

T-14031

Regular

T-14031

RA

Name Thomas O'LearyAddress PO Box 69
Silver Lake, OR 97638
oleary@zimbracloud.comChange in USE, POU, POADate Filed 6-9-2022Initial notice date 6-28-2022

DPD issued date

PD issued date 3/26/24PD notice date 4/2/24Date of FO 5/20/2023 Vol 131 Page 91-95

C-Date

COBU due date

COBU Received date

Certificate issued

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A WellTrib. of Silver Lake BasinUse Irrigation County LAKE

Quantity of water (CFS) No. of Acres

Name of ditch

App# G-10123 Per # G-9201 Cert # 56038 PR Date 1/26/1981

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>6-9-2022</u>	<u>\$4030.00</u>	<u>138378</u>
<u>6-9-2022</u>	<u>\$125.00</u>	<u>138375</u>
<u>8-3-2022</u>	<u>\$1,614.67</u>	<u>138826</u>

FEES REFUNDED

Date	Amount	Receipt #

Assignments:

Irrigation District Silver Lake Irrigation DistrictAgent John Short - johnshort@usa.com

CWRE

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



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

May 20, 2024

Thomas O'Leary

PO Box 69

Silver Lake, OR 97638

REFERENCE: Transfer Application T-14031

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, Dante Luongo, by telephone at (971) 304-5006 or by e-mail at Dante.j.luongo@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 A. Short, Agent
Irrigation District: Silver Lake Irrigation District
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 A CHANGE IN
T-14031, Lake County)	POINT OF APPROPRIATION, A CHANGE IN
)	PLACE OF USE AND A CHANGE IN
)	CHARACTER 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

THOMAS O'LEARY
PO BOX 69
SILVER LAKE, OR 97638

Findings of Fact

1. On June 9, 2022, Thomas O'Leary filed an application to change the point of appropriation, change the place of use, and to change the character of use under Certificate 56038. The Department assigned the application number T-14031.
2. Notice of the application for transfer was published on June 28, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 12, 2023, the Department notified the applicant's agent via email that the transfer application did not include supporting documentation for the Evidence of Use Affidavit.
4. On October 16, 2023, the applicant's agent submitted the supporting documentation for the Evidence of Use Affidavit.

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

5. On October 19, 2023, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14031 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of November 18, 2023, 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.
6. On November 13, 2023, the applicant's agent requested a modified completion date for October 1, 2029.
7. On March 26, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14031 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 March 26, 2024, and in the Lakeview Examiner newspaper on April 3, 2024, and April 10, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

8. The right to be transferred is as follows:

Certificate: 56038 in the name of JEREMIAH O'LEARY (perfected under Permit G-9201)

Use: IRRIGATION OF 18.1 ACRES

Priority Date: JANUARY 26, 1981

Rate: 0.23 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: A WELL, a tributary of SILVER LAKE

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	14 E	WM	28	SE SE	WELL OFF - 1080 FEET NORTH AND 220 FEET WEST FROM THE SE CORNER OF SECTION 28

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	15 E	WM	27	NW SW	2.5
28 S	15 E	WM	27	SW SW	15.6
TOTAL					18.1

9. Transfer Application T-14031 proposes to move the authorized point of appropriation approximately 4.75 miles west from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	14 E	WM	14	SW SE	WELL ON - 1053 FEET NORTH AND 2559 FEET WEST FROM THE SE CORNER OF SECTION 14

10. Transfer Application T-14031 proposes to change the character of use to Supplemental Irrigation.

11. Transfer Application T-14031 also proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	14 E	WM	14	SE SE	18.1

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2110(2)]

12. 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.
13. 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-14031.
14. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
15. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
16. The proposed changes, as conditioned, would not result in enlargement of the right.
17. The proposed changes, as conditioned, would not result in injury to other existing water rights.
18. All other application requirements are met.

Conclusions of Law

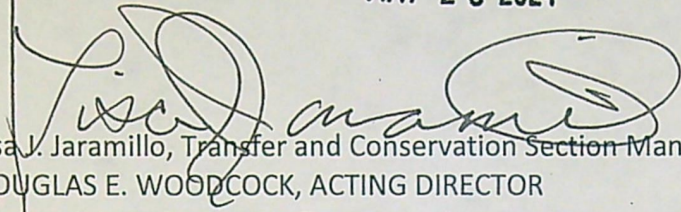
The change in point of appropriation, change in place of use and change in character of use proposed in Transfer Application T-14031 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of appropriation, change in place of use and change in character of use proposed in Transfer Application T-14031 are 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 56038 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 point of appropriation or the new place of use.
4. Water right Certificate 56038 is cancelled.
5. The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. The amount of water used under the proposed supplemental irrigation use shall be limited to a maximum rate of diversion of 0.23 cubic foot per second and shall be further limited to 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
9. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation 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.
10. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. 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 changes and full beneficial use of the water.

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

Dated in Salem, Oregon on **MAY 20 2024**


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

Mailing Date: **MAY 21 2024**

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14031

Transfer Specialist:

Transfer Type: Permanent Transfer

Dante

Applicant: Thomas O'Leary PO Box 69 Silver Lake, OR 97638 Email: oleary@zimbracloud.com Phone:	Agent: <input type="checkbox"/> N/A John Short Email: johnshort@usa.com Phone:
Irrigation District: <input type="checkbox"/> N/A Silver Lake Irrigation District Email:	CWRE: <input type="checkbox"/> N/A Email:
Affected Local Gov'ts: <input type="checkbox"/> N/A Lake County Planning Email:	Affected Tribal Gov't: <input type="checkbox"/> N/A 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"/>			56038	<input type="checkbox"/> Yes <input checked="" 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: 6-9-2022	Proposed Action(s):	
Fees Pd: 6-9-2022	WM District:	ODFW District:
Initial Public Notice: 6-28-2022	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	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: 10-15-23 Initials: AL	Date: 10-17-23 Initials: RF	Date: 10-17-23 Initials: PRS	Date: 10-18-23 Initials: _____	CW Sent: _____	N/A
PD	Date: 11-13-23 Initials: AL	Date: _____ Initials: _____	Date: 11-14-23 Initials: PRS	Date: 11-17-23 Initials: AL Data Review Date: 12-27-23	Date: 3-21-24	Date: 3/26/24
FO	Date: 4-1-24 Initials: AL	Date: _____ Initials: _____	Date: 4-4-24 Initials: PRS	Date: _____ Initials: _____	Date: 5-15-24 How many for signature: 1	Date: 5/20/24

Special Issues: _____

Special Order Volume: Vol. 131 Pages 91-95

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 142407

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

INVOICE # _____

RECEIVED FROM: O'Leary Livestock LLC

BY: _____

CASH: ☐ CHECK:# ☒ 3955 OTHER: (IDENTIFY) ☐

APPLICATION
PERMIT
TRANSFER T-14031

TOTAL REC'D \$ 93.34

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 93.34

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$

RECEIPT: 142407

DATED: 2-12-2024 BY: [Signature]

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

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WATER RESOURCES DEPARTMENT

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

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TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$

RECEIPT: 142407

DATED: 2-12-2024 BY: [Signature]


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

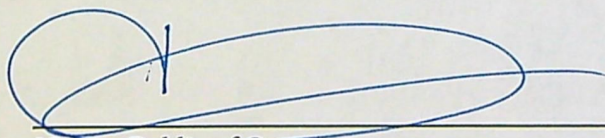
**AFFIDAVIT OF PUBLICATION
STATE OF OREGON,
COUNTY OF LAKE**

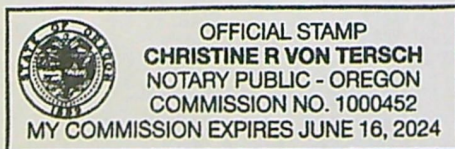
I, Joe Hudon, General Manager, being first duly sworn, depose and say that I am the principal clerk of the publisher of the Lake County Examiner, a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Lakeview in the aforesaid county and state: that I know from my personal knowledge that the Legal # 5818 Notice of Preliminary Determination
a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 2

Insertion(s) in the following issues: 04/03/24, 04/10/24

Total Cost: \$77.78


Subscribed and sworn by Joe Hudon before me on:
On 18th day of April, in the year of 2024


Notary Public of Oregon
My commission expires June 16, 2024



Notice of Preliminary
Determination for
Water Right Transfer
T-14031

T-14031 filed by Thomas O'Leary, PO Box 69, Silver Lake, OR 97638, proposes a change in point of appropriation, a change in place of use, and a change in character of use under Certificate 56038.

The right allows the use of 0.23 cubic foot per second from a well in Sec. 28, T28S, R15E, WM for irrigation in Sec. 27, T28S, R15E, WM.

The applicant proposes to move the point of appropriation to Sec. 14, T28S, R14E, WM; to change the place of use to Sec. 14, T28S, R14E, WM.; and to change the character of use to supplemental irrigation.

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 file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 04/10/2024.

Call (503) 986-0935 to obtain additional information.

If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

DATES OF PUBLICATION:

April 3, 2024

April 10, 2024

#5818

Received
APR 22 2024

OWRD

U.S. Postal Service™
CERTIFIED MAIL® RECEIPT

Domestic Mail Only

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

OFFICIAL USE

Certified Mail Fee

\$

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

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

Postmark
Here

Postage

\$

Total Postage and Fees

\$

Sent To

Street and Apt. No., or PO Box No.

City, State, ZIP+4®

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. Art

Thomas O'Leary
PO Box 69
Silver Lake, OR 97638



9590 9402 6816 1074 5413 62

2. Article Number (Transfer from service label)

7018 0680 0002 0041 8924

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

COMPLETE THIS SECTION ON DELIVERY

A. Signature

☒ Agent
☐ Addressee
Thomas O'Leary

B. Received by (Printed Name)

THOMAS O'LEARY

C. Date of Delivery

4/3/24

D. Is delivery address different from item 1? ☐ Yes
If YES, enter delivery address below: ☒ No

Received

APR 08 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-14031 ER/DL 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

March 21, 2024

VIA CERTIFIED MAIL AND E-MAIL

Applicant

THOMAS O'LEARY
PO BOX 69
SILVER LAKE, OR 97638

SUBJECT: Water Right Transfer Application T-14031

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14031. 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.

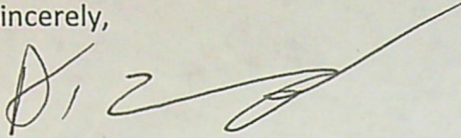
A public notice is being published in the Department's weekly publication and in the Lakeview Examiner newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department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

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 don't hesitate to contact me at 971 304-5006 or Dante.J.Luongo@water.oregon.gov, if I may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read 'D. Luongo', with a long horizontal stroke extending to the right.

Dante Luongo
Transfer Specialist
Transfer and Conservation Section

cc: T-14031

Jeremy T. Giffin, District 11 Watermaster (*via e-mail*)

John A. Short, 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-14031, Lake County)	PROPOSING APPROVAL OF A CHANGE IN
)	POINT OF APPROPRIATION, A CHANGE IN
)	PLACE OF USE AND A CHANGE IN
)	CHARACTER OF USE

Authority

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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.

Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

6. On November 13, 2023, the applicant's agent requested a modified completion date for October 1, 2029.

7. The right to be transferred is as follows:

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Use: IRRIGATION OF 18.1 ACRES
Priority Date: JANUARY 26, 1981
Rate: 0.23 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: A WELL, a tributary of SILVER LAKE

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SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	14 E	WM	14	SE SE	18.1

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and OAR 690-380-2110(2)]

11. 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.
12. 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-14031.
13. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
14. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
15. The proposed changes, as conditioned, would not result in enlargement of the right.
16. The proposed changes, as conditioned, would not result in injury to other existing water rights.
17. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation, change in place of use and change in character of use proposed in Transfer Application T-14031 appear 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.

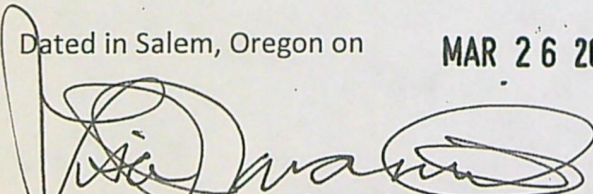
If Transfer Application T-14031 is approved, the final order will include the following:

1. *The change in point of appropriation, change in place of use and change in character of use proposed in Transfer Application T-14031 are 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 56038 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 point of appropriation or the new place of use.*
4. *Water right Certificate 56038 is cancelled.*
5. *The quantity of water diverted at the new point of appropriation shall not exceed the quantity of water lawfully available at the original point of appropriation.*

6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *The amount of water used under the proposed supplemental irrigation use shall be limited to a maximum rate of diversion of 0.23 cubic foot per second and shall be further limited to 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.*
9. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation 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.*
10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. 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 changes and full beneficial use of the water.*
11. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

MAR 26 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 Dante Luongo. If you have questions about the information in this document, you may reach me at 971-304-5006 or Dante.J.Luongo@water.oregon.gov.

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. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

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.

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-14031

Review Due Date: 07/22/2022

Applicant Name: Tom O'leary

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

Reviewer(s): Giffin

Date of Review: 06/27/2022

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 right will be moved onto a Silver lake irrigation District water right and will be subordinated to a supplemental and make up for the deficiency of the underlying primary right.

13. What alternatives may be available for addressing any issues identified above:

14. Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? ☐ No ☒ Yes, as checked and provided below:

☐ For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement:

☐ A Headgate should be required prior to diverting water.

☐ Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, ☐ at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation ☒ with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition.*

b. The water user shall maintain the meters or measuring devices in good working order.

c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

☐ Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4)

a. Before water use may begin under this order, the water user shall install staff gages, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style.*

b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit.

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

☐ Weir
☐ Parshall Flume
☐ Other: _____

☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14031



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 loop, 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

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14031

GW Reviewer Gerald H. Grondin

Date Review Completed: 09 November 2022

Summary of Same Source Review:

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

Summary of Injury Review:

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

Summary of GW-SW Transfer Similarity Review:

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

☒ None of the Above

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

Note: The proposed POA/POD well change will move groundwater pumping from well LAKE 1362 located 700 feet west of the mapped Silver Lake shoreline to well LAKE 4181 located 4.8 miles northwest of well LAKE 1362 and 1320 feet south of mapped Paulina Marsh and 2000 feet south of mapped perennial Bunyard Creek.

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



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

Ground Water Review Form:

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

Application: **T-14031**

Applicant Name: **Thomas O'Leary**

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

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

Date of Review: **09 November 2022**

Date Reviewed by GW Mgr. and Returned to WRSD: **JTI 11/21/22**

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

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

1. Basic description of the changes proposed in this transfer: _____

This transfer application relates to certificate 56038. The application proposes the following:

1. Move 18.1 authorized POU acres total from T28S/R15E-sec 27 to T28S/R14E-sec 14

2. Change the authorized POA/POU well from well LAKE 1362 in T28S/R15E-sec 28 to well LAKE 4161 in T28S/R14E-sec 14 (4.8 miles northwest of LAKE 1362). The proposed maximum pumping rate is 0.23 cfs (103 gpm).

3. Change the authorized use from primary to supplemental irrigation.

Note: the proposed transfer is within the Fort Rock Groundwater Limited Area.

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

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

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

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

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

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

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

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

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?

☒ Yes ☐ No Comments: _____

The proposed POA/POD change from well LAKE 1362 to well LAKE 4181 will move the groundwater pumping closer to other groundwater right POA/POD wells near Paulina Marsh and Bunyard Creek. The calculated additional seasonal groundwater level drawdown at the groundwater right POA/POD well closest to the proposed POA/POD well LAKE 4181 is less than 1.0 feet. That closest water right well should be able to accommodate the seasonal drawdown change. The change in seasonal groundwater level drawdown change at other wells further away will be less.

The long-term impact on the groundwater system should be the same. That impact is to continue contributing to the ongoing annual Fort Rock Classified Area groundwater level decline (see the attached hydrograph...it shows an annual decline rate of about 0.50 feet per year).

- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☐ Yes ☒ No If yes, explain: _____

See discussion in part 4a above.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

☒ Yes ☐ No Comments: _____

Yes. The proposed POA well change would/will move groundwater pumping away from Silver Lake and closer to Paulina Marsh and Bunyard Creek decreasing interference at the lake and increasing interference at the marsh and creek.

The calculated change in seasonal groundwater level drawdown at Silver Lake (closest shore), Paulina Marsh (closest shore), and Bunyard Creek (closest reach) is:

Silver Lake	0.34 to 0.73 feet decrease (30 & 245 days pumping respectively)
Paulina Marsh	0.25 to 0.52 feet increase (30 & 245 days pumping respectively)
Bunyard Creek	0.19 to 0.39 feet increase (30 & 245 days pumping respectively)

The pumping and calculated drawdowns noted above are determined to occur within a highly permeable, high well yield "main groundwater reservoir" as defined by Miller (1986). There is local evidence that saturated lower permeability, lower well yield deposits up to 150 feet thick locally occurs between the land and water surfaces and the "main groundwater reservoir" below. Some domestic and stock wells access groundwater from the lower permeability deposits. The few static groundwater levels representing the lower permeability deposits can be 20 to 30 feet above the static groundwater levels representing the "main groundwater reservoir" indicating a downward hydraulic gradient and downward component of groundwater flow through the lower permeability deposits to the "main groundwater reservoir."

The Darcy equation was used to calculate a potential maximum change in seasonal vertical volumetric downward flow below Silver Lake and Paulina Marsh respectively. The calculation used a Theis equation derived maximum additional seasonal groundwater level drawdown below the respective surface area centers. The assumption is the changed drawdown at the surface area center approximates the averaged increased drawdown below the entire surface area of the lake and marsh respectively from which an averaged change in vertical volumetric downward flow below Silver Lake and Paulina Marsh can be calculated using the Darcy equation. The Darcy equation results reported here used a vertical hydraulic conductivity (K_v) of 0.30 ft/day which is the horizontal hydraulic conductivity (K_h) for the lower permeability deposits (derived from specific capacity data) divided by 100.

Silver Lake (full surface area): The calculated downward groundwater flow rate when all well pumps are off is 624.16 ac-ft/day. The calculated downward flow rate as a result seasonal drawdown by pre-transfer well pumping for 30 days is 627.87 ac-ft/day (3.71 ac-ft/day, 0.59% increase from no pumping) and for 245 days pumping is 632.27 ac-ft/day (8.11 ac-ft/day, 1.30% increase from no pumping). The calculated downward flow rate as a result seasonal drawdown by proposed post-transfer well pumping for 30 days is 624.75 ac-ft/day (0.59 ac-ft/day, 0.10% increase from no pumping) and for 245 days pumping is 628.02 ac-ft/day (3.86 ac-ft/day, 0.62% increase from no pumping). The calculated change in downward flow from pre-transfer to post transfer is 3.12 ac-ft/day decrease after 30 days pumping and 4.25 ac-ft/day decrease after 245 days pumping.

Silver Lake (2017 surface area): The calculated downward groundwater flow rate when all well pumps are off is 624.16 ac-ft/day. The calculated downward flow rate as a result seasonal drawdown by pre-transfer well pumping for 30 days is 629.42 ac-ft/day (5.26 ac-ft/day, 0.84% increase from no pumping) and for 245 days pumping is 633.92 ac-ft/day (9.76 ac-ft/day, 1.56% increase from no pumping). The calculated downward flow rate as a result seasonal drawdown by proposed post-transfer well pumping for 30 days is 625.01 ac-ft/day (0.85 ac-ft/day, 0.14% increase from no pumping).

increase from no pumping) and for 245 days pumping is 628.52 ac-ft/day (4.35 ac-ft/day, 0.70% increase from no pumping). The calculated change in downward flow from pre-transfer to post transfer is 4.41 ac-ft/day decrease after 30 days pumping and 5.41 ac-ft/day decrease after 245 days pumping.

Paulina Marsh (mapped surface area): The calculated downward groundwater flow rate when all well pumps are off is 699.34 ac-ft/day. The calculated downward flow rate as a result seasonal drawdown by pre-transfer well pumping for 30 days is 700.49 ac-ft/day (1.14 ac-ft/day, 0.16% increase from no pumping) and for 245 days pumping is 704.56 ac-ft/day (5.22 ac-ft/day, 0.75% increase from no pumping). The calculated downward flow rate as a result seasonal drawdown by proposed post-transfer well pumping for 30 days is 703.77 ac-ft/day (4.43 ac-ft/day, 0.63% increase from no pumping) and for 245 days pumping is 708.72 ac-ft/day (9.38 ac-ft/day, 1.34% increase from no pumping). The calculated change in downward flow from pre-transfer to post transfer is 3.29 ac-ft/day increase after 30 days pumping and 4.16 ac-ft/day increase after 245 days pumping.

The Hunt (2003) groundwater depletion model was used to calculate the potential change in seasonal groundwater interference with Bunyard Creek. The calculated interference under existing (pre-transfer) pumping is 0.000007 cfs and 0.000050 cfs at the end of 30 and 240 days of groundwater pumping respectively. The calculated interference under proposed post-transfer pumping is 0.000251 cfs and 0.000549 cfs at the end of 30 and 240 days of groundwater pumping respectively. That is an increase in seasonal interference of 0.000244 cfs (0.11 gpm) and 0.000499 cfs (0.22 gpm) at the end of 30 and 240 days of groundwater pumping respectively.

The ongoing long-term groundwater level decline at Silver Lake, Paulina Marsh, and Silver Creek should be the same. The proposed POA changes will continue contributing to the ongoing annual Fort Rock Classified Area groundwater level decline at Silver Lake, Paulina Marsh, and Silver Creek (see the attached hydrograph...it shows an annual decline rate of about 0.30 feet per year).

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Silver Lake

☒ Minimal ☐ Significant

Stream: Paulina Marsh

☒ Minimal ☐ Significant

Stream: Bunyard Creek

☒ Minimal ☐ Significant

Provide context for minimal/significant impact: _____

See discussion in 5a above

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

☐ Yes ☒ No Comments: _____

Not Applicable. No SW-GW transfer.

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

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

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

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

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

Condition 7T (modified) for all "To" POA wells: "Prior to use, all POA wells shall be configured to allow a strictly clean water (no oil) static water level measurements with an electric-tape. That can include measurement access via an unobstructed vertical discharge pipe that allows the groundwater level to fluctuate freely within the discharge pipe (no valves, etc.). Otherwise, a dedicated measuring tube must be installed prior to use. The tube must be unobstructed, have a diameter of ¼ inch (0.75 inch) or greater, and pursuant to figure 200-5 in OAR 690-200."

8. Any additional comments: _____

No additional comments.

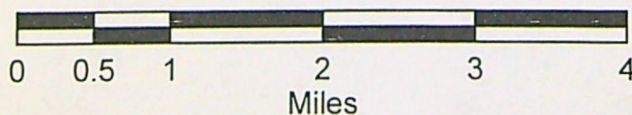
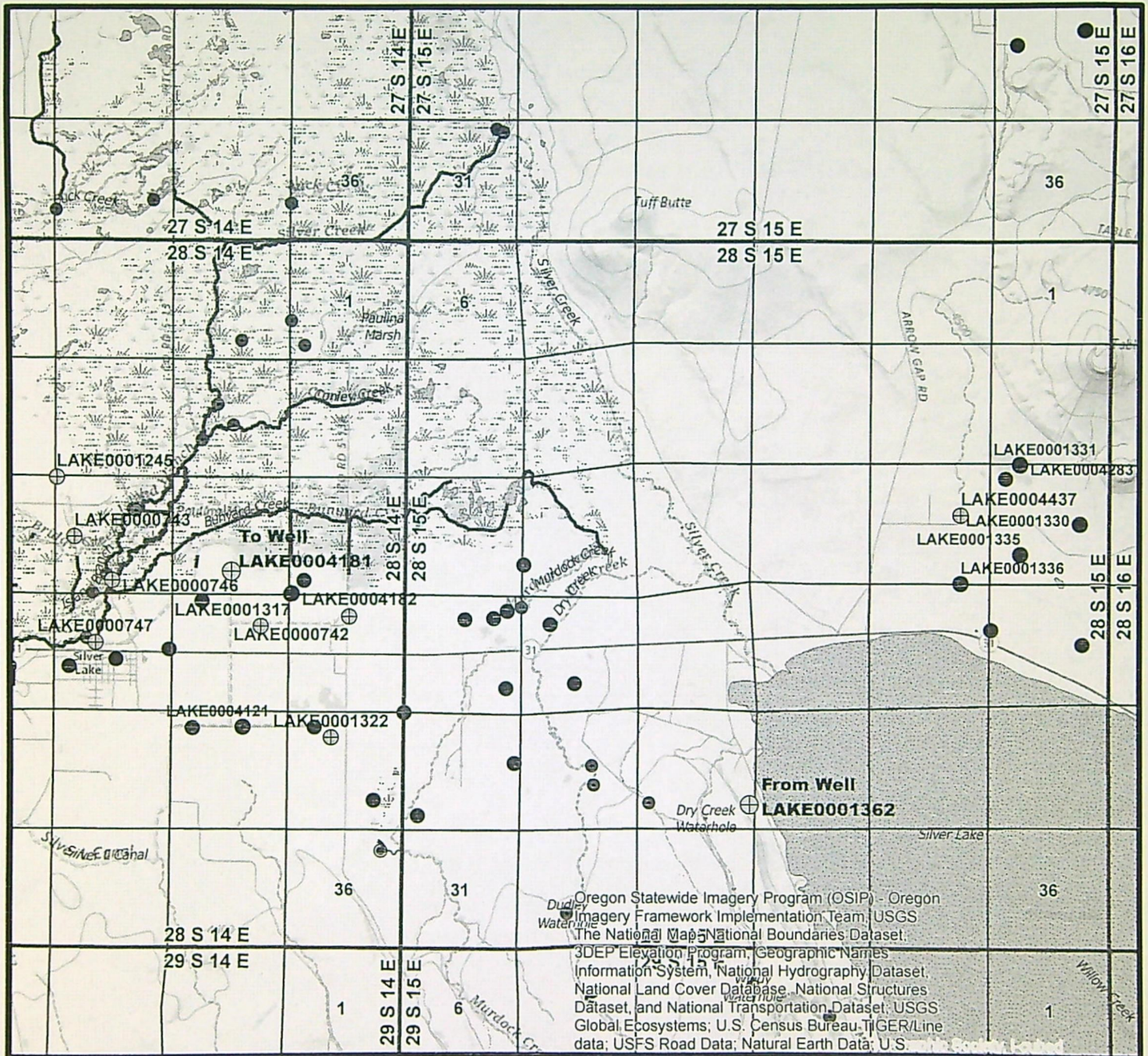
References:

Hunt, B., 2003, Unsteady stream depletion when pumping from semiconfined aquifer: Journal of Hydrologic Engineering, January/February, 2003.

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

Groundwater Transfer Application T-14031

Thomas O'Leary

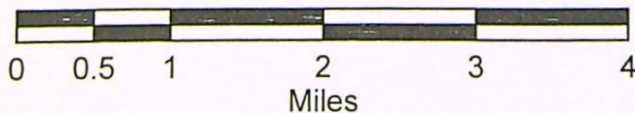
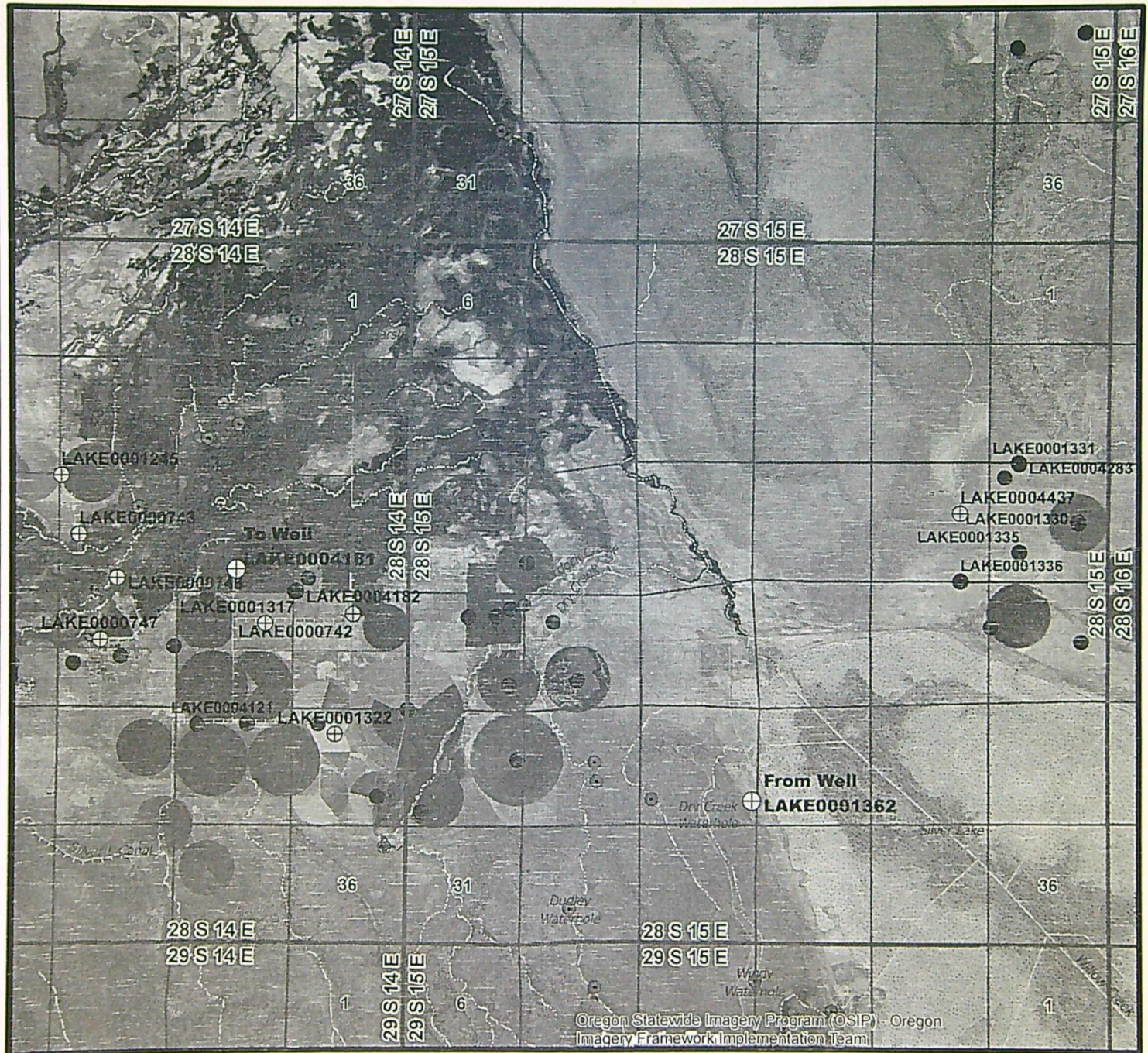


Yellow = Authorized & Proposed Wells
Red = Groundwater PODs & Obs Well
Green = Hydrograph Data Wells
Blue = Surface Water PODs



Groundwater Transfer Application T-14031

Thomas O'Leary



Yellow = Authorized & Proposed Wells
 Red = Groundwater PODs & Obs Well
 Green = Hydrograph Data Wells
 Blue = Surface Water PODs



STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

RECEIVED

JUN - 2 1992

(START CARD) # 33140

(1) OWNER:

Name Tom O'Leary
Address P.O. Box 36
City SILVER LAKE State OR. Zip 97638

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD:

☐ Rotary Air ☒ Rotary Mud ☐ Cable
☐ Other

(4) PROPOSED USE:

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

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☒ Yes ☐ No Depth of Completed Well 170' ft.
Explosives used ☐ Yes ☒ No Type _____ Amount _____

HOLE		SEAL		Amount	
Diameter	To	Material	From	To	sacks or pounds
<u>21"</u>	<u>0</u>	<u>170 Cement</u>	<u>0</u>	<u>40'</u>	<u>40 SACKS</u>

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

☐ Other Pumped Via Tremie

Backfill placed from _____ ft. to _____ ft. Material _____

Gravel placed from 40 ft. to 170 ft. Size of gravel 3/4 HIAL

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	<u>16"</u>	<u>+2</u>	<u>170</u>	<u>250</u>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s) _____

(7) PERFORATIONS/SCREENS:

☒ Perforations Method FACTORY
☐ Screens Type _____ Material _____

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
<u>45</u>	<u>170</u>	<u>1/8</u>	<u>4480</u>	<u>16"</u>		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min _____ Drawdown _____ Drill stem at _____ Time _____

1000 + 75 170' 4 hrs

Temperature of Water 55° Depth Artesian Flow Found _____

Was a water analysis done? ☐ Yes By whom _____

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other _____

Depth of strata: _____

ORIGINAL & FIRST COPY - WATER RESOURCES DEPARTMENT

SECOND COPY - CONSTRUCTOR

THIRD COPY - CUSTOMER

9809C 10/91

(9) LOCATION OF WELL by legal description:

County LAKE Latitude _____ Longitude _____
Township 28 S N or S. Range 14 E E or W. WM.
Section 14 1/4 1/4 1/4
Tax Lot 1600 Lot _____ Block _____ Subdivision _____
Street Address of Well (or nearest address) SAME AS LISTED

(10) STATIC WATER LEVEL:

22' ft. below land surface. Date 5-23-92
Artesian pressure _____ lb. per square inch. Date _____

(11) WATER BEARING ZONES:

Depth at which water was first found 48'

From	To	Estimated Flow Rate	SWL
<u>48'</u>	<u>172</u>	<u>1000 +</u>	<u>22</u>

(12) WELL LOG:

Ground elevation _____

Material	From	To	SWL
<u>TOP SOIL</u>	<u>0</u>	<u>2</u>	
<u>FINE & MEDIUM GRAVEL</u>	<u>2</u>	<u>14</u>	
<u>YELLOW CLAYSTONE</u>	<u>14</u>	<u>29</u>	
<u>SOFT YELLOW CLAY</u>	<u>29</u>	<u>31</u>	
<u>HARD YELLOW CLAY</u>	<u>31</u>	<u>48</u>	
<u>FINE GRAVEL w/ MEDIUM SAND</u>	<u>48</u>	<u>125</u>	<u>22</u>
<u>YELLOW CLAY w/ MEDIUM GRAVEL</u>	<u>125</u>	<u>132</u>	
<u>BROWN SAND</u>	<u>132</u>	<u>148</u>	
<u>MEDIUM GRAVEL</u>	<u>148</u>	<u>160</u>	
<u>MEDIUM AND COARSE GRAVEL</u>	<u>160</u>	<u>170</u>	
<u>BLACK BASALT HARD</u>	<u>170</u>	<u>172</u>	

Date started 5-16-92 Completed 5-23-92

(unbonded) Water Well Constructor Certification:

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

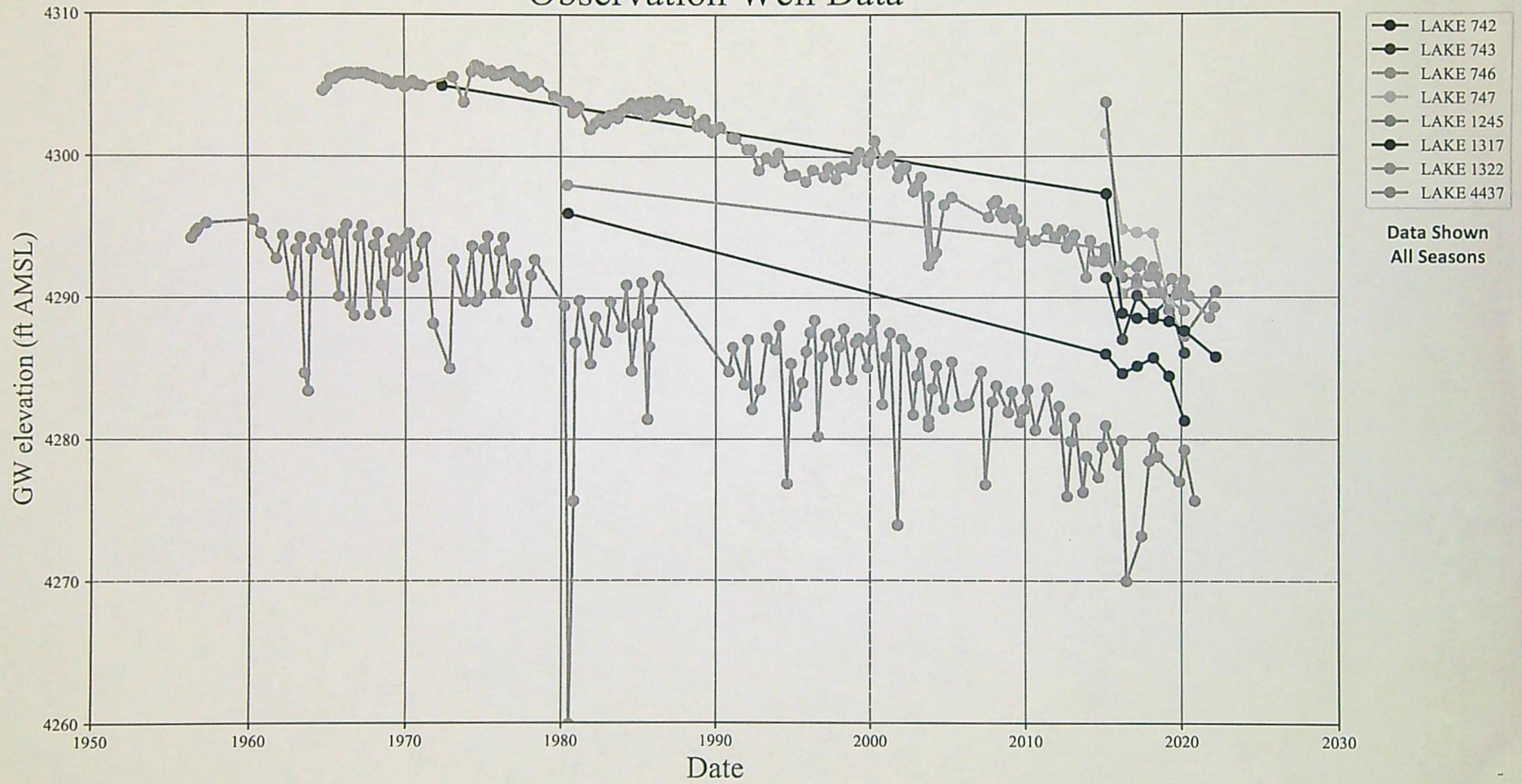
Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification:

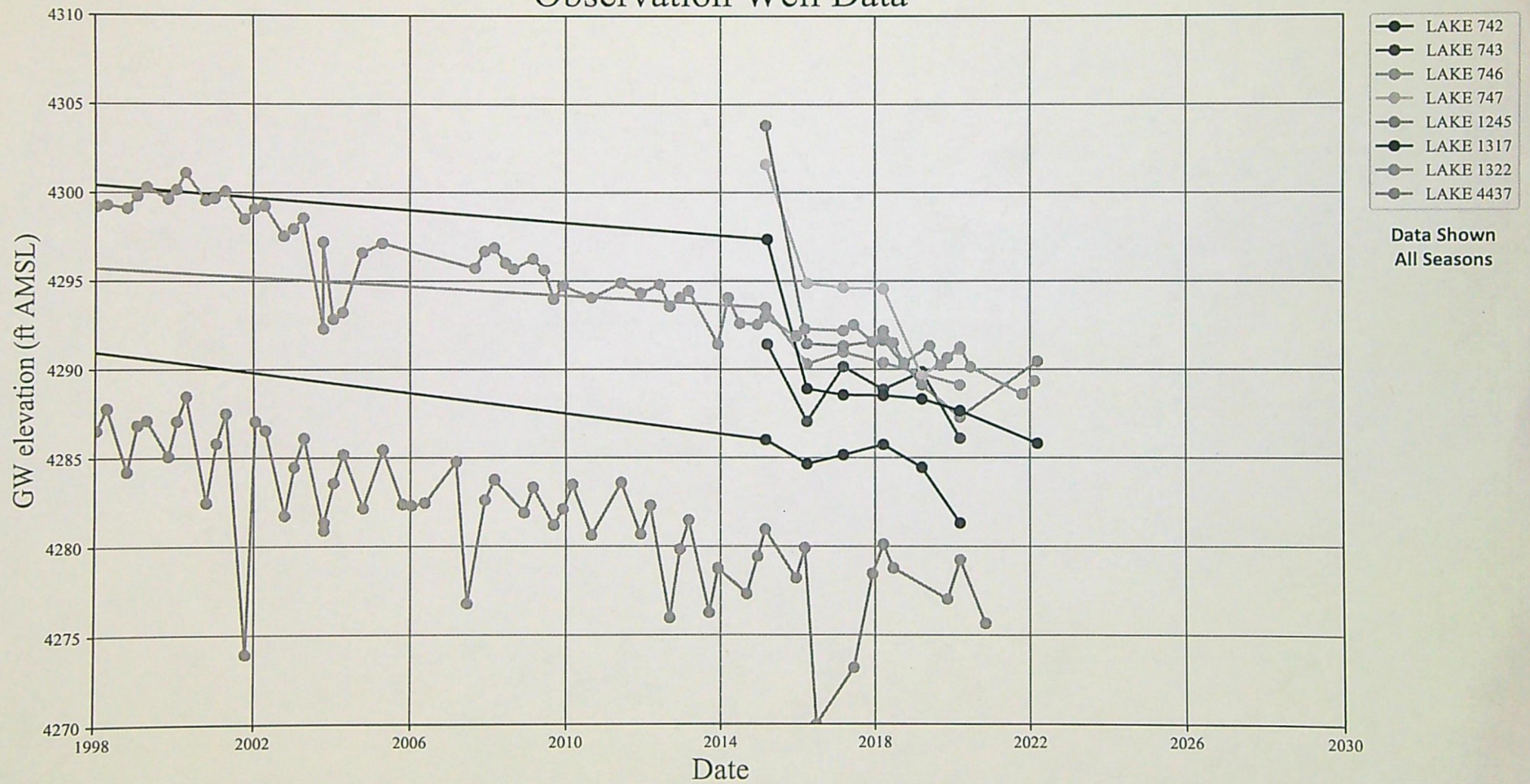
I accept responsibility for the construction, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon well construction standards. This report is true to the best of my knowledge and belief.

Signed Curt Claman WWC Number 741
Date 5-24-92

Observation Well Data



Observation Well Data



Drawdown Calculations Using Theis Equation

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

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

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

s = drawdown (L)

T = transmissivity (L²/T)

S = storage coefficient (dimensionless)

pi = 3.141592654

r = radial distance (L)

t = time (T)

u = dimensionless

W(u) = well function

Transmissivity T (gpd/ft)	Transmissivity T (ft ² /day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft ³ /sec)	Time t (days)	Distance r (feet)	pi	u	W(u)	Drawdown s (feet)	Drawdown Change s (feet)	Pumping Well	Comments
								Note : W(u) calculation valid when u < 7.1					
								7.0000	1.1545E-04				W(u) calculation test
Calculated seasonal drawdown at water right well closest to proposed "To" POA well LAKE 4181 due to pumping LAKE 1362 (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	26,090.00	3.14	0.3782	0.7404	0.0781		LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	26,090.00	3.14	0.0463	2.5411	0.2679		LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	26,090.00	3.14	0.3782	0.7404	0.0379		LAKE 4181	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	26,090.00	3.14	0.0463	2.5411	0.1301		LAKE 4181	Continuous Pro-Rated Pumping
Calculated seasonal drawdown at water right well closest to proposed "To" POA well LAKE 4181 due to pumping LAKE 4181 (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	1,850.00	3.14	0.0019	5.6899	0.5998	0.5218	LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	1,850.00	3.14	0.0002	7.7882	0.8211	0.5532	LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	1,850.00	3.14	0.0019	5.6899	0.2914	0.2535	LAKE 4181	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	1,850.00	3.14	0.0002	7.7882	0.3989	0.2687	LAKE 4181	Continuous Pro-Rated Pumping

Drawdown Calculations Using Theis Equation

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

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

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

s = drawdown (L)

T = transmissivity (L²/T)

S = storage coefficient (dimensionless)

pi = 3.141592654

r = radial distance (L)

t = time (T)

u = dimensionless

W(u) = well function

Transmissivity T (gpd/ft)	Transmissivity T (ft ² /day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft ³ /sec)	Time t (days)	Distance r (feet)	pl	u	W(u)	Drawdown s (feet)	Drawdown Change s (feet)	Pumping Well	Comments
								Note : W(u) calculation valid when u < 7.1					
								7.0000	1.1545E-04				W(u) calculation test
Note: yellow grid areas are where values are calculated													
Calculated seasonal drawdown at Silver Lake (closest shore) due to pumping LAKE 1362 (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	700.00	3.14	0.0003	7.6319	0.8046		LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	700.00	3.14	0.0000	9.7318	1.0260		LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	700.00	3.14	0.0003	7.6319	0.3909		LAKE 4181	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	700.00	3.14	0.0000	9.7318	0.4984		LAKE 4181	Continuous Pro-Rated Pumping
Calculated seasonal drawdown at Silver Lake (closest shore) due to pumping LAKE 4181 (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	22,830.00	3.14	0.2896	0.9321	0.0983	-0.7063	LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	22,830.00	3.14	0.0355	2.7974	0.2949	-0.7310	LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	22,830.00	3.14	0.2896	0.9321	0.0477	-0.3431	LAKE 4181	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	22,830.00	3.14	0.0355	2.7974	0.1433	-0.3551	LAKE 4181	Continuous Pro-Rated Pumping

Drawdown Calculations Using Theis Equation

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

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

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

s = drawdown (L)

T = transmissivity (L²/T)

S = storage coefficient (dimensionless)

pi = 3.141592654

r = radial distance (L)

t = time (T)

u = dimensionless

W(u) = well function

Transmissivity T (gpd/ft)	Transmissivity T (ft ² /day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft ³ /sec)	Time t (days)	Distance r (feet)	pi	u	W(u)	Drawdown s (feet)	Drawdown Change s (feet)	Pumping Well	Comments
								Note : W(u) calculation valid when u < 7.1					
Note: yellow grid areas are where values are calculated								7.0000	1.1545E-04				W(u) calculation test
"From" Authorized POA well LAKE 1362 to Silver Lake center when full (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	14,420.00	3.14	0.1155	1.6934	0.1785		LAKE 1362	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	14,420.00	3.14	0.0141	3.6953	0.3896		LAKE 1362	Continuous Pumping at Full Rate
"To" Proposed POA well LAKE 4181 to Silver Lake center when full (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	39,755.00	3.14	0.8780	0.2703	0.0285	-0.1500	LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	39,755.00	3.14	0.1075	1.7576	0.1853	-0.2043	LAKE 4181	Continuous Pumping at Full Rate
"From" Authorized POA well LAKE 1362 to Silver Lake center when full (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	14,420.00	3.14	0.1155	1.6934	0.0867		LAKE 1362	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	14,420.00	3.14	0.0141	3.6953	0.1893		LAKE 1362	Continuous Pro-Rated Pumping
"To" Proposed POA well LAKE 4181 to Silver Lake center when full (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	39,755.00	3.14	0.8780	0.2703	0.0138	-0.0729	LAKE 4181	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	39,755.00	3.14	0.1075	1.7576	0.0900	-0.0992	LAKE 4181	Continuous Pro-Rated Pumping

Vertical GW Flow Using Darcy Equation

Darcy Equation: $Q = K A [(h_1 - h_2) / (L_1 - L_2)]$

Q = volumetric GW flow
K = hydraulic conductivity
A = area

$h_1 - h_2$ = change in head at lake center (head at lake vs. head of "main GW reservoir" potentiometric surface below lake)
 $L_1 - L_2$ = distance for change in head (distance from lake bed to "main GW reservoir" deposits below)
 $[(h_1 - h_2) / (L_1 - L_2)]$ = hydraulic gradient

Vertical GW Flow		Vertical GW Flow Change		Flow Change	Flow Change	Hydraulic Conductivity	Lake Area		Change in Head	Head Change Distance	Comments
Q	Q	Q	Q	Percent	Increase	$K_r = K_{ry} / 100$	A	A	$h_1 - h_2$	$L_1 - L_2$	
(ft ³ /day)	(acre-ft/day)	(ft ³ /day)	(acre-ft/day)	%		(ft/day)	(ft ²)	(acre)	(feet)	(feet)	
Vertical GW flow from full Silver Lake bed through lower permeability deposits to the higher permeability "main GW reservoir"											
27,188,431	624.16	---	---			0.30	455,265,086	10,451.45	30.00	150.00	Full lake, pre-transfer, well = off
27,350,202	627.87	161,771	3.71	0.59%		0.30	455,265,086	10,451.45	30.18	150.00	Full lake, pre-transfer, well = on 30 day full rate
27,267,006	625.96	78,575	1.80	0.29%		0.30	455,265,086	10,451.45	30.09	150.00	Full lake, pre-transfer, well = on 30 day pro-rated
Vertical GW flow from full Silver Lake bed through lower permeability deposits to the higher permeability "main GW reservoir"											
27,188,431	624.16	---	---			0.30	455,265,086	10,451.45	30.00	150.00	Full lake, post-transfer, well = off
27,214,260	624.75	25,829	0.59	0.10%	0.16	0.30	455,265,086	10,451.45	30.03	150.00	Full lake, post-transfer, well = on 30 day full rate
27,200,938	624.45	12,507	0.29	0.05%	0.16	0.30	455,265,086	10,451.45	30.01	150.00	Full lake, post-transfer, well = on 30 day pro-rated
Vertical GW flow from full Silver Lake bed through lower permeability deposits to the higher permeability "main GW reservoir"											
27,188,431	624.16	---	---			0.30	455,265,086	10,451.45	30.00	150.00	Full lake, pre-transfer, well = off
27,541,518	632.27	353,087	8.11	1.30%		0.30	455,265,086	10,451.45	30.39	150.00	Full lake, pre-transfer, well = on 245 day full rate
27,359,990	628.10	171,559	3.94	0.63%		0.30	455,265,086	10,451.45	30.19	150.00	Full lake, pre-transfer, well = on 245 day pro-rated
Vertical GW flow from full Silver Lake bed through lower permeability deposits to the higher permeability "main GW reservoir"											
27,188,431	624.16	---	---			0.30	455,265,086	10,451.45	30.00	150.00	Full lake, post-transfer, well = off
27,356,365	628.02	167,934	3.86	0.62%	0.48	0.30	455,265,086	10,451.45	30.19	150.00	Full lake, post-transfer, well = on 245 day full rate
27,269,996	626.03	81,565	1.87	0.30%	0.48	0.30	455,265,086	10,451.45	30.09	150.00	Full lake, post-transfer, well = on 245 day pro-rated

Drawdown Calculations Using Theis Equation

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

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

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

s = drawdown (L)

T = transmissivity (L²/T)

S = storage coefficient (dimensionless)

pi = 3.141592654

r = radial distance (L)

t = time (T)

u = dimensionless

W(u) = well function

Transmissivity T (gpd/ft)	Transmissivity T (ft ² /day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft ³ /sec)	Time t (days)	Distance r (feet)	pi	u	W(u)	Drawdown s (feet)	Drawdown Change s (feet)	Pumping Well	Comments
									Note : W(u) calculation valid when u < 7.1				
								7.0000	1.1545E-04				W(u) calculation test
Note: yellow grid areas are where values are calculated													
"From" Authorized POA well LAKE 1362 to OSIP 2017 Silver Lake wet area center when full (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	9,845.00	3.14	0.0538	2.3975	0.2528		LAKE 1362	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	9,845.00	3.14	0.0066	4.4510	0.4692		LAKE 1362	Continuous Pumping at Full Rate
"To" Proposed POA well LAKE 4181 to OSIP 2017 Silver Lake wet area center when full (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	35,075.00	3.14	0.6835	0.3857	0.0407	-0.2121	LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	35,075.00	3.14	0.0837	1.9854	0.2093	-0.2599	LAKE 4181	Continuous Pumping at Full Rate
"From" Authorized POA well LAKE 1362 to OSIP 2017 Silver Lake wet area center when full (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	9,845.00	3.14	0.0538	2.3975	0.1228		LAKE 1362	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	9,845.00	3.14	0.0066	4.4510	0.2280		LAKE 1362	Continuous Pro-Rated Pumping
"To" Proposed POA well LAKE 4181 to OSIP 2017 Silver Lake wet area center when full (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	35,075.00	3.14	0.6835	0.3857	0.0198	-0.1030	LAKE 4181	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	35,075.00	3.14	0.0837	1.9854	0.1017	-0.1263	LAKE 4181	Continuous Pro-Rated Pumping

Vertical GW Flow Using Darcy Equation

Darcy Equation: $Q = K A [(h_1 - h_2) / (L_1 - L_2)]$

Q = volumetric GW flow
K = hydraulic conductivity
A = area

$h_1 - h_2$ = change in head at lake center (head at lake vs. head of "main GW reservoir" potentiometric surface below lake)
 $L_1 - L_2$ = distance for change in head (distance from lake bed to "main GW reservoir" deposits below)
 $[(h_1 - h_2) / (L_1 - L_2)]$ = hydraulic gradient

Vertical GW Flow		Vertical GW Flow Change		Flow Change	Flow Change	Hydraulic Conductivity	Lake Area		Change in Head	Head Change Distance	Comments
Q	Q	Q	Q	Percent	Increase	$K_v = K_{xy} / 100$	A	A	$h_1 - h_2$	$L_1 - L_2$	
(ft ³ /day)	(acre-ft/day)	(ft ³ /day)	(acre-ft/day)	%		(ft/day)	(ft ²)	(acre)	(feet)	(feet)	
Vertical GW flow from 2017 wet Silver Lake bed through lower permeability deposits to the higher permeability "main GW reservoir"											
27,188,431	624.16	---	---			0.30	455,265,086	10,451.45	30.00	150.00	Full lake, pre-transfer, well = off
27,417,539	629.42	229,108	5.26	0.84%		0.30	455,265,086	10,451.45	30.25	150.00	Full lake, pre-transfer, well = on 30 day full rate
27,299,722	626.72	111,291	2.55	0.41%		0.30	455,265,086	10,451.45	30.12	150.00	Full lake, pre-transfer, well = on 30 day pro-rated
Vertical GW flow from 2017 wet Silver Lake bed through lower permeability deposits to the higher permeability "main GW reservoir"											
27,188,431	624.16	---	---			0.30	455,265,086	10,451.45	30.00	150.00	Full lake, post-transfer, well = off
27,225,317	625.01	36,886	0.85	0.14%	0.16	0.30	455,265,086	10,451.45	30.04	150.00	Full lake, post-transfer, well = on 30 day full rate
27,206,375	624.57	17,944	0.41	0.07%	0.16	0.30	455,265,086	10,451.45	30.02	150.00	Full lake, post-transfer, well = on 30 day pro-rated
Vertical GW flow from 2017 wet Silver Lake bed through lower permeability deposits to the higher permeability "main GW reservoir"											
27,188,431	624.16	---	---			0.30	455,265,086	10,451.45	30.00	150.00	Full lake, pre-transfer, well = off
27,613,658	633.92	425,227	9.76	1.56%		0.30	455,265,086	10,451.45	30.47	150.00	Full lake, pre-transfer, well = on 245 day full rate
27,395,063	628.90	206,632	4.74	0.76%		0.30	455,265,086	10,451.45	30.23	150.00	Full lake, pre-transfer, well = on 245 day pro-rated
Vertical GW flow from 2017 wet Silver Lake bed through lower permeability deposits to the higher permeability "main GW reservoir"											
27,188,431	624.16	---	---			0.30	455,265,086	10,451.45	30.00	150.00	Full lake, post-transfer, well = off
27,378,116	628.52	189,685	4.35	0.70%	0.45	0.30	455,265,086	10,451.45	30.21	150.00	Full lake, post-transfer, well = on 245 day full rate
27,280,600	626.28	92,169	2.12	0.34%	0.45	0.30	455,265,086	10,451.45	30.10	150.00	Full lake, post-transfer, well = on 245 day pro-rated

Drawdown Calculations Using Theis Equation

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

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

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

s = drawdown (L)

T = transmissivity (L²/T)

S = storage coefficient (dimensionless)

pi = 3.141592654

r = radial distance (L)

t = time (T)

u = dimensionless

W(u) = well function

Transmissivity T (gpd/ft)	Transmissivity T (ft ² /day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft ³ /sec)	Time t (days)	Distance r (feet)	pi	u	W(u)	Drawdown s (feet)	Drawdown Change s (feet)	Pumping Well	Comments
								Note : W(u) calculation valid when u < 7.1					
								7.0000	1.1545E-04				W(u) calculation test
Calculated seasonal drawdown at Paulina Marsh (closest shore) due to pumping LAKE 1362 (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	15,900.00	3.14	0.1405	1.5214	0.1604		LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	15,900.00	3.14	0.0172	3.5029	0.3693		LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	15,900.00	3.14	0.1405	1.5214	0.0779		LAKE 4181	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	15,900.00	3.14	0.0172	3.5029	0.1794		LAKE 4181	Continuous Pro-Rated Pumping
Calculated seasonal drawdown at Paulina Marsh (closest shore) due to pumping LAKE 4181 (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	1,325.00	3.14	0.0010	6.3565	0.6701	0.5097	LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	1,325.00	3.14	0.0001	8.4557	0.8914	0.5221	LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	1,325.00	3.14	0.0010	6.3565	0.3255	0.2476	LAKE 4181	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	1,325.00	3.14	0.0001	8.4557	0.4331	0.2537	LAKE 4181	Continuous Pro-Rated Pumping

Drawdown Calculations Using Theis Equation

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

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

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

Transmissivity T (gpd/ft)	Transmissivity T (ft ² /day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft ³ /sec)	Time t (days)	Distance r (feet)	pi	u	W(u)	Drawdown s (feet)	Drawdown Change s (feet)	Pumping Well	Comments
Note: yellow grid areas are where values are calculated													
								Note: W(u) calculation valid when u < 7.1					
								7.0000	1.1545E-04				W(u) calculation test
"From" Authorized POA well LAKE 1362 to Paulina Marsh center when full (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	32,545.00	3.14	0.5884	0.4651	0.0490		LAKE 1362	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	32,545.00	3.14	0.0721	2.1239	0.2239		LAKE 1362	Continuous Pumping at Full Rate
"To" Proposed POA well LAKE 4181 Paulina Marsh center when full (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	13,570.00	3.14	0.1023	1.8023	0.1900	0.1410	LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	13,570.00	3.14	0.0125	3.8152	0.4022	0.1783	LAKE 4181	Continuous Pumping at Full Rate
"From" Authorized POA well LAKE 1362 to Paulina Marsh center when full (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	32,545.00	3.14	0.5884	0.4651	0.0238		LAKE 1362	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	32,545.00	3.14	0.0721	2.1239	0.1088		LAKE 1362	Continuous Pro-Rated Pumping
"To" Proposed POA well LAKE 4181 Paulina Marsh center when full (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	13,570.00	3.14	0.1023	1.8023	0.0923	0.0685	LAKE 4181	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	13,570.00	3.14	0.0125	3.8152	0.1954	0.0866	LAKE 4181	Continuous Pro-Rated Pumping

Vertical GW Flow Using Darcy Equation

Darcy Equation: $Q = K A [(h_1 - h_2) / (L_1 - L_2)]$

Q = volumetric GW flow
K = hydraulic conductivity
A = area

$h_1 - h_2$ = change in head at lake center (head at lake vs. head of "main GW reservoir" potentiometric surface below lake)
 $L_1 - L_2$ = distance for change in head (distance from lake bed to "main GW reservoir" deposits below)
 $[(h_1 - h_2) / (L_1 - L_2)]$ = hydraulic gradient

Vertical GW Flow		Vertical GW Flow Change		Flow Change	Flow Change	Hydraulic Conductivity	Marsh Area		Change in Head	Head Change Distance	Comments
Q	Q	Q	Q	Percent	Increase	$K_p = K_{xx} / 100$	A	A	$h_1 - h_2$	$L_1 - L_2$	
(ft ³ /day)	(acre-ft/day)	(ft ³ /day)	(acre-ft/day)	%		(ft/day)	(ft ²)	(acre)	(feet)	(feet)	
Vertical GW flow from Paulina Marsh through lower permeability deposits to the higher permeability "main GW reservoir"											
30,463,467	699.34	---	---			0.30	510,104,933	11,710.40	30.00	150.00	Full lake, pre-transfer, well = off
30,513,224	700.49	49,757	1.14	0.16%		0.30	510,104,933	11,710.40	30.05	150.00	Full lake, pre-transfer, well = on 30 day full rate
30,487,634	699.90	24,168	0.55	0.08%		0.30	510,104,933	11,710.40	30.02	150.00	Full lake, pre-transfer, well = on 30 day pro-rated
Vertical GW flow from Paulina Marsh through lower permeability deposits to the higher permeability "main GW reservoir"											
30,463,467	699.34	---	---			0.30	510,104,933	11,710.40	30.00	150.00	Full lake, post-transfer, well = off
30,656,402	703.77	192,935	4.43	0.63%	3.88	0.30	510,104,933	11,710.40	30.19	150.00	Full lake, post-transfer, well = on 30 day full rate
30,557,193	701.50	93,726	2.15	0.31%	3.88	0.30	510,104,933	11,710.40	30.09	150.00	Full lake, post-transfer, well = on 30 day pro-rated
Vertical GW flow from Paulina Marsh through lower permeability deposits to the higher permeability "main GW reservoir"											
30,463,467	699.34	---	---			0.30	510,104,933	11,710.40	30.00	150.00	Full lake, pre-transfer, well = off
30,690,826	704.56	227,359	5.22	0.75%		0.30	510,104,933	11,710.40	30.22	150.00	Full lake, pre-transfer, well = on 245 day full rate
30,573,947	701.88	110,481	2.54	0.36%		0.30	510,104,933	11,710.40	30.11	150.00	Full lake, pre-transfer, well = on 245 day pro-rated
Vertical GW flow from Paulina Marsh through lower permeability deposits to the higher permeability "main GW reservoir"											
30,463,467	699.34	---	---			0.30	510,104,933	11,710.40	30.00	150.00	Full lake, post-transfer, well = off
30,871,880	708.72	408,414	9.38	1.34%	1.80	0.30	510,104,933	11,710.40	30.40	150.00	Full lake, post-transfer, well = on 245 day full rate
30,661,885	703.90	198,419	4.56	0.65%	1.80	0.30	510,104,933	11,710.40	30.20	150.00	Full lake, post-transfer, well = on 245 day pro-rated

Drawdown Calculations Using Theis Equation

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

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

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

s = drawdown (L)

T = transmissivity (L²/T)

S = storage coefficient (dimensionless)

pi = 3.141592654

r = radial distance (L)

t = time (T)

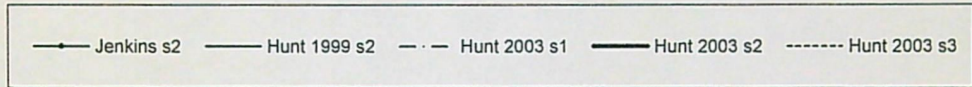
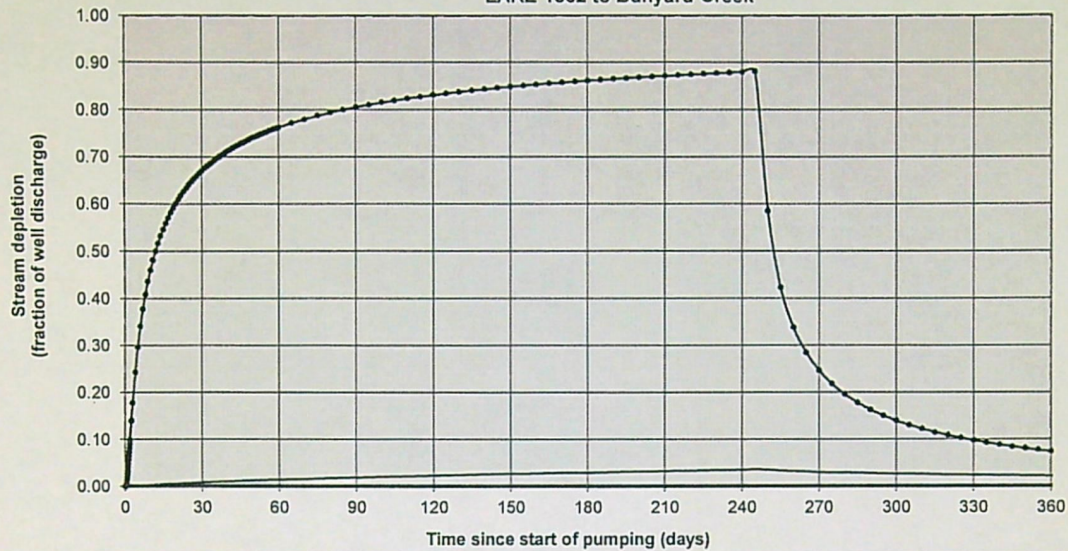
u = dimensionless

W(u) = well function

Transmissivity T (gpd/ft)	Transmissivity T (ft ² /day)	Storage Coefficient S	Pumping Rate Q (gal/min)	Pumping Rate Q (ft ³ /sec)	Time t (days)	Distance r (feet)	pi	u	W(u)	Drawdown s (feet)	Drawdown Change s (feet)	Pumping Well	Comments
								Note : W(u) calculation valid when u < 7.1					
								7.0000	1.1545E-04				W(u) calculation test
Calculated seasonal drawdown at Bunyard Creek (closest reach) due to pumping LAKE 1362 (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	12,780.00	3.14	0.0907	1.9113	0.2015		LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	12,780.00	3.14	0.0111	3.9337	0.4147		LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	12,780.00	3.14	0.0907	1.9113	0.0979		LAKE 4181	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	12,780.00	3.14	0.0111	3.9337	0.2015		LAKE 4181	Continuous Pro-Rated Pumping
Calculated seasonal drawdown at Bunyard Creek (closest reach) due to pumping LAKE 4181 (Transmissivity from Morgan (1988) and McFarland and Ryals (1991)): Used S = 0.001													
112,207.80	15,000.00	0.00100	103.23	0.23	30.00	2,010.00	3.14	0.0022	5.5243	0.5824	0.3809	LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	103.23	0.23	245.00	2,010.00	3.14	0.0003	7.6224	0.8036	0.3889	LAKE 4181	Continuous Pumping at Full Rate
112,207.80	15,000.00	0.00100	50.15	0.11	30.00	2,010.00	3.14	0.0022	5.5243	0.2829	0.1850	LAKE 4181	Continuous Pro-Rated Pumping
112,207.80	15,000.00	0.00100	50.15	0.11	245.00	2,010.00	3.14	0.0003	7.6224	0.3904	0.1889	LAKE 4181	Continuous Pro-Rated Pumping

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999, 2003)

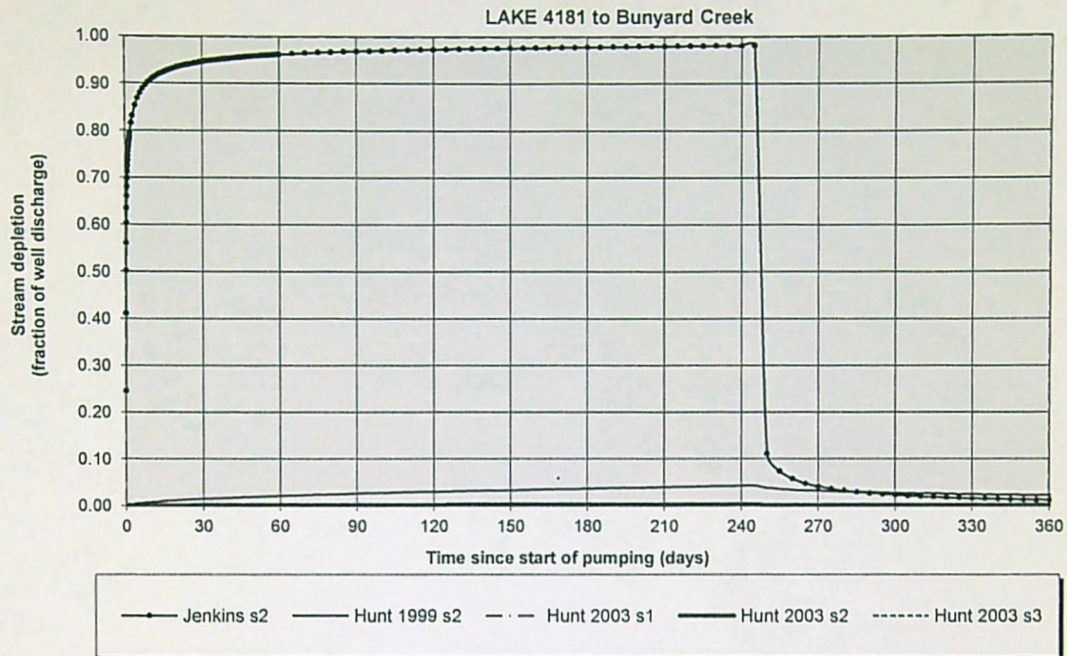
LAKE 1362 to Bunyard Creek



Output for Stream Depletion, Scenerio 2 (s2):						Time pump on (pumping duration) = 245 days						
Days	30	60	90	120	150	180	210	240	270	300	330	360
J SD	67.0%	76.3%	80.6%	83.1%	84.9%	86.2%	87.2%	88.0%	24.6%	14.0%	9.8%	7.4%
H SD 1999	0.9%	1.5%	2.0%	2.4%	2.7%	3.0%	3.3%	3.6%	3.1%	2.7%	2.4%	2.2%
H SD 2003	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%	0.0%
Qw, cfs	0.230	0.230	0.230	0.230	0.230	0.230	0.230	0.230	0.230	0.230	0.230	0.230
H SD 99, cfs	0.002	0.003	0.004	0.005	0.006	0.007	0.008	0.008	0.007	0.006	0.006	0.005
H SD 03, cfs	0.000007	0.000012	0.000017	0.000022	0.000028	0.000035	0.000042	0.000050	0.000052	0.000056	0.000060	0.000064

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate of well	Qw	0.23	0.23	0.23	cfs
Time pump on (pumping duration)	tpon	245	245	245	days
Perpendicular from well to stream	a	12780	12780	12780	ft
Well depth	d	346	346	346	ft
Aquifer hydraulic conductivity	K	30	30	30	ft/day
Aquifer saturated thickness	b	500	500	500	ft
Aquifer transmissivity	T	15000	15000	15000	ft*ft/day
Aquifer storativity or specific yield	S	0.001	0.001	0.001	
Aquitard vertical hydraulic conductivity	Kva	0.3	0.3	0.3	ft/day
Aquitard saturated thickness	ba	150	150	150	ft
Aquitard thickness below stream	babs	150	150	150	ft
Aquitard porosity	n	0.2	0.2	0.2	
Stream width	ws	10	10	10	ft
Streambed conductance (lambda)	sbc	0.020000	0.020000	0.020000	ft/day
Stream depletion factor	sdf	10.888560	10.888560	10.888560	days
Streambed factor	sbf	0.017040	0.017040	0.017040	
input #1 for Hunt's Q_4 function	t'	0.091840	0.091840	0.091840	
input #2 for Hunt's Q_4 function	K'	21.777120	21.777120	21.777120	
input #3 for Hunt's Q_4 function	epsilon'	0.005000	0.005000	0.005000	
input #4 for Hunt's Q_4 function	lamda'	0.017040	0.017040	0.017040	

Transient Stream Depletion (Jenkins, 1970; Hunt, 1999, 2003)



Output for Stream Depletion, Scenario 2 (s2):						Time pump on (pumping duration) = 245 days						
Days	30	60	90	120	150	180	210	240	270	300	330	360
J SD	94.7%	96.2%	96.9%	97.3%	97.6%	97.8%	98.0%	98.1%	4.1%	2.3%	1.6%	1.2%
H SD 1999	1.4%	2.1%	2.6%	3.0%	3.3%	3.7%	4.0%	4.2%	3.2%	2.7%	2.5%	2.2%
H SD 2003	0.1%	0.1%	0.2%	0.2%	0.2%	0.2%	0.2%	0.2%	0.1%	0.1%	0.1%	0.1%
Qw, cfs	0.230	0.230	0.230	0.230	0.230	0.230	0.230	0.230	0.230	0.230	0.230	0.230
H SD 99, cfs	0.003	0.005	0.006	0.007	0.008	0.008	0.009	0.010	0.007	0.006	0.006	0.005
H SD 03, cfs	0.000251	0.000299	0.000345	0.000389	0.000432	0.000472	0.000511	0.000549	0.000343	0.000329	0.000317	0.000305

Parameters:		Scenario 1	Scenario 2	Scenario 3	Units
Net steady pumping rate of well	Qw	0.23	0.23	0.23	cfs
Time pump on (pumping duration)	tpon	245	245	245	days
Perpendicular from well to stream	a	2010	2010	2010	ft
Well depth	d	172	172	172	ft
Aquifer hydraulic conductivity	K	30	30	30	ft/day
Aquifer saturated thickness	b	500	500	500	ft
Aquifer transmissivity	T	15000	15000	15000	ft ² /day
Aquifer storativity or specific yield	S	0.001	0.001	0.001	
Aquitard vertical hydraulic conductivity	Kva	0.3	0.3	0.3	ft/day
Aquitard saturated thickness	ba	150	150	150	ft
Aquitard thickness below stream	babs	150	150	150	ft
Aquitard porosity	n	0.2	0.2	0.2	
Stream width	ws	10	10	10	ft
Streambed conductance (lambda)	sbc	0.020000	0.020000	0.020000	ft/day
Stream depletion factor	sdf	0.269340	0.269340	0.269340	days
Streambed factor	sbfb	0.002680	0.002680	0.002680	
input #1 for Hunt's Q_4 function	t'	3.712779	3.712779	3.712779	
input #2 for Hunt's Q_4 function	K'	0.538680	0.538680	0.538680	
input #3 for Hunt's Q_4 function	epsilon'	0.005000	0.005000	0.005000	
input #4 for Hunt's Q_4 function	lamda'	0.002680	0.002680	0.002680	

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 # **138826**

INVOICE # _____

RECEIVED FROM: O'Leary Livestock LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	1-14031

CASH: ☐ CHECK: # 3430 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 1,614.67

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R 11376 23 \$
0412 OTHER: (IDENTIFY) Reimbursement Authority \$ 1,614.67

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **138826**

DATED: 8.3.2022 BY: [Signature]

RECEIVED

AUG 03 2022

OWRD

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-376-23**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Thomas O'Leary, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes	Name: Thomas O'Leary	Name: Water Right Services, LLC
Title: Transfer Advisor	Contact:	Contact: Bryce Withers
Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address: PO Box 69 Silver Lake, OR 97638	Address: PO Box 1830 Bend, OR 97709
Phone: 503 979-3511	Phone: (541) 576-2568	Phone: (541) 389-2837
Fax: 503 986-0901	Fax:	Fax:
Email: patrick.k.starnes@water.oregon.gov	Email: oleary@zimbracloud.com	Email: johnshort@usa.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (Application Number: T-14031)

- Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
- Consideration.**
 - Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is \$1,614.67. Applicant agrees to pay the full amount of \$1,614.67 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- Indemnity.** Applicant shall defend, save, hold harmless and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately** 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:

Thomas Deary - Owner

Name/Title:

Aug 1 - 2022

Date

For OWRD:

Dwight French
Dwight French - Administrator

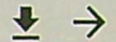
8-8-2022

Date

Mail signed Agreement to:

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

THOMAS O'LEARY RA R11-376-23 T-14031				
Front Desk Staff receipts received AA funds				
Transfer Support process Application				
Administrator signs AA				
NRS 1 Support enters workflow record in WRIS and updates RA spreadsheet				
NRS 2 completes initial review of file for deficiencies				
NRS 2 consults with Kelly and/or Lisa				
NRS 2 writes and sends deficiency ltr (email and hard copy)				
NRS 2 addresses correspondence from app/agent regarding deficiencies				
Watermaster completes review				
Groundwater completes review				
NRS 2 completes DPD, PN, and RR				
Transfer staff peer reviews DPD, PN, RR				
Transfer Analyst completes policy check at DPD stage				
NRS 2 sends DPD to app/agent by email and/or mail				
NRS 2 drafts and sends revised DPD				
Transfer Staff peer reviews revised DPD				
Transfer Analyst peer reviews revised DPD				
NRS 2 reviews report of ownership				
NRS 2 completes PD				
Transfer Staff peer reviews PD				
Transfer Analyst peer reviews PD				
Data Center reviews PD AND RR:				
Transfer Analyst completes peer review of PN review for newspaper noticing				
Transfer Support requests newspaper quote for PN publishing				
NRS 2 sends publishing fee request to applicant				
Transfer Support processes fee and newspaper publishing				
Transfer Support processes public notice (dept notice)				
Administrator signs PD				
NRS 2 completes FO				
Transfer Staff peer reviews FO				
Transfer Analyst peer reviews FO				
Administrator signs FO				
Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy				
NRS 1 closes out RA Contract				
TOTAL ESTIMATE HOURS		28.38		
			TOTAL	\$1,614.67



THOMAS O'LEARY RA R11-376-23 T-14031				
Front Desk Staff receipts received AA funds				
Transfer Support process Application				
Administrator signs AA				
NRS 1 Support enters workflow record in WRIS and updates RA spreadsheet				
NRS 2 completes Initial review of file for deficiencies				
NRS 2 consults with Kelly and/or Lisa				
NRS 2 writes and sends deficiency ltr (email and hard copy)				
NRS 2 addresses correspondence from app/agent regarding deficiencies				
Watermaster completes review				
Groundwater completes review				
NRS 2 completes DPD, PN, and RR				
Transfer staff peer reviews DPD, PN, RR				
Transfer Analyst completes policy check at DPD stage				
NRS 2 sends DPD to app/agent by email and/or mail				
NRS 2 drafts and sends revised DPD				
Transfer Staff peer reviews revised DPD				
Transfer Analyst peer reviews revised DPD				
NRS 2 reviews report of ownership				
NRS 2 completes PD				
Transfer Staff peer reviews PD				
Transfer Analyst peer reviews PD				
Data Center reviews PD AND RR				
Transfer Analyst completes peer review of PN review for newspaper noticing				
Transfer Support requests newspaper quote for PN publishing				
NRS 2 sends publishing fee request to applicant				
Transfer Support processes fee and newspaper publishing				
Transfer Support processes public notice (dept notice)				
Administrator signs PD				
NRS 2 completes PD				
Transfer Staff peer reviews PD				
Transfer Analyst peer reviews PD				
Administrator signs PD				
Transfer Support issues PD, updates WRIS, copy to file, record markings, and sends hard copy				
NRS 1 closes out RA Contract				
TOTAL ESTIMATE HOURS		23.33		
			TOTAL	\$1,614.67

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AUG 03 2022

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Subject Re: FW: T-14031 Reimbursement Authority Applicant's Agreement - Action Requested

From Tom & Karmen O'Leary <oleary@zimbracloud.com>

To PHILLIPS Stacy H * WRD <Stacy.H.PHILLIPS@water.oregon.gov>

Date Monday August 1, 2022 6:37:04 PM

Thank you Stacy,
I'm mailing Priority Mail on Tuesday, so you should have by Thursday or Friday.
Thank you,
Tom & Karmen O'Leary

From: PHILLIPS <Stacy.H.PHILLIPS@water.oregon.gov>
To: oleary <oleary@zimbracloud.com>; johnshort <johnshort@usa.com>
Cc: STARNES <Patrick.K.STARNES@water.oregon.gov>
Date: Monday, 1 August 2022 11:43 AM PDT
Subject: FW: T-14031 Reimbursement Authority Applicant's Agreement - Action Requested

Hello,

This is a reminder to sign and return the Applicant Agreement Contract with the appropriate fees by the 30 day deadline **August 6, 2022**. I have attached the Agreement to this email for your convenience. If you have any questions or concerns regarding the contract, please contact Kelly Starnes at (503) 979-3511.

Thanks,

Stacy H. Phillips

Restoration Program Technician

725 Summer Street NE, Suite A, Salem, OR 97301

Office: 503-986-0898 | Work Cell: 503-979-9948



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

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AUG 03 2022

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②

**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 # **138375**

INVOICE # _____

RECEIVED FROM: O'Leary Livestock LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-14031</u>

CASH: ☐ CHECK # 3377 ☒ OTHER: (IDENTIFY) _____

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R11376-23 \$ _____
0412 OTHER: (IDENTIFY) Transfer Reimbursement \$ 125.00
Authority
 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	RECORD FEE \$ _____
0203	GROUND WATER	\$ _____	0204	\$ _____
0205	TRANSFER	\$ _____		

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	EXAM FEE \$ _____	0219	LICENSE FEE \$ _____
	LANDOWNER'S PERMIT		0220	\$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **138375**

DATED: 6-9-2022 BY: Mindy Crocker



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



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

Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate From Transfer fees.

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number <u>T-14031 tbd</u>

	Applicant Information	Applicant's Representative/Contact
Name:	<u>Thomas O'Leary</u>	<u>Bryce Withers/Water Right Services, LLC</u>
Address:	<u>PO Box 69</u>	<u>PO Box 1830</u>
	<u>Silver Lake, OR 97638</u>	<u>Bend, OR 97709</u>
Phone:	<u>541-576-2568</u>	<u>541-389-2837</u>
Fax:		
E-Mail Address:	<u>oleary@zimbracloud.com</u>	<u>johnshort@usa.com</u>

I understand the following:

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

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

I certify that I am the (check one):

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

Name: Bryce Withers

Signature: _____

Bryce

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OWRD USE ONLY: Reimbursement Authority Number: R11- 376 -23

**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 #

138378

INVOICE #

RECEIVED FROM:

O'Leary Livestock LLC

BY:

APPLICATION

PERMIT

TRANSFER

T-14031

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐

☒ 3376

☐

TOTAL REC'D \$ 4020.00

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

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$ 4020.00

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:

138378

DATED:

6-9-2022

BY:

Mindy Cady

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

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 56038**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

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Part 2 of 5 – Transfer Application Map

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°).

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME THOMAS O'LEARY			PHONE NO. 541-576-2568	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 69			FAX NO.	
CITY SILVER LAKE	STATE OR	ZIP 97638	E-MAIL oleary@zimbracloud.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 JOHN A. SHORT / WATER RIGHT SERVICES, LLC			PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 1830			FAX NO.	
CITY BEND	STATE OR	ZIP 97709	E-MAIL JOHNSHORT@USA.COM	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
MOVE C-56038 TO A NEW POU, POA, AND CHANGE FROM PRIMARY TO SUPPLEMENTAL IRRIGATION.

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

Check One Box

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

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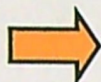
JUN 09 2022

OWRD

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: LAKEVIEW EXAMINER.
- 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.



Thomas O'Leary
Applicant signature

THOMAS O'Leary-Owner 5/26/22
Print Name (and Title if applicable) 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 SAME AS APPLICANT			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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

IRRIGATION DISTRICT NAME SILVER LAKE IRRIGATION DISTRICT	ADDRESS PO BOX 69	
CITY SILVER LAKE	STATE OR	ZIP 97638

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 56038

Description of Water Delivery System

System capacity: 0.23 cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

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

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-_____)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
WELL "OFF"	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 1362	28 S	15 E	28	SE	SE	3200	1080' N, 220' W OF SW COR SEC 27
WELL "ON"	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	LAKE 4181	28 S	14 E	14	SW	SE	1600	1053' N, 2559' W OF SE COR SEC 14
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 56038

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
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		
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
										POU, POA & USE	28	S	14	E 14 SE SE	1600		18.1	IS	WELL "ON"	1/26/1981		
TOTAL ACRES:											TOTAL ACRES:						18.1					

Additional remarks:_____.

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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: **C-91055, C-91056, & DECREE: SILVER CREEK, LAKE COUNTY (F), VOL-PG: 7-523.**

 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 # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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Land Use Information Form



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

NOTE TO APPLICANTS

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

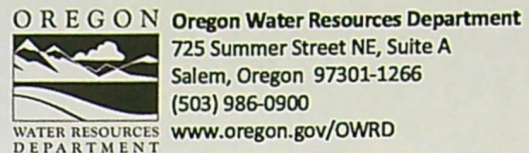
This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

Land Use Information Form



Applicant(s): THOMAS O'LEARY

Mailing Address: PO BOX 69

City: SILVER LAKE

State: OR

Zip Code: 97638

Daytime Phone: _____

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>28S</u>	<u>14E</u>	<u>14</u>	_____	<u>1600</u>	<u>FARM USE</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u>(IS)</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

LAKE COUNTY

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.23 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

PERMANENT TRANSFER OF C-56038 TO A NEW PLACE OF USE AND NEW POINT OF APPROPRIATION FOR SUPPLEMENTAL IRRIGATION.

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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Lake County Zoning Ordinance Article 2 - E.U. (A-1)
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

28-14-(14)-1600

Name: Daniel Johnson Title: Planning Director

Signature: [Signature] Phone: 541-947-636 Date: 22 Apr 2022

Government Entity: Lake County Planning Department

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

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 THOMAS O'LEARY			PHONE (HM)	
PHONE (WK)	CELL 541-576-2568		FAX	
ADDRESS PO BOX 69				
CITY SILVER LAKE	STATE OR	ZIP 97638	E-MAIL**	

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME SILVER LAKE IRRIGATION DISTRICT			PHONE (HM)	
PHONE (WK)	CELL 541-576-2568		FAX	
ADDRESS PO BOX 69				
CITY SILVER LAKE	STATE OR	ZIP 97638	E-MAIL**	

** 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.		-	56038	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

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- 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 THE PROPOSED "ON" LANDS WILL BE LAYERED WITH DISTRICT IR AND IS.

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.

Thomas O'Leary Thomas O'Leary 5/26/22
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).

Thomas O'Leary Thomas O'Leary 5/26/22
Signature of District Manager /Water Supplier Name (print), Title 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 LAKE

I, THOMAS O'LEARY, in my capacity as OWNER,

mailing address PO BOX 69 SILVER LAKE, OR 97638

telephone number (541)576-2568, 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 # 56038; **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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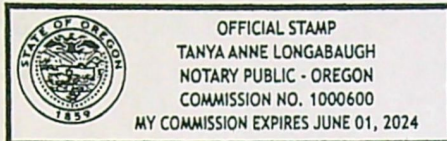
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3. The water right was used for: (e.g., crops, pasture, etc.): HAY/PASTURE
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Thomas O'Leary
Signature of Affiant

5/26/2022
Date

Signed and sworn to (or affirmed) before me this 26th day of May, 2022.



Tanya Anne Longabaugh
Notary Public for Oregon

My Commission Expires: June 1, 2024

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

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STATE OF OREGON
WATER WELL REPORT
(as required by ORS 537.765)

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JUN - 2 1992

(START CARD) # 33140

(1) OWNER:

Name Tom O'Leary
Address P.O. Box 36
City SILVER LAKE State OR. Zip 97638

(2) TYPE OF WORK:

☒ New Well ☐ Deepen ☐ Recondition ☐ Abandon

(3) DRILL METHOD:

☐ Rotary Air ☒ Rotary Mud ☐ Cable
☐ Other

(4) PROPOSED USE:

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

(5) BORE HOLE CONSTRUCTION:

Special Construction approval ☒ Yes ☐ No Depth of Completed Well 170' ft.
Explosives used ☐ Yes ☒ No Type Amount

HOLE			SEAL			Amount sacks or pounds
Diameter	From	To	Material	From	To	
21"	0	170	Cement	0	40'	40 SACKS

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

☐ Other Pumped Via Tremie

Backfill placed from 40 ft. to 170 ft. Material

Gravel placed from 40 ft. to 170 ft. Size of gravel 3/4 MIN

(6) CASING/LINER:

	Diameter	From	To	Gauge	Steel	Plastic	Welded	Threaded
Casing:	16"	42	170	250	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
Liner:					<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Final location of shoe(s)

(7) PERFORATIONS/SCREENS:

☒ Perforations Method FACTORY
☐ Screens Type Material

From	To	Slot size	Number	Diameter	Tele/pipe size	Casing	Liner
45	170	1/8	4480	16"		<input checked="" type="checkbox"/>	<input type="checkbox"/>

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing
Artesian

Yield gal/min	Drawdown	Drill stem at	Time
1000 +	75	170'	4 hrs

Temperature of Water 55° Depth Artesian Flow Found

Was a water analysis done? ☐ Yes By whom

Did any strata contain water not suitable for intended use? ☐ Too little

☐ Salty ☐ Muddy ☐ Odor ☐ Colored ☐ Other

Depth of strata:

(9) LOCATION OF WELL by legal description:

County LAKE Latitude Longitude
Township 28S N or S. Range 14E E or W. WM.
Section 14 1/4 1/4 1/4 1/4
Tax Lot 1600 Lot Block Subdivision
Street Address of Well (or nearest address) SAME AS LISTED

(10) STATIC WATER LEVEL:

22' ft. below land surface. Date 5-23-92
Artesian pressure lb. per square inch. Date

(11) WATER BEARING ZONES:

Depth at which water was first found 48'

From	To	Estimated Flow Rate	SWL
48'	172	1000 +	22

(12) WELL LOG:

Ground elevation

Material	From	To	SWL
TOP SOIL	0	2	
FINE & MEDIUM GRAVEL	2	14	
YELLOW CLAYSTONE	14	29	
SOFT YELLOW CLAY	29	31	
HARD YELLOW CLAY	31	48	
FINE GRAVEL w/ MEDIUM SAND	48	125	22
YELLOW CLAY w/ MEDIUM GRAVEL	125	132	
BROWN SAND	132	148	
MEDIUM GRAVEL	148	160	
MEDIUM AND COARSE GRAVEL	160	170	
BLACK BASALT HARD	170	172	

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Date started 5-16-92 Completed 5-23-92

(unbonded) Water Well Constructor Certification:

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

Signed _____ WWC Number _____
Date _____

(bonded) Water Well Constructor Certification:

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

Signed Curt Claman WWC Number 741
Date 5-24-92

WATER WELL REPORT
STATE OF OREGON

"DUPLICATE"

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State Well No. 28S/15E-28CC

NOV 16 1981

State Permit No.

WATER RESOURCES DEPT
SALEM, OREGON

(1) OWNER:

Name Jeremiah O'Leary
Address _____
City Summer Lake State Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary Air ☒ Driven ☐ Domestic ☐ Industrial ☐ Municipal ☐
Rotary Mud ☐ Dug ☐ Irrigation ☒ Test Well ☐ Other ☐
C ☐ Bored ☐ Thermal: Withdrawal ☐ Reinjection ☐

(4) PROPOSED USE (check):

(5) CASING INSTALLED: Steel ☒ Plastic ☐
Threaded ☐ Welded ☒
.....14" Diam. from0 ft. to136 ft. Gauge250
....." Diam. from ft. to ft. Gauge

LINER INSTALLED:

.....10" Diam. from129 ft. to229 ft. Gauge250

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used _____

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

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

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

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

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

Yield: gal/min. with ft. drawdown after hrs.
" " " " " "
Air test 1200 gal/min. with drill stem at 346 ft. 1 hrs.
Bailer test gal/min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Special standards: Yes ☐ No ☒

Well seal—Material used cement
Well sealed from land surface to136 ft.
Diameter of well bore to bottom of seal16 1/4 in.
Diameter of well bore below seal10 in.
Number of sacks of cement used in well seal61 sacks
How was cement grout placed? pressure grouted

Was pump installed? no Type HP Depth ft.
Was a drive shoe used? ☐ Yes ☒ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of Water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

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

(10) LOCATION OF WELL:

County Lake Driller's well number 136
SW 1/4 SW 1/4 Section 28 T. 28S R. 15E W.M.
Tax Lot # Lot Blk Subdivision
Address at well location:

(11) WATER LEVEL: Completed well.

Depth at which water was first found 325 ft.
Static level 53 ft. below land surface. Date June 19
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 10"

Depth drilled 346 ft. Depth of completed well 340 ft.

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

MATERIAL	From	To	SWL
Brown Sand	0	19	
Brown Clay	19	53	
Boulders & Brown Clay	53	75	
Gray Basalt- hard	75	80	
Pea Gravel	80	120	
Green Clay- sandy	120	224	
Gray Basalt- hard	224	285	
Brown Shale	285	292	
Brown Basalt- hard	292	302	
Brown Shale- med.	302	318	
Broken Brown Basalt & lava with claystone seams w/b	318	346	53

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Work started June 10 19 81 Completed June 19 1981
Date well drilling machine moved off of well June 19 1981

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

(Signed) Don J. Davis Date Jan 19, 1981
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1202

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name Tyler Adams (Type or print)
Address Star Rt. Silver Lake Ore 9763

(Signed) Tyler Adams (Water Well Contractor)

Contractor's License No. 620 Date Jan 19, 1981

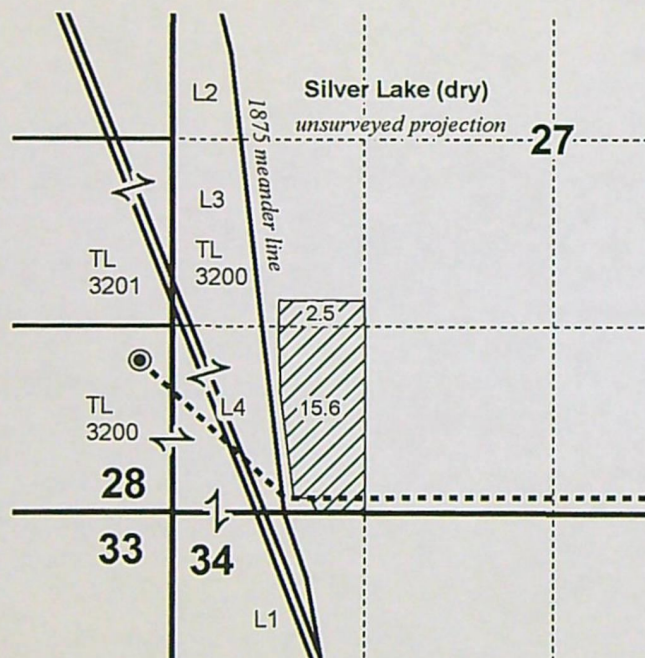
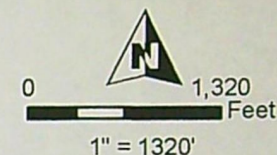
WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date of well completion.

SP*12658-690

**T28S R15E, WM,
LAKE COUNTY, OR**

Well Location:

LAKE 1362: 1080' N, 220' W
of the SW Cor of Section 27

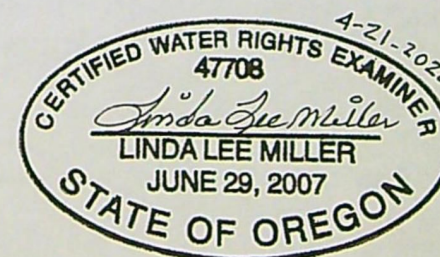


- Well "OFF"
- POU IR "OFF" C-56038
- Pipeline
- Section
- Quarter Quarter
- Tax Lot

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RENEWAL DATE 12/31/2022

**PERMANENT TRANSFER "OFF" MAP
THOMAS O'LEARY RANCH**

Date: 4/18/2022

C-56038 1/26/1981 Priority

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

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

WWW.OREGONWATER.US 541-389-2837

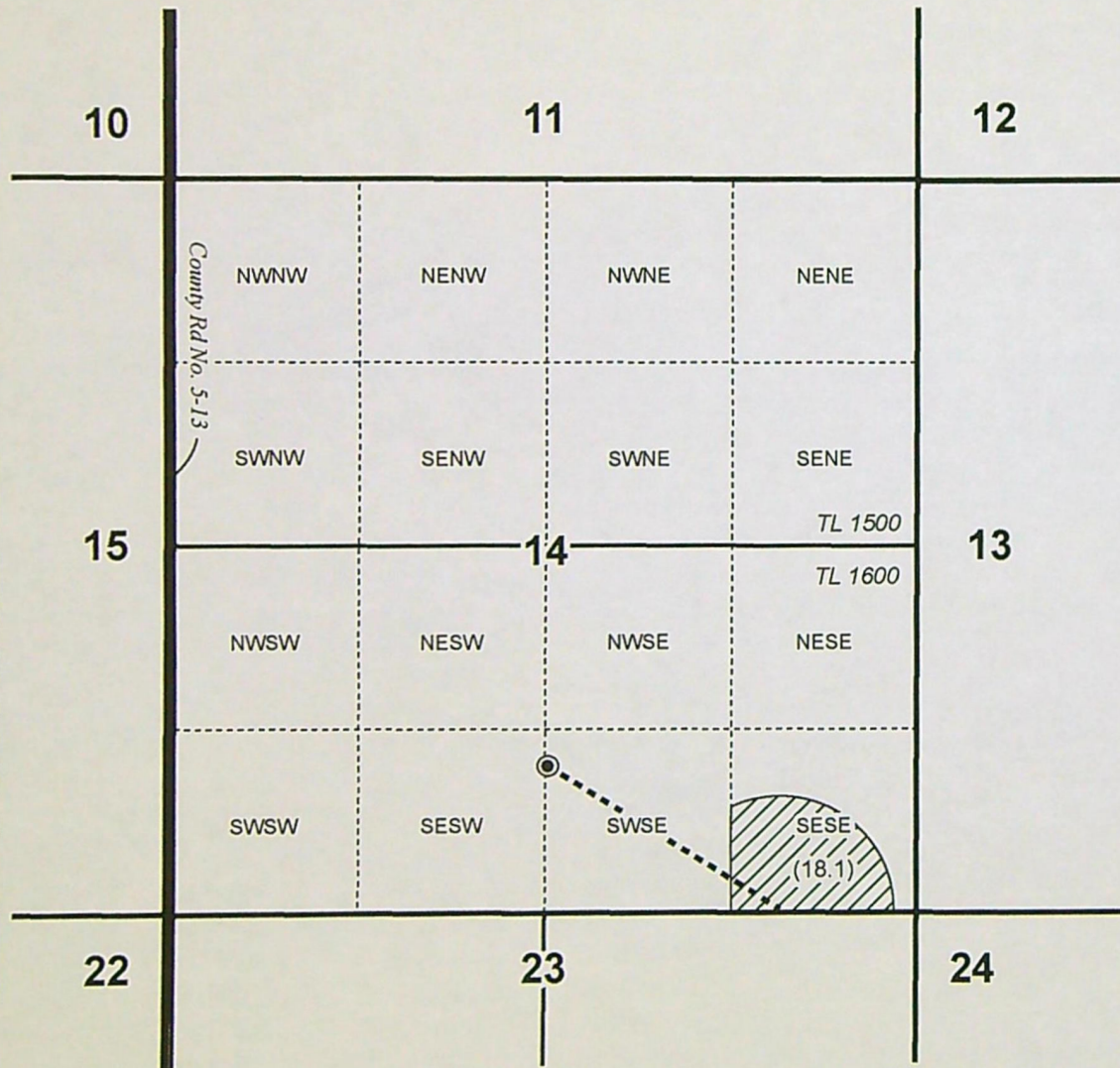
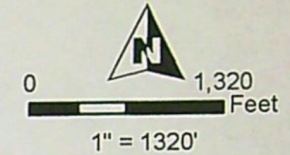
johnshort@usa.com

CCB # 197121

T28S R14E, WM,
LAKE COUNTY, OR

Well Location:

LAKE 4181: 1053' N, 2559' W
of the SE Cor of Section 14



- Well "ON"
- Pipeline
- POU (IS) "ON" C-56038
- Section
- Quarter Quarter
- Tax Lot

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RENEWAL DATE 12/31/2022

PERMANENT TRANSFER "ON" MAP
THOMAS O'LEARY RANCH

Date: 4/18/2022

C-56038 1/26/1981 Priority

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

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

WWW.OREGONWATER.US 541-389-2837

johnshort@usa.com

CCB # 197121



JUN 08 2020

10:45

2 pictures Taken Summer of 2020 of irrigated 18.1c
ac.



Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T-

Checked by: <u>[Signature]</u> Date: <u>6/14/22</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution	Supplemental to Primary	<input checked="" type="checkbox"/> POU	<input type="checkbox"/> POD	<input type="checkbox"/> APOD
Fee Received: <u>4020.00</u>		Gov Action	Surface to Ground	<input checked="" type="checkbox"/> USE	<input checked="" type="checkbox"/> POA	<input type="checkbox"/> APOA
Calculated Fee: <u>\$4020.00</u>		How many rights to be Transferred? Certificate # <u>56038</u>				
Additional Observations: <u>From primary to Supplemental</u>						

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

18.1 Acres

- ☒ 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: Silver Lake ID
- ☒ 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: R11-374-23 Date: _____

LAKE

T-14031