRANE PRAIRIE RESERVOIR, constructed under Permit R-1687, a tributary of the DESCHUTES RIVER

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

The water right evidenced by Certificate 76714 allows the use of up to 50,000 acre-feet of water stored in Crane Prairie Reservoir, a tributary of the Deschutes River, for supplemental irrigation. The diversion rate is not specified and use is limited to the total volume of stored water to make up any deficiency in supply of the live flow water right appurtenant to specified lands.

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	29	SE NE	COID NORTH CANAL: 850 FEET NORTH AND 630 FEET WEST FROM THE E 1/4 CORNER OF SECTION 29

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	13 E	WM	34	SE SE	3.92

4. Temporary Drought Transfer Application T-14026 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
11 S	13 E	WM	15	SW NE	3.92

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

Certificate: 94956 in the name of CENTRAL OREGON IRRIGATION DISTRICT
(confirmed by decree of the Circuit Court of the State of Oregon for Deschutes County)

Use: IRRIGATION of 3.92 acres

Priority Dates: OCTOBER 31, 1900 and DECEMBER 2, 1907

Seasons of Use: Season 1: April 1 through April 30 & October 1 through October 31
Season 2: May 1 through May 14 & September 16 through September 30
Season 3: May 15 through September 15

Maximum Quantity (Rate) that can be applied to an acre:

Season 1: Limited to 1/80 cubic foot per second (cfs) per acre
Season 2: Limited to 1/60 cfs per acre
Season 3: Limited to 1/32.4 cfs per acre

Maximum Duty that can be applied to an acre:

Not to exceed 9.91 acre-feet (af) per acre per year.

The above listed rates and duty reflect allowance of a 45% transmission loss as determined by decree of the Circuit Court of Deschutes County, dated March 24, 1933. Those lands not served from the district main canal systems, but by direct pumping from the Deschutes River, are not allowed the 45% transmission loss.

Source: DESCHUTES RIVER, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
17 S	12 E	WM	29	SE NE	COID NORTH CANAL: 850 FEET NORTH AND 630 FEET WEST FROM THE E 1/4 CORNER OF SECTION 29

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	13 E	WM	34	SE SE	3.92

6. Temporary Drought Transfer Application T-14026 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
11 S	13 E	WM	4	SW NE	3.92

Temporary Drought Transfer Review Criteria

7. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
9. The Governor issued an executive order on March 2, 2022, declaring a state of drought emergency in Crook and Jefferson Counties and on March 16, 2022 declaring a state of drought emergency in Deschutes County due to drought and extreme weather conditions, which is still in effect and the water right proposed for transfer is on lands included in the area covered by the drought order.
10. The proposed changes would not result in enlargement of the rights.
11. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under OAR 690-019-055(3) if injury to existing water rights is shown and cannot be mitigated to the satisfaction of the Director and injured parties.

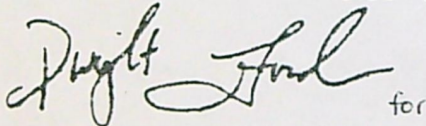
Conclusions of Law

The temporary change in places of use proposed in Temporary Drought Transfer Application T-14026 are consistent with the requirements of ORS 536.750 and OAR 690-019-0055.

Now, therefore, it is ORDERED:

1. The temporary change in places of use proposed in Temporary Drought Transfer Application T-14026 are approved.
2. The former places of use **shall not** be irrigated as part of these water rights during the remainder of the 2022 irrigation season or until the end of the Governor's declared drought, whichever occurs first.
3. The approval of this temporary drought transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
4. The proposed change in place of use shall revert to the authorized place of use at the end of the 2022 irrigation season or the end of the Governor's declared drought, whichever occurs first.
5. The use of water at the temporary places of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 76714 and 94956.
6. The use of the remaining water rights described by Certificates 76714 and 94956 shall continue to be in accordance with the terms and conditions of Certificates 76714 and 94956.

Dated in Salem, Oregon on **AUG 19 2022**

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", followed by the word "for" in a smaller font.

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

Mailing Date: **AUG 22 2022**

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14026

Transfer Specialist:

Transfer Type: Drought Transfer

Ar1a

Applicant: DEBRA JANE DAVIS 3315 NE 17TH STREET REDMOND, OR 97756 Email: _____ Phone: _____	Agent: <input type="checkbox"/> N/A UNAVAILABLE Email: _____ Phone: _____
Irrigation District: <input type="checkbox"/> N/A Central Oregon Irrigation District Email: _____	CWRE: <input type="checkbox"/> N/A Email: _____
Affected Local Gov'ts: <input type="checkbox"/> N/A Gail McGarry Email: _____	Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____	Receiving Landowner: <input type="checkbox"/> N/A Email: _____

Water Rights Affected

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

Key Dates & Initial Actions:

Rec'd: June 6, 2022	Proposed Action(s): PLACE OF USE	
Fees Pd: 200.00	WM District: 11	ODFW District:
Initial Public Notice: 06/14/2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: 8/19/22

Special Issues: _____

Special Order Volume: Vol. 125 Pages 629 - 632



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

June 15, 2022

DEBRA JANE DAVIS
3315 NE 17TH STREET
REDMOND, OR 97756

Reference: Application T-14026

On June 6, 2022, OWRD received your water right Temporary Transfer Application. The application was accompanied by \$200.00. Our receipt number 138350 is enclosed.

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

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

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

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

Cc: Watermaster Dist. #11, Jeremy T. Giffin (via email)
Deschutes County
Jefferson County
Central Oregon Irrigation District
Bureau of Reclamation

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **138350**
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Madras Farms Co
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14026

CASH: ☐ CHECK: # 61490 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 200.00

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 46112

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

WATER RIGHTS:

0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>200.00</u>		

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **138350**

DATED: 06/04/02 BY: [Signature]

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



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

This temporary transfer application will be returned if Parts 1 through 5
and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

OWRD

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? List them here: 94956 & 76714**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☐ ☒ N/A For standard Temporary Transfer (one to five years) **Begin Year:** ____ **End Year:** ____.
- ☒ ☐ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

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Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

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JUN 06 2022

(example $-42^{\circ}32'15.5''$) or degrees-decimal with five or more digits after the decimal (example -42.53764°).

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Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$810.00
2	Number of water rights included in transfer: <u>(2a)</u> Subtract 1 from the number in 3a above: <u>(2b)</u> <i>If only one water right this will be 0</i> Multiply line 2b by \$260.00 and enter » » » » » » » » » » » » »	2	
3	Do you propose to change the place of use for a non-irrigation use? <input type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: <u>0 (3a)</u> Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$200.00, then enter on line 3	3	
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>(4a)</u> Multiply the number of acres in 4a above by \$2.30 and enter on line 4 » »	4	
5	Add entries on lines 1 through 4 above » » » » » » » » » » » Subtotal:	5	
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » »	6	
7	Subtract line 6 from line 5 » » » » » » » » » » » Transfer Fee:	7	

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
	Enter the cfs for the portions of the rights to be transferred (see example below*): COID Certificate #95946 Season 1: 0.027 cfs Season 2: 0.036 cfs Season 3: <u>0.067 (2a)</u> Subtract 1.0 from the number in 2a above: <u>-0.933 (2b)</u> If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » »		
2		2	0
3	Add entries on lines 1 through 2 above » » » » » » » » » Transfer Fee:	3	200.00

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

1. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)

3. Add cfs for the portions of water rights on all the land included in the transfer; however do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land. The fee should be assessed only once for each "on the ground" acre included in the transfer. *(In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).*

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Part 4 of 5 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME DEBRA JANE DAVIS			PHONE NO. 541-279-0068	
ADDRESS 3315 NE 17 th St			FAX NO.	
REDMOND	OR	97756	HAZYMEADOWSFARM@GMAIL.COM	
APPLICANT/BUSINESS NAME MADRAS FARMS CO.			PHONE NO. 541-771-1323	
ADDRESS PO Box 638				
MADRAS	OR	97741	MIKE@MADRASFARMS.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

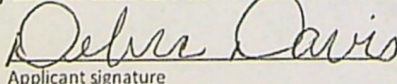
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

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

Explain in your own words what you propose to accomplish with this transfer application and why: On March 21, 2022 Gov. Kate Brown declared a drought in Jefferson County (Executive Order #22-04), and in Deschutes County (Executive Order #22-07) on April 25, 2022. Debra Jane Davis owns lands in Deschutes County with Central Oregon Irrigation District (COID) certificate #94956/76714 water rights. Debra Jane Davis desires to transfer 3.92 acres of COID irrigation water off her property and to a property owned by Madras Farms Co. Madras Farms Co. owns lands with appurtenant North Unit Irrigation District (NUID) certificate #72279 irrigation water rights, both sourced from the Deschutes River. NUID rights are the most junior on the Upper Deschutes River and is further limited by reduced live flow due to the drought. This temporary drought transfer will provide Madras Farms Co. with senior water rights for the 2022 season. The transfer proposes to temporarily remove water from COID patron lands, transport the water to the end of the COID Pilot Butte Canal (PBC), and spill it into the NUID canal and delivered to NUID lands were identified on the application maps. A change in POD is not required to accomplish this transfer.

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

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



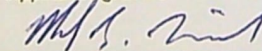
Applicant signature

Debra Jane Davis

Print Name (and Title if applicable)

5/19/22

Date



Applicant signature

Michael B Kirsch, Sec/Treas, Madras Farms Co

Print Name (and Title if applicable)

5/20/22

Date

Are the applicants the sole owner of the lands on which the water right, or portion thereof, proposed for transfer is located? ☒ Yes ☐ No

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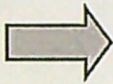
If NO, include signatures of all landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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

CENTRAL OREGON IRRIGATION DISTRICT	1055 SW LAKE COURT	
REDMOND	OR	97756
NORTH UNIT IRRIGATION DISTRICT	2024 NW BEECH ST	
MADRAS	OR	97741

☒ 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 BUREAU OF RECLAMATION/COLUMBIA-PACIFIC NW REGION	ADDRESS 1150 NORTH CURTIS RD, SUITE 100	
CITY BOISE	STATE ID	ZIP 83706



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

ENTITY NAME DESCHUTES COUNTY	ADDRESS 1300 NW WALL STREET	
CITY BEND	STATE OR	ZIP 97701

ENTITY NAME JEFFERSON COUNTY	ADDRESS 66 SE "D" ST, SUITE "D"	
CITY MADRAS	STATE OR	ZIP 97741

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Part 5 of 5 – Water Right Information

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

Water Right Certificate # 94956

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Description of Water Delivery System

JUN 06 2022

System capacity: 0.263 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. The Pilot Butte Canal (PBC) diverts from the Deschutes River at the North Canal Dam and is transported through the PBC to the end of the system near the Crooked River. The COID Water in this application is diverted from the PBC into the PBC-34 Lateral and then diverted into the PBC-34-2 headgate located on the applicant (Debra Jane Davis) property. Applicant has not irrigated the mapped 3.92 acre area during the 2022 irrigation season.

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)
11	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		17 S	12 E	29	SE NE		850 feet North and 630 feet West from the E ¼ corner of Section 29

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

- | | |
|---|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | |

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Diversion (APOD) |

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 94956

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
14	S	13	E	34	SE	SE	2001		3.92	Irrigation	#11	1900	POU	11	S	13	E	4	SW	NE	300		3.92	Irrigation	#11	1900
TOTAL ACRES									3.92					TOTAL ACRES									3.92			

Additional remarks: The POD will not change. If this transfer is approved, the transferred water will continue to be diverted from the Deschutes River at POD #11 by COID and will be transported through the PBC to the end of their system where it will spill into the NUID canal. There is a gauge located at the spill that is read by COID daily. Readings are reported to OWRD monthly. The proposed water will be carried by the NUID canal to the proposed lands. The COID water right can only be used on the proposed lands as identified on the submitted transfer map. Delivery and measurement will be conducted by NUID staff and will not exceed the maximum rate and duty allowed by the underlying NUID water rights (certificate 72279 together with all other rights perfected under permit 23196, and certificate 72281 together with all other rights perfected under permit 25921). The water proposed for transfer will be passed over the NUID spill for the remainder of the 2022 irrigation season, or until such time as NUID canal is regulated off at the Deschutes River.

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Water Right Certificate # 94956

For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 76714, 72279, 72281.

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

Part 5 of 5 – Water Right Information

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

Water Right Certificate # 76714

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Description of Water Delivery System

System capacity: 55,000 Acre-Feet OR

_____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Certificate 76714 allows for use of water stored in Crane Prairie Reservoir (under Certificate 76685) for multiple purposes and is supplemental to Certificate 95946. Crane Prairie Reservoir is a tributary of the Deschutes River and has a storage capacity of 55,000 AF. Use of the water in Crane Prairie Reservoir is limited to the terms of an inter-district contract dated 1/4/1938 and is further limited by a habitat conservation plan/incidental take permit issued by USFWS.

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)
	<input checked="" type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		17 S	12 E	29	SE NE		850 feet North and 630 feet West from the E ¼ corner of Section 29

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

- | | |
|---|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | |

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Diversion (APOD) |

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

- | | |
|------------------------------|---|
| <input type="checkbox"/> Yes | Complete only the Proposed ("to" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes. |
| <input type="checkbox"/> No | Complete all of Table 2 to describe the portion of the water right to be changed. |

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 76714

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	$\frac{1}{4}$ $\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901			
"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901			
14	S	13	E 34 DE SE	2001		3.92	Irrigation	#11	1913	POU	11	S	13	E 4 SW NE	300		3.92	Irrigation	#11	1913			
TOTAL ACRES						3.92						TOTAL ACRES						3.92					

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Additional remarks: Availability of this water is limited to the terms of an inter-district contract dated 1/4/1938 and is further limited by a habitat conservation plan/incidental take permit issued by USFWS.

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Water Right Certificate # 76714

For Place of Use Changes

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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: 94956, 72279, 72281.

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



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

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

NAME DEBRA JANE DAVIS		PHONE (HM) 541-279-0068	
PHONE (WK)	CELL 541-279-0068	FAX	
ADDRESS 3315 NE 17 TH ST			
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL** HAZYMEADOWSFARM@GMAIL.COM

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2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME CENTRAL OREGON IRRIGATION DISTRICT		PHONE (HM) 541-548-6047	
PHONE (WK) 541-504-7576	CELL	FAX	
ADDRESS 1055 SW LAKE COURT			
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL** LESLIEC@COID.ORG

** By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	94956/76714	YES <input checked="" type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

- b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES ☒ NO ☐ One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.

YES ☒ NO ☐ All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

YES ☒ NO ☐ One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.

YES ☒ NO ☐ All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

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COMMENTS OR ADDITIONAL INFORMATION

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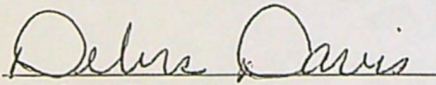
4. APPLICANT'S SIGNATURE

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- (1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:

☐ email, ☐ phone, ☐ postal mail, ☒ in person, or ☐ other (please specify) _____

- (2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.


Applicant Signature

DEBRA JANE DAVIS
Name (print)

5/19/2022
Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

- (1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

- (2) The district/water supplier consents to the proposed water right transfer application.

YES ☒ NO ☐ After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES ☐ NO ☐ The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).


Signature of District Manager / Water Supplier

CRAIG HORRELL, COID MANAGER
Name (print), Title

5-20-22
Date

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of DESCHUTES

I, CARY D. PENHOLLOW, in my capacity as COID WATERMASTER,

mailing address 1055 SW LAKE COURT, REDMOND, OR 97756

telephone number (54)548-6047, being first duly sworn depose and say:

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

☐ Personal observation

☒ Professional expertise

2. I attest that:

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

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
94956	14	S	13	E	WM	34	SE	SE		3.92

OR

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

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

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

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

(continues on reverse side)

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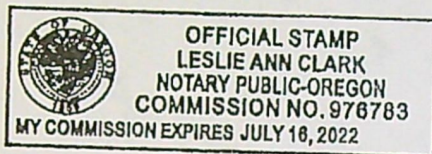
3. The water right was used for: (e.g., crops, pasture, etc.): 2020 DRIP-IRRIGATION OF HEMP FIELDS; 2018 FLOOD IRRIGATION OF PASTURE, AND LANDSCAPING

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.

Cory D. Penhollow
Signature of Affiant

5-17-22
Date

Signed and sworn to (or affirmed) before me this 17th day of May, 2022.



Leslie Ann Clark
Notary Public for Oregon

My Commission Expires: 7/16/22

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

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Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
503-986-0900
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The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

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NAME MADRAS FARMS CO		541-771-1323	
PHONE (WK)		CELL 541-771-1323	FAX
ADDRESS PO Box 638			
CITY MADRAS	STATE OR	ZIP 97741	E-MAIL** MIKE@MADRASFARMS.COM

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2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME NORTH UNIT IRRIGATION DISTRICT		PHONE (HM) 541-475-3625	
PHONE (WK)		CELL 541-419-5888	FAX 541-475-3905
ADDRESS 2024 NW BEECH STREET		JOSHUA BAILEY	
CITY MADRAS	STATE OR	ZIP 97741	E-MAIL** JBAILEY@NORTHUNITID.COM & PWATSON@NORTHUNITID.COM

** By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	72279/72281	YES <input checked="" type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

14026

- b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

- YES ☒ NO ☐ One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.
- YES ☒ NO ☐ All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

- YES ☒ NO ☐ One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.
- YES ☒ NO ☐ All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

COMMENTS OR ADDITIONAL INFORMATION

RECEIVED

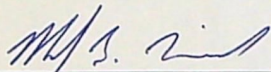
JUN 06 2022

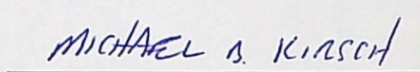
4. APPLICANT'S SIGNATURE

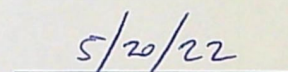
- (1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:

☐ email, ☐ phone, ☐ postal mail, ☒ in person, or ☐ other (please specify) _____

- (2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.







Applicant Signature

Name (print)

Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

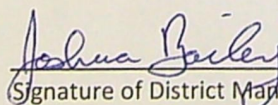
The district/water supplier certifies the following:

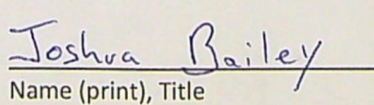
- (1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and

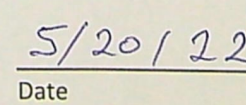
- (2) The district/water supplier consents to the proposed water right transfer application.

YES ☒ NO ☐ After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES ☐ NO ☐ The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).







Signature of District Manager / Water Supplier

Name (print), Title

Date



2024 NW Beech Street
Madras, Oregon 97741

(541) 475-3625
(541) 475-3652
Fax (541) 475-3905
nuid@northunitid.com

May 20, 2022

Oregon Water Resources Department
Attn: Joan Smith
725 Summer Street NE, Suite A
Salem, OR 97301

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RE: Temporary Drought Transfer

Dear Joan,

North Unit Irrigation District and Central Oregon Irrigation District respectfully submit a temporary drought transfer application for your review. The applicants proposed to transfer up to 3.92 acres of COID irrigation water rights to NUID lands.

The district is submitting the following documentation for the on/off lands involved

- Signed Temporary Transfer Application
- Signed landowner consent and transfer map (off)
- Signed landowner consent and transfer map (on)
- Supplemental Form D for Transfers Within a District/Water Supplier

Please feel free to contact me should you have any questions.

Sincerely,

Josh Bailey

Josh Bailey
General Manager
North Unit Irrigation District

14026

DESCHUTES COUNTY
SEC.34 T14S R13E

SCALE - 1" = 400'

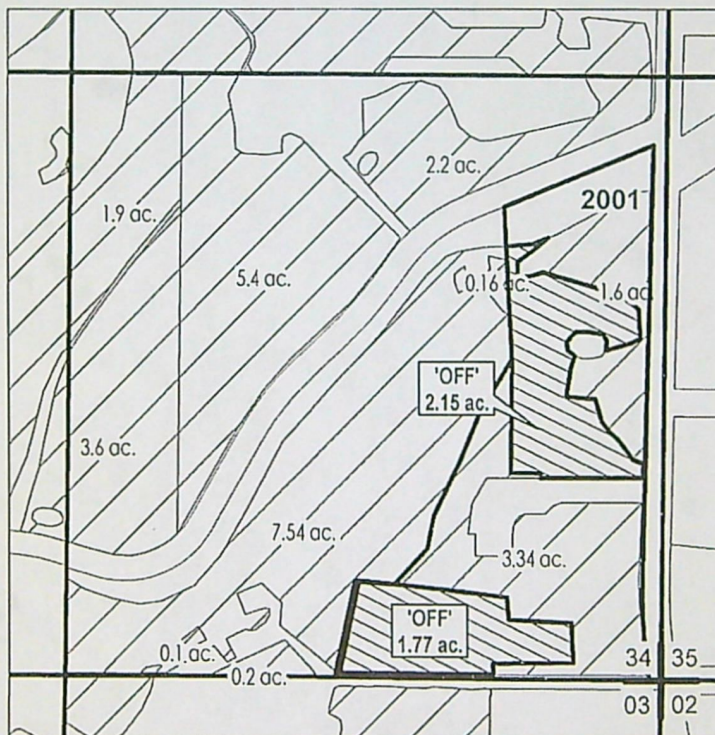


SE 1/4 OF THE SE 1/4

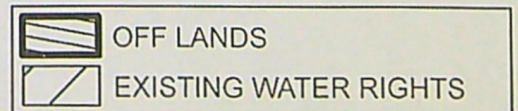
RECEIVED

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'OFF MAP'



TEMPORARY DROUGHT TRANSFER MAP

C.O.I.D TO N.U.I.D

NAME: Davis, Debra

=14026

TAXLOTS #: 2001

3.92 ACRES

DATE: 5/17/2022

JEFFERSON COUNTY
SEC.4 T11S R13E

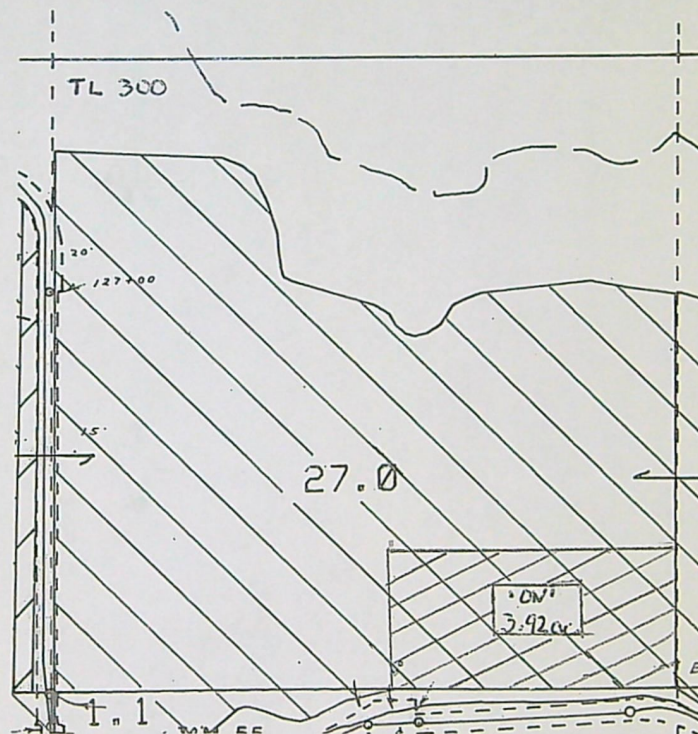
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JUN 06 2022



SCALE - 1" = 400'

OWRD

SW 1/4 OF THE NE 1/4



'ON' MAP

	C.O.I.D- PRIMARY CERTIFICATION NUMBER 94956. PRIORITY 1900
	N.U.I.D- PRIMARY CERTIFICATION NUMBER 72279 PRIORITY. 1913

TEMPORARY DROUGHT TRANSFER MAP

C.O.I.D TO N.U.I.D

NAME: Madras Farm Co

TAXLOTS #: 300

3.92 ACRE

DATE; 5/19/2022

14026

Regular Temporary Water Right Transfer Application Checklist

Checked by Joan

Date 6/8/22

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

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

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

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

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

ok

From COID → NUJD