

Regular

T-14044

Name Georgia Mayea & Julie Kelleher

DESCRIPTION OF WATER RIGHT(S)

Address 93773 Elk river roadPort Orford 97465gmayea@gmailJKelleher@gmailChange in POD APDDate Filed 7/15/2022Initial notice date 8/2/2022

DPD issued date

PD issued date 3/4/2024PD notice date 3/5/2024

Date of FO _____ Vol _____ Page _____

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

Name of Stream Elk riverTrib. of Pacific OceanUse IrrigationCounty Curry

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

Name of ditch _____

App# 527510 Per # 521647 Cert # 26303 PR Date _____

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

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

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

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

FEES PAID

Date	Amount	Receipt #
<u>07/15/22</u>	<u>\$200.00</u>	<u>138675</u>

FEES REFUNDED

Date	Amount	Receipt #
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Assignments: _____

Irrigation District _____

Agent Russ Dodge rdodge.survey@gmail

CWRE _____

CC's list Curry county☐ - Oversized map - Location _____

7020 3160 0000 6754 0544

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CERTIFIED MAIL® RECEIPT
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OFFICIAL USE

Certified Mail Fee

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

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Sent To

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

City, State, ZIP+4®

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. A

Georgia Mayea
 205 W Cleveland St
 Lafayette, CO 80026



9590 9402 6816 1074 5411 88

2. Article Number (Transfer from service label)

7020 3160 0000 6754 0544

COMPLETE THIS SECTION ON DELIVERY

A. Signature

X

☐ Agent

☒ Addressee

B. Received by (Printed Name)

C. Date of Delivery

3/26/24

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

Received

MAR 29 2024

3. Service Type

- ☒ Adult Signature Required
- ☒ Adult Signature Restricted Delivery
- ☒ Certified Mail®
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- ☐ Signature Confirmation Restricted Delivery



Oregon

Tina Kotek, Governor

Water Resources Department

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

February 12, 2024

VIA CERTIFIED MAIL AND E-MAIL

Applicant

GEORGIA MAYEA
JULIE KELLEHER
93773 ELK RIVER RD
PORT ORFORD, OR 97465

SUBJECT: Water Right Transfer Application T-14044

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department has concluded that approval of the additional point of diversion proposed in application T-14044 would result in injury to instream water right certificates 59869 and 78508. Consistent with your request that we seek a recommendation from the Oregon Department of Fish and Wildlife (ODFW) on whether we should consent to the injury to the instream water right, we are proceeding with that process concurrently with issuance of the preliminary determination.

The Water Resources Department holds instream water rights in trust for the benefit of the people of Oregon. Under ORS 540.530(c), we may approve the transfer only if the agency that requested the instream water right concludes that the changes proposed will result in net benefits to the resources protected by the instream water right, and recommends that we consent to the injury of the right. Please contact the agency staff person to whom the agency review letter has been sent, to discuss whether you may be able to assist in providing information needed for the analysis.

After we have received recommendations from ODFW on whether to consent to the injury, provided no protests have been filed, we will issue an order either:

- Approving the transfer with conditions, if any, identified in the agency recommendations as necessary to ensure that the change will result in net benefits, or
- Reaffirming our decision that the instream water right would be injured and denying the transfer.

The timing for issuance of the order will depend on the availability of information needed by ODFW to perform the net benefits analysis upon which their recommendation must be based, and the time necessary to allow public review and comment on the recommendation. You are

not authorized to use water from the proposed points of diversion pending a final decision by the Department on your transfer application.

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

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

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

Please 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: Transfer Application file T-14044
Scott C. Ceciliani, District 14 Watermaster (*via e-mail*)
Russ S. Dodge, 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-14044, Curry County)	PROPOSING DENIAL OF AN ADDITIONAL
)	POINT OF DIVERSION AND A CHANGE IN
)	PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of diversion, 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:

GEORGIA MAYEA
JULIE KELLEHER
93773 ELK RIVER RD
PORT ORFORD, OR 97465

Findings of Fact

1. On July 15, 2022, Georgia Mayea and Julie Kelleher filed an application for an additional point of diversion and to change the place of use under Certificate 26303. The Department assigned the application number T-14044.
2. Notice of the application for transfer was published on August 2, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The transfer application did not include a transfer application map that meets the requirements of OAR 690-380-3100. Specifically, the location identified as being where land is to be moved "from" was missing.
4. On February 27, 2023, the applicant's agent sent an email with a revised map that meets the map requirements of OAR 690-380-3100 and a revised Table 2 to more accurately reflect the changes being made to the water right.
5. On August 2, 2023, the Department sent a copy of the draft Preliminary Determination proposing to deny Transfer Application T-14044 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of September 1, 2023, for the applicant to

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.

respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination, and to pursue Consent to Injury for Instream Certificates 59869 and 78508, and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

Certificate: 26303 in the name of N. B. MARSH (perfected under Permit S-21647)
Use: IRRIGATION OF 6.0 ACRES
Priority Date: JULY 31, 1952
Rate: 0.075 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 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: ELK RIVER, tributary to the PACIFIC OCEAN

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
32 S	15 W	WM	27	NW SE	(POD 1) - 1670 FEET NORTH AND 1705 FEET WEST OF THE SE CORNER OF SECTION 27
32 S	15 W	WM	27	SE SE	(POD 2) - 1006 FEET NORTH AND 1262 FEET WEST OF THE SE CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	15 W	WM	27	NE SE	3.0
32 S	15 W	WM	27	NW SE	3.0
TOTAL					6.0

7. Transfer Application T-14044 proposes an additional point of diversion to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Distance from authorized POD	
						POD 1	POD 2
32 S	15 W	WM	27	SE SE	POD 5 - 584 FEET NORTH AND 940 FEET WEST FROM THE SE CORNER OF SECTION 27	1340 feet upstream	250 feet upstream

8. Transfer Application T-14044 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
32 S	15 W	WM	27	SE SE	6.0

9. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-4000(14), 690-380-4010(2) and 690-380-2110(2)]

10. Water has been used within the five-year period prior to submittal of Transfer Application T-14044 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.
11. 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-14044.
12. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
13. The proposed point of diversion diverts water from the same source of surface water as the authorized points of diversion, as required by OAR 690-380-2110(2).
14. The proposed changes would not result in enlargement of the right.
15. Two instream water rights, Certificates 59869 and 78508 exist for the reach of the river in which the authorized point of diversion would be moved upstream, and stream flows within the reach are frequently below the levels allocated under the instream water rights. Thus, the instream water rights would be injured as a result of the proposed change in point of diversion.
16. All other application requirements are met.

Determination and Proposed Action

The additional point of diversion and change in place of use as proposed in Transfer Application T-14044 cannot be affected without injury to instream Water Right Certificates 59869 and 78508. Pursuant to ORS 540.530, the application will be denied unless, on the recommendation of the Oregon Department of Fish and Wildlife, the Department consents to injury of the instream water right, pursuant to OAR 690-380-5050, or protests are filed pursuant to OAR 690-380.

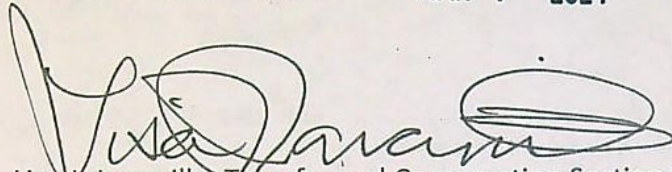
If the transfer is approved on the recommendation of the Oregon Department of Fish and Wildlife to consent to the injury, the changes and subsequent use of water shall be subject to any conditions identified by Oregon Department of Fish and Wildlife as necessary to ensure that the transfer results in net benefit to the resource and to the following conditions:

1. *The additional point of diversion and change in place of use proposed in Transfer Application T-14044 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 26303 and any related decree.*
3. *Water right Certificate 26303 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
4. *The quantity of water diverted at the new additional point of diversion (POD 5), together with that diverted at the original points of diversion (POD 1 and POD 2), shall not exceed the quantity of water lawfully available at the original points of diversion (POD 1 and POD 2).*
5. *Water shall be acquired from the same source of surface water as the original points of diversion.*
6. *The former place of use of the transferred right shall no longer receive water under the right.*
7. *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 diversion (new and existing).*
 - 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.*
8. *Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*
9. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right*

Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

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

Dated in Salem, Oregon on **MAR 4 - 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.

WATER RIGHT TRANSFER COVER SHEET

Please notify me when it goes out (instream injury)

Transfer: T- 14044

Transfer Specialist:

Transfer Type: Regular Transfer

Daniel

Applicant: <u>GEORGIA MAYEA</u> <u>JULIE KELLEHER</u> <u>93773 ELK RIVER ROAD</u> <u>PORT ORFORD, OR 97465</u> Email: _____ Phone: _____	Agent: <input type="checkbox"/> N/A RUSS S DODGE 656 S 12TH COURT COOS BAY, OR 97420 Email: _____ Phone: _____
Irrigation District: <input type="checkbox"/> N/A Email: _____	CWRE: <input type="checkbox"/> N/A Email: _____
Affected Local Gov'ts: <input type="checkbox"/> N/A Curry County Planning Department Email: _____	Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____	Receiving Landowner: <input type="checkbox"/> N/A Email: _____

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	S27510	S21647	26303	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: July 15, 2022	Proposed Action(s): ADDITIONAL POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 2450.00	WM District: 14	ODFW District:
Initial Public Notice: August 2, 2022	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <u>7-7-23</u> Initials: <u>JK</u>	Date: <u>7-18-23</u> Initials: <u>KS</u>	Date: <u>7-19-23</u> Initials: <u>JK</u>	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: <u>9-5-23</u> Initials: <u>JK</u>	Date: <u>12-26-23</u> Initials: <u>KS</u>	Date: <u>12-27-23</u> Initials: <u>JK</u>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: <u>2-8-24</u>	Date: <u>3/4/24</u>
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of _____)

I, Scott Fogarty in my/our capacity as Executive Director, Wild Rivers Land Trust,

mailing address PO Box 1158, Port Orford, OR 97465,

telephone number 541 - 366 - 2130, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 59869 & 78508

described in a Water Right Transfer Application (T- 14044),
(transfer number, if known)

submitted by Georgia Mayea & Julie Kelleher

on the property in tax lot number(s) 100

Section 27 Township 32 North South Range 15 East West, W.M.

located at 93773 Elk River Road, Port Orford, OR 97465
(site address)

[Signature]
Signature of Affiant

08/22/23
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 22 day of August, 20 23.



[Signature]
Notary Public for Oregon

My commission expires September 12, 2023

LUONGO Dante J * WRD

From: LUONGO Dante J * WRD
Sent: Thursday, February 16, 2023 8:46 AM
To: gmayea@gmail.com; jkelleher@gmail.com
Cc: Russ Dodge
Subject: T-14044 Table 2 Proposed Change

Hello Georgia and Julie,

With regard to the transfer application that you submitted to the department (T-14044), Table 2 as it is written would cause the owner of the property to show proof that the entirety of the right (1.26 cfs on 100.7 acres) is being used beneficially. I believe this interpretation of Table 2 was filled out in error as only 6 acres are changing Place of Use (POU), and a new Point of Diversion (POD) to serve the new POU is being added. To make the proof of beneficial use easier on the property owner, I propose that the 6 acres of land being changed be in the table, instead of the entire right. In order to achieve this, the four current POD's combined cfs (1.26) be split amongst the 4 of them based on acreage being irrigated, and the new POD and change in acreage be split in the same manner. Flow totalizing measurement devices would also need to be installed on each Point of Diversion if the transfer is approved.

Please let me know if you would like for me to make these changes, and if so I will ask Russ Dodge if he could send me an updated Table 2 with only the acreage being changed for our records.

If you have any questions feel free to contact me at 971-304-5006.

Best Regards,

Dante Luongo

Transfer Specialist- Transfers and Conservation Section

725 Summer Street NE Ste A

Salem, Oregon 97301

(971)-304-5006



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

NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day. The Salem office of OWRD is closed for customer service drop-ins from Noon – 1pm. **Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members.** Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

Conflict

Injury

Questions

Deficiências

[illegible]

BAUSTIAN Julie C * WRD

From: CECILIANI Scott C * WRD
Sent: Friday, November 18, 2022 4:50 PM
To: WRD_DL_transferreviews@oregon.gov
Subject: WM Review T-14044
Attachments: WMR_Transfer_Review_T-14044_Signed.pdf

Good afternoon,

I've attached my WM Review for T-14044.

A few items that I want to point out:

1. The application map does not define the from lands, only the to lands.
2. Table 2 defines the to lands for 6 acres of IR in 32s-15w-27, SESE, but does not appear to define the from lands.

Please let me know if you have any questions.

Thank you,

Scott

Scott Ceciliani, GIT

Watermaster, District 14

700 NW Dimmick St., Grants Pass, OR 97526.

Cell 541-261-2213

Office 541-476-1288



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

NOTE: OWRD offices re-open to the public on Monday, May 2, 2022. Given that many staff continue to work remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day. Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

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-14044

Review Due Date:

Applicant Name: Georgia Mayea & Julie Kelleher Agent: Russ Dodge

Proposed Changes: ☒ POU ☒ POD ☐ POA ☐ USE ☒ OTHERReviewer(s): Scott Ceciliani *Scott Ceciliani* Date of Review: 11/18/2022

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:

Unknown

☐ 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:

Unknown

☐ N/A

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

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

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

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

☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:

- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:

- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:

- iv. Do you have any other observations regarding the temporary transfer? ☐ Yes ☐ No If "Yes", describe:

- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

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

- i. "Injury" will occur to other water rights that share the same source? ☐ Yes ☐ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur? ☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

<input type="checkbox"/> Weir	<input type="checkbox"/> Submerged Orifice
<input type="checkbox"/> Parshall Flume	<input type="checkbox"/> Flow Restrictor
<input checked="" type="checkbox"/> Other: <u>Or</u> other approved suitable measuring device	

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14044



In order to avoid enlargement of the right or injury to other rights, a totalizing flow meter 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: Scott Ceciliani

District: 14

Address: 700 NW Dimmick Street

City/State/Zip: Grants Pass, OR 97526

Phone: Office: 541-476-1288; Cell: 541-261-2213

Email: Scott.C.Ceciliani@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- 14044

(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



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August 2, 2022

GEORGIA MAYEA
JULIE KELLEHER
93773 ELK RIVER ROAD
PORT ORFORD, OR 97465

Reference: Application T-14044

On July 15, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$2450.00. Our receipt number 138675 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

This application may require publication of a notice for two consecutive weeks in a newspaper with general circulation in the area where the water right is located. If it is determined that newspaper notice will be required, the Department will prepare the notice and notify you of the cost. You will be responsible for submitting payment to the Department prior to publication of the notice.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion/appropriation until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

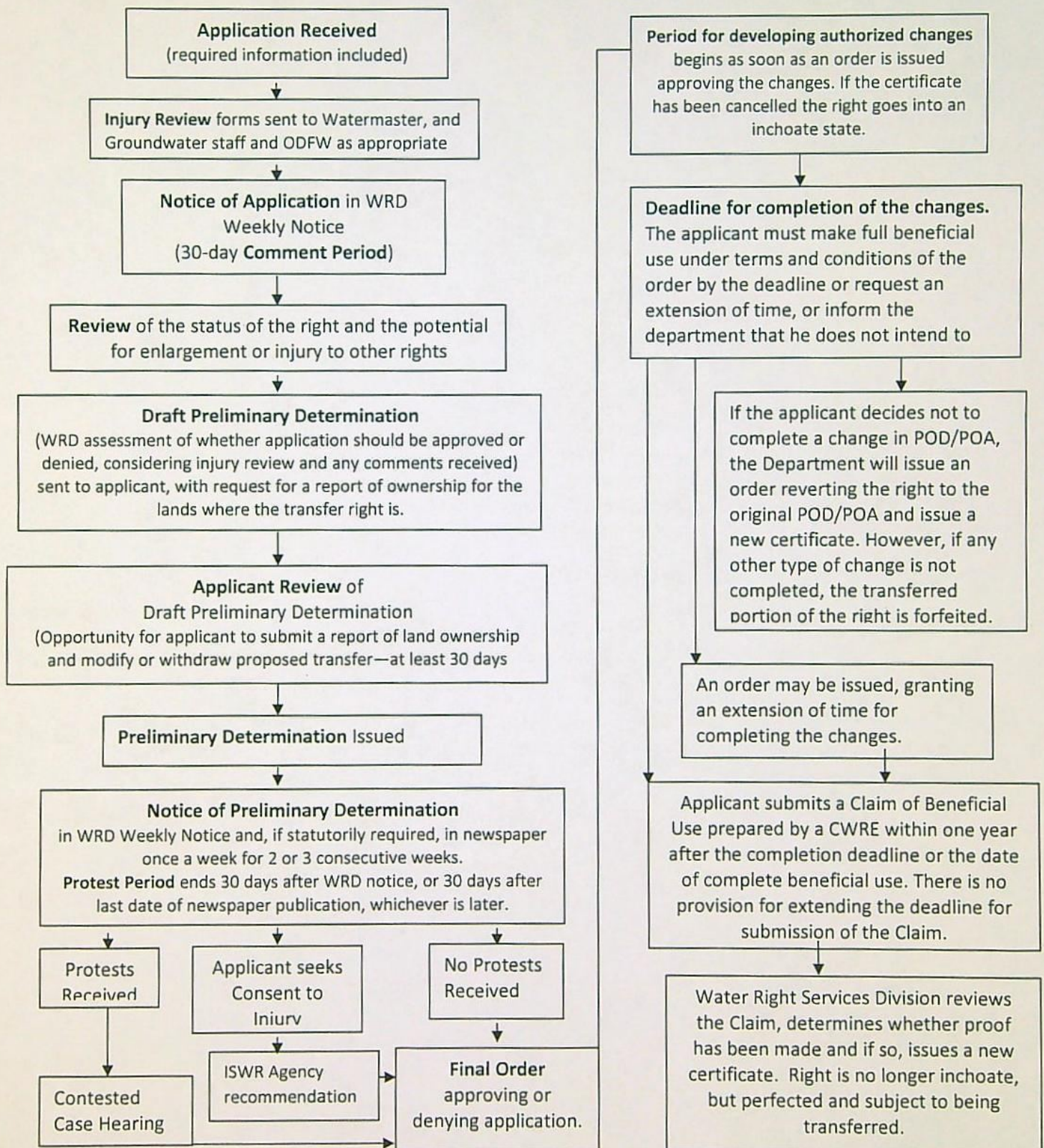
If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #14, Scott C. Ceciliani (*via email*)
Curry County Planning Department
Russ S Dodge, Agent

Enclosure

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

OAR 690 Division 380



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **138675**

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

INVOICE # _____

RECEIVED FROM: Dodge Surveying +
BY: Planning

APPLICATION	
PERMIT	
TRANSFER	T-14644

CASH: ☐ CHECK: # 1836 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 2,450.00

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	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$ <u>2,450.00</u>
WELL CONSTRUCTION		
0218	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$
	OTHER (IDENTIFY)	

46110

EXAM FEE
\$
\$
\$ <u>2,450.00</u>
EXAM FEE
\$

RECORD FEE
\$
\$
LICENSE FEE
\$
\$

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: **138675**

DATED: 07/15/22 BY: [Signature]

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.

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

OWRD

- ☒ 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: 26303**
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.

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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.

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(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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MAY 19 2022

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°).

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Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
2	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>2 (2a)</u> Subtract 1 from the number in line 2a = <u>1 (2b) If only one change, this will be 0</u> Multiply line 2b by \$1090 and enter » » » » » » » » » » » » » » » » » » » » » »	2	\$1090
3	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b) If only one water right this will be 0</u> Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » » » » » » » »	3	0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed _____ (4a) Do you propose to add or change additional wells? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 _____ (4b) Add line 4a to line 4b and enter » » » » » » » » » » » » » » » » » » » » » »	4	0
5	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*) <u>0.1 (5a)</u> Subtract 1.0 from the number in 5a above: <u>0 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: <u>0 (5c)</u> and multiply 5c by \$410, then enter on line 5 » » » » » » » » » » » » » » » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$2450
7	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » » » » » » » Transfer Fee:	8	\$2450

*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (*for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$*); 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 Georgia Mayea And Julie Kelleher		GEORGIA MAYEA (720) 989-7082 JULIE KELLEHER (541) 977-2949		ADDITIONAL CONTACT NO.
93773 ELK RIVER ROAD (MAYEA)				FAX NO.
CITY Port Orford	OR	97465	E-MAIL Georgia Mayea – gmayea@gmail.com JULIE KELLEHER – JKELLEHER@GMAIL.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.				

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

AGENT/BUSINESS NAME Russ Dodge / dodge surveying & planning		PHONE NO. (541) 404-3799		ADDITIONAL CONTACT NO.
ADDRESS 656 S. 12th CT				FAX NO.
CITY Coos Bay	STATE OR	ZIP 97420	E-MAIL rdodgesurvey@gmail.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:
We are adding a Point of Diversion and revising the Place of Beneficial Use. This would allow us to irrigate a 6 Acre portion of an Open Field lying South of Elk River. This would involve the use of a Portable Pump System, (resembling the ones currently in use) to be located on the southerly bank of the river. It will be taken or withdrawing (3 Acres) from the 22.2 Acre Irrigated Section located in the NW ¼ of the SE ¼ of Section 27, T. 32 S. – R.15 W.,WM. Thus reducing that area to 19.2 Acres. And, taking or withdrawing (3 Acres) from the 13.4 Acre Irrigated Section located in the NE ¼ of the SE ¼ of Section 27, T. 32 S. – R. 15 W.,W.M. Thus reducing that area to 10.4 Acres.

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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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: Port Orford News.
- 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.



Georgia Mayer
Applicant signature

Georgia Mayer
Print Name (and Title if applicable)

5-9-22
Date

Julie Kelleher
Applicant signature

Julie Kelleher
Print Name (and Title if applicable)

5-6-22
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? ☒ 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/WROForms/PDF/Transfer_Property_Transaction.pdf

RECEIVING LANDOWNER NAME			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				

Revised 7/1/2021

Permanent Transfer Application Form - Page 5 of 13

TACS

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JUL 15 2022

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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: Port Orford News.
- 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.

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Applicant signature

Georgia Mavea

Print Name (and Title if applicable)

Date

Applicant signature

Julie Kelleher

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? ☒ 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			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				

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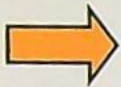
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☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME	ADDRESS	
Curry County – Community Development	94235 Moore St. – Suite 113	
CITY	STATE	ZIP
Gold Beach	OR	97444

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 # 26303

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Description of Water Delivery System

System capacity: 1.26 cubic feet per second (cfs) OR

567 gallons per minute (gpm)

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

The existing system consists of Portable Irrigation Sprinkler Lines that are moved across the fields. Currently the fields are leased to separate parties. The Pumps are mounted on small wheeled trailers and are located on the Bank of the River directly adjacent and or above the Points of Diversion. The Pump Units run daily during the irrigation season for 2 to 3 hour periods. Most of the distribution lines are 3" to 4" Aluminum Pipe. The Intakes consist of 4" Flexpipe or Hoses. Each Intake is screened and removed from the River after the Sprinkler Period. The Pumps are 15 Horsepower and appear to be standard Briggs and Stratton Motors. The pumps are inline suction units with no manufacturer information available. At this time the Distribution Systems are broken down and transported to another field depending upon needs.

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)
1	<input checked="" type="checkbox"/> Authorized		32 S	15 W	27	NW SE		1670' NORTH / 1705 WEST OF SE COR. SEC 27
2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		32 S	15 W	27	SE SE		1006' NORTH / 1262' WEST OF SE COR SEC 27
3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		32 S	15 W	26		4	885' NORTH / 972' EAST OF SW COR SEC 26
4	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		32 S	15 W	26	SE SW		773' NORTH / 1087' EAST OF SW COR SEC 26
5	PROPOSED		32 S	15 W	27	SE SE		584' NORTH / 940' WEST OF SE COR SEC 27

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

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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 # 26303

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			
RECEIVED MAY 19 2022 OWRD																							
32	S	15	W 27	NW	SE	22.2	IRR	1	6-31-1952	POU	32	S	15	W 27	NW	SE	19.2	IRR	1	6-31-1952			
32	S	15	W 27	NE NW	SE	13.4	IRR	2	6-31-1952	POU	32	S	15	W 27	NE NW	SE	10.4	IRR	2	6-31-1952			
32	S	15	W 27	SE	SE	12.2	IRR	2	6-31-1952		32	S	15	W 27	SE	SE	12.2	IRR	2	6-31-1952			
32	S	15	W 27	SW	SE	1.8	IRR	2	6-31-1952		32	S	15	W 27	SW	SE	1.8	IRR	2	6-31-1952			
32	S	15	W 35	NE	NW	10.4	IRR	4	6-31-1952		32	S	15	W 35	NE	NW	10.4	IRR	4	6-31-1952			
32	S	15	W 26	NE	SW	3	IRR	4	6-31-1952		32	S	15	W 26	NE	SW	3	IRR	4	6-31-1952			
32	S	15	W 26	SE	SW	17.6	IRR	4	6-31-1952		32	S	15	W 26	SE	SW	17.6	IRR	4	6-31-1952			
32	S	15	W 26			3	1	IRR	3	6-31-1952		32	S	15	W 26		3	1	IRR	3	6-31-1952		
32	S	15	W 26			4	16.8	IRR	3	6-31-1952		32	S	15	W 26		4	16.8	IRR	3	6-31-1952		
32	S	15	W 35			1	2.3	IRR	3	6-31-1952		32	S	15	W 35		1	2.3	IRR	3	6-31-1952		
TOTAL ACRES:						100.7						TOTAL ACRES:						94.7					

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

List the change proposed for the acreage in each 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.

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Additional remarks:

THE TRANSFER WILL INVOLVE ADDING A POINT OF DIVERSION (#5) TO PROVIDE IRRIGATION TO A 6 ACRE PORTION OF AN OPEN FIELD LOCATED IN

32 S 15 W 27 SE1/4-SE1/4 6 ACRES IRR POD #5 DATE OF PRIORITY – 6-31-1952

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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: _____.

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 # _____.

RECEIVED**MAY 19 2022****For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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TACS

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 CURRY

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I, GEORGIA MAYEA, in my capacity as CO- TRUSTEE OF THE DOLORES A. MAYEA LIVING TRUST,
mailing address 205 W. CLEVELAND STREET / LAFAYETTE, CO. 80026.
telephone number (720)989-7082, 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

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2. I attest that:

☒ Water was used during the previous five years on the **entire** place of use for
Certificate # 26303; 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)
26303	32	S	15	W	W	27	NE	SE		13.4
26303	32	S	15	W	W	27	NW	SE		22.2
26303	32	S	15	W	W	27	SW	SE		1.8
26303	32	S	15	W	W	27	SE	SE		12.2

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 # 26303 (For Historic POD/POA Transfers)

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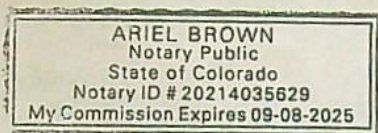
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3. The water right was used for: (e.g., crops, pasture, etc.): PASTURE

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

Georgia Mayer
Signature of Affiant

5-6-2022
Date

Signed and sworn to (or affirmed) before me this 6th day of May, 2022.

Ariel Brown
Notary Public for ~~Oregon~~ Colorado
My Commission Expires: 9/8/25

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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TACS

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 CURRY

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I, JULIE KELLEHER, in my capacity as CO-TRUSTEE OF THE DOLORES A. MAYEA LIVING TRUST,

mailing address P.O. BOX 367 / SISTERS, OREGON 97759

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telephone number (541)977-2949, 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

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2. I attest that:

☒ Water was used during the previous five years on the entire place of use for
Certificate # 26303; OR

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☒ 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)
26303	32	S	15	W	W	27	NE	SE		13.4
26303	32	S	15	W	W	27	NW	SE		22.2
26303	32	S	15	W	W	27	SW	SE		1.8
26303	32	S	15	W	W	27	SE	SE		12.2

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 # 26303 (For Historic POD/POA Transfers)

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

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

Julie Kelleher
Signature of Affiant

5-6-22
Date

Signed and sworn to (or affirmed) before me this 6 day of May, 2022

[Signature]
Notary Public for Oregon

My Commission Expires: 10-20-25

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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Electric Location History - 3215270025

Read Date	Meter Read	Read Type	KWH	Days	Bill Amount	Avg KWH	Bill Type	Demand Read
04/11/22	13805	Coop Read	0	0	.00	0	Pending	0
03/12/22	13805	Coop Read	0	28	39.29	0	Minimum	0
02/12/22	13805	Coop Read	0	32	39.29	0	Minimum	0
01/11/22	13805	Coop Read	0	30	39.29	0	Minimum	0
12/12/21	13805	Coop Read	0	30	39.29	0	Minimum	0
11/12/21	13805	Coop Read	0	32	39.29	0	Minimum	0
10/11/21	13805	Coop Read	717	29	101.74	24	Normal	14.260
09/12/21	13088	Coop Read	8,162	32	750.20	255	Normal	14.478
08/11/21	4926	Coop Read	4,926	31	468.34	158	Normal	14.478
07/11/21	0	Coop Read	0	29	39.29	0	Minimum	0
06/12/21	0	Coop Read	0	32	39.29	0	Minimum	0
05/11/21	0	Coop Read	0	29	39.29	0	Minimum	0
04/12/21	25741	Special	0	26	39.29	0	Minimum	0

Estimated Bills: 0 Multiplier of most rece
Minimum Bills: 9 YL KWH: 0

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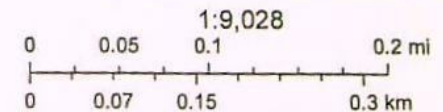
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Curry County Web Map



2/5/2022, 3:00:38 PM

World Imagery	High Resolution 30cm Imagery	Parcels	Highways (1)
Low Resolution 15m Imagery	Citations	Parcel Labels	Situs Address (Current)
High Resolution 60cm Imagery	2.4m Resolution Metadata	All Roads	Townships



Maxar, Bureau of Land Management, State of Oregon, State of Oregon DOT, State of Oregon GEO, Esri Canada, Esri, HERE, Garmin, Intermap, USGS,

Created by LCOG for Curry County

The information on this map was derived from digital databases from the Curry County regional geographic information system by LCOG. Care was taken in the creation of this map, but is provided "as-is". Curry County and LCOG cannot accept any responsibility for

APPLICATION FOR PERMIT

To appropriate the Public Waters of the State of Oregon

I, E. R. Marsh
 of Port Orford, Oregon
 State of Oregon

do hereby make application for a permit to appropriate the following described public waters of the State of Oregon, SUBJECT TO EXISTING RIGHTS:

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

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1. The source of the proposed appropriation is Elk River
 (Name of stream)
 a tributary of Pacific Ocean

2. The amount of water which the applicant intends to apply to beneficial use is 164/80
 cubic feet per second

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**3. The use to which the water is to be applied is irrigation
 (Irrigation, power, mining, manufacturing, domestic supplies, etc.)

4. The point of diversion is located ft. and ft. from the
 (N. or S.) (E. or W.)
 corner of Use three portable pumps from any point on Elk River in
 (Section or subdivision)
SE $\frac{1}{4}$ of Section 27; SW $\frac{1}{4}$ of the SW $\frac{1}{4}$ of Section 26; NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of
Section 35 and the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, all in T. 32 S.,
R. 15 W. W. M.

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

(If there is more than one point of diversion, each must be described. Use separate sheet if necessary.)
 being within the as above
 (Give smallest legal subdivision)

R. W. M., in the county of Curry

5. The pipe line to be 1200 ft.
 (Main ditch, canal or pipe line) (Miles or feet)
 in length, terminating in the SE $\frac{1}{4}$, SW $\frac{1}{4}$ of Sec. 26 Tp. 32 S.
 (Smallest legal subdivision)

R. 15 W. W. M., the proposed location being shown throughout on the accompanying map
 (E. or W.)

DESCRIPTION OF WORKS

Diversion Works—

6. (a) Height of dam none feet, length on top feet, length at bottom
 feet; material to be used and character of construction

rock and brush, timber crib, etc., roadway over or around dam

(b) Description of headgate

(Timber, concrete, etc., number and size of openings)

(c) If water is to be pumped give general description three 3 inch centrifugal
 (Size and type of pump)
pumps each powered by 15 horse power electric motor operating
 (Make and type of engine, motor, etc., and how water is to be pumped)
sprinkler systems.

*A different form of application is provided where storage works are contemplated.

**Application for permit to appropriate water for the generation of electricity, with the exception of hydroelectric power, shall be made on the form electric power form. Either of the above forms may be secured, with or without fee, from the Division of Reclamation, Portland, Oregon.

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21647

Canal System or Pipe Line—

7. (a) Give dimensions at each point of canal where materially changed in size, stating miles from headgate. At headgate: width on top (at water line) _____ feet; width on bottom _____ feet; depth of water _____ feet; grade _____ feet fall per one thousand feet.

(b) At _____ miles from headgate: width on top (at water line) _____ feet; width on bottom _____ feet; depth of water _____ feet; grade _____ feet fall per one thousand feet.

(c) Length of pipe, _____ 2000 _____ ft.; size at intake, _____ 6 _____ in.; size at _____ 500 _____ ft. from intake _____ 3 _____ in.; size at place of use _____ 3 _____ in.; difference in elevation between intake and place of use, _____ 20 _____ ft. Is grade uniform? _____ no _____ Estimated capacity, _____ 150/100 _____ sec. ft.

8. Location of area to be irrigated, or place of use

Township	Range E. or W. of Williamette Meridian	Section	Four-acre Tract	Number Acres To Be Irrigated
32 S.	15 W.	27	SW $\frac{1}{4}$, NE $\frac{1}{4}$.5
32 S.	15 W.	27	NW $\frac{1}{4}$, SE $\frac{1}{4}$	26.74
32 S.	15 W.	27	SW $\frac{1}{4}$, SE $\frac{1}{4}$	3.5
32 S.	15 W.	27	NE $\frac{1}{4}$, SE $\frac{1}{4}$	8.24
32 S.	15 W.	27	SE $\frac{1}{4}$, SE $\frac{1}{4}$	34.9
32 S.	15 W.	26	NW $\frac{1}{4}$, SW $\frac{1}{4}$.4
32 S.	15 W.	26	SW $\frac{1}{4}$, SW $\frac{1}{4}$	23.6
32 S.	15 W.	26	SE $\frac{1}{4}$, SW $\frac{1}{4}$	25.0
32 S.	15 W.	35	NW $\frac{1}{4}$, NW $\frac{1}{4}$	14.72
32 S.	15 W.	35	NE $\frac{1}{4}$, NW $\frac{1}{4}$	25.2
32 S.	15 W.	26	NE $\frac{1}{4}$, SW $\frac{1}{4}$	1.0

(If more space required, attach separate sheet)

(a) Character of soil Sandy and clay loam

(b) Kind of crops raised grass, clover pasture

Power or Mining Purposes—

9. (a) Total amount of power to be developed

(b) Quantity of water to be used for power

(c) Total fall to be utilized

(d) The nature of the works by means of which the power is to be developed

(e) Such works to be located in

Tp. _____ R. _____ W. M.

(f) Is water to be returned to any stream?

(g) If so, name stream and locate point of return

Sec. _____

Tp. _____

R. _____

W. M. _____

(h) The use to which power is to be applied is

(i) The nature of the mines to be served

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10. (a) To supply the city of _____

County, having a present population of _____
and an estimated population of _____ in 19 _____

(b) If for domestic use state number of families to be supplied _____
(Indicate whether R, S, M, and W in all cases)

11. Estimated cost of proposed works, \$ 5000.00
12. Construction work will begin on or before Aug. 15, 1952.
13. Construction work will be completed on or before Sept. 1, 1952
14. The water will be completely applied to the proposed use on or before Sept. 1, 1955.

T.B. Marsh
(Signature of applicant)

Remarks: _____

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The NE $\frac{1}{4}$ of Section 27, T. 32 S., R. 15 W. W. M.
The E $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27, T. 32 S., R. 15 W. W. M.
All the W $\frac{1}{4}$ of the SE $\frac{1}{4}$ of Section 27, T. 32 S., R. 15 W. W. M.,
excepting parcel sold as indicated by boundary lines on the
accompanying map.

The SW $\frac{1}{4}$ of Section 26, T. 32 S., R. 15 W. W. M.
All the NE $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, T. 32 S., R. 15 W. W. M.
north of Elk River.
All the NW $\frac{1}{4}$ of the NW $\frac{1}{4}$ of Section 35, T. 32 S., R. 15 W. W. M.
excepting the parcels sold as indicated on the accompanying
map.

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

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

In order to retain its priority, this application must be returned to the State Engineer, with corrections on or before _____, 19 _____.

WITNESS my hand this _____

day of _____

19 _____

STATE ENGINEER

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PERMIT

STATE OF OREGON,

County of Marion,

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

The right herein granted is limited to the amount of water which can be applied to beneficial use
 and shall not exceed 2.087 cubic feet per second measured at the point of diversion from the
 stream, or its equivalent in case of rotation with other water users, from Klk River

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

If for irrigation, this appropriation shall be limited to 1/80 of one cubic foot per
 second or its equivalent for each acre irrigated and shall be further limited to a
 diversion of not to exceed 2 1/2 acre feet per acre for each acre irrigated during the
 irrigation season of each year,

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

The priority date of this permit is July 31, 1952

Actual construction work shall begin on or before December 31, 1953 and shall
 thereafter be prosecuted with reasonable diligence and be completed on or before
October 1, 1954

Complete application of the water to the proposed use shall be made on or before
October 1, 1955

WITNESS my hand this 31st day of December 1952

W. E. Smith
 STATE ENGINEER

Permits for power development are subject to the payment of annual fees as provided in sections 1 and 2, chapter 74, Oregon Laws 1922

PERMIT

APPROPRIATE THE PUBLIC
 WATERS OF THE STATE
 OF OREGON

District No. _____

This instrument was first received in the
 office of the State Engineer at Salem, Oregon,
 on the 31st day of July
1952 at 2:00 o'clock A. M.
 Returned to applicant:

Corrected application received:

Approved:

December 31, 1952

Recorded in book No. _____

Permits on page 21647

40

STATE ENGINEER

Debate Basin No. _____

Page 40

Fees Paid 4

STATE OF OREGON
COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

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This Is to Certify, That N. B. MARSH

of Port Orford, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Elk River, a tributary of Pacific Ocean, for the purpose of irrigation of 100.7 acres,

under Permit No. 21647 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 31, 1952,

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.26 cubic feet per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 26; NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27; Township 32 South, Range 15 West, W.M.

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 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

3.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
1.0 acres Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
16.8 acres Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
17.6 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 26
13.4 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
22.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
1.8 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
12.2 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27
10.4 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
2.3 acres Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
Section 35
Township 32 South, Range 15 West, W.M.

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

WITNESS the signature of the State Engineer, affixed

this date, NOVEMBER 19 1959

LEWIS A. STANLEY

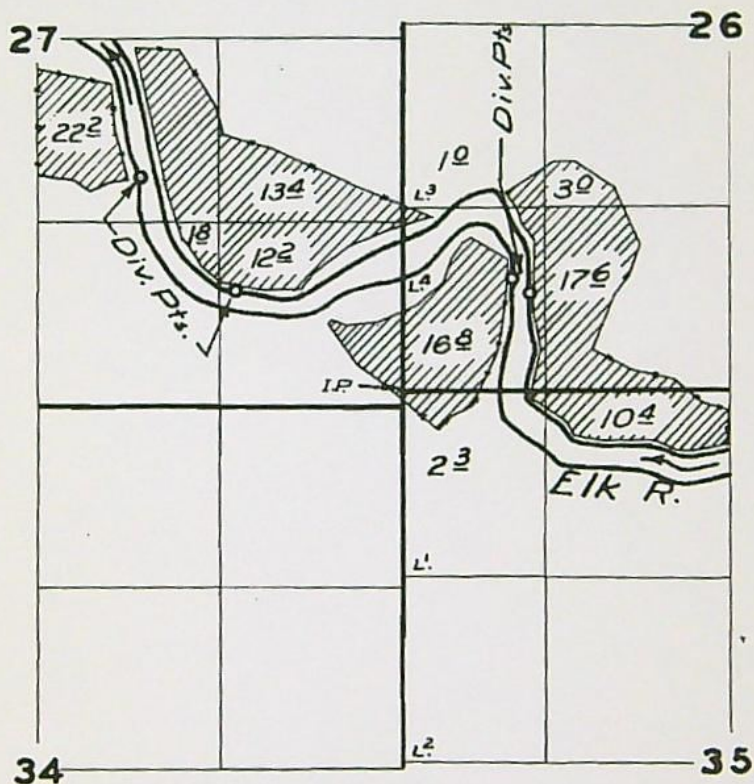
State Engineer

T.32S.R.15W.W.M.

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FINAL PROOF SURVEY
UNDER

Application No. 27510 Permit No. 21647
IN NAME OF

N. B. Marsh

Surveyed 18 April 1958, by Tm. Bish

14044

Curry County Community Development – Planning Department



**NOTICE OF REQUEST
FOR CURRY COUNTY ADMINISTRATIVE ACTION
ON A SPECIFIC LAND USE PROPOSAL**

Application P-2201

February 9, 2022

I. LAND USE ACTION

Type of Land Use Action: Applicant requests preliminary approval to divide a 285-acre property into two (2) parcels to separate an existing, legally established dwelling. As proposed, Parcel 1 will be about 275.42 acres and Parcel 2 will be about 9.60 acres. This property has Forestry-Grazing (FG) zoning and is located outside the Port Orford-Urban Growth Boundary.

Nature of Use Which Could Be Authorized:

Preliminary approval of a partition as stated above.

II. APPLICABLE CRITERIA

Curry County Zoning Ordinance

Section 3.050 Forestry-Grazing (FG)

Section 3.054 Lot Size

Section 4.050 Access Management

Curry County Land Division Ordinance

Article II: Minor Partitions

Article VI: Requirements for All Divisions of Land

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III. APPLICANT AND SUBJECT PROPERTY

Property Owner: Delores Mayea, Living Trust

Applicant: Julie L Kelleher & Georgia Mayea

Agent: Russ Dodge

Location: 93773 Elk River Rd Rd, Port Orford, OR 97465
About 2.5 miles east of Elk River Rd's intersection with US Hwy 101

Legal Description: Township 32 South, Range 15 West W.M., Index Map, Tax Lot 100

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IV. PLANNING DIRECTOR'S REVIEW

You are invited to submit written comment regarding the pending decision on this matter. The decision for this request will be rendered by the Planning Director after **Thursday, March 10, 2022**. Written comments regarding this matter must be received by the Planning Director no later than 5:00 pm **Thursday, March 10, 2022** to be considered in the decision.

Send written responses to this notice to:

Planning Director, Curry County Community Development
94235 Moore St. Suite 113
Gold Beach, Oregon, 97444

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V. OTHER INFORMATION

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REQUIRED STATUTORY NOTICE: ORS 197.763 (3)(e) states that failure to raise an issue either in person or by letter or failure to provide statements or evidence sufficient to allow the decision maker an opportunity to respond to the issue precludes appeal to Land Use Board of Appeals on that issue.

DOCUMENTS AND STAFF REPORT: A copy of the file containing the application, all documents and evidence submitted by or on behalf of the applicant and applicable criteria are available for review at no cost at the Department of Community Development office. Copies (\$0.25 per page) can be requested.

GENERAL EXPLANATION of the Requirements for submission of testimony and the procedure for conduct of hearings:

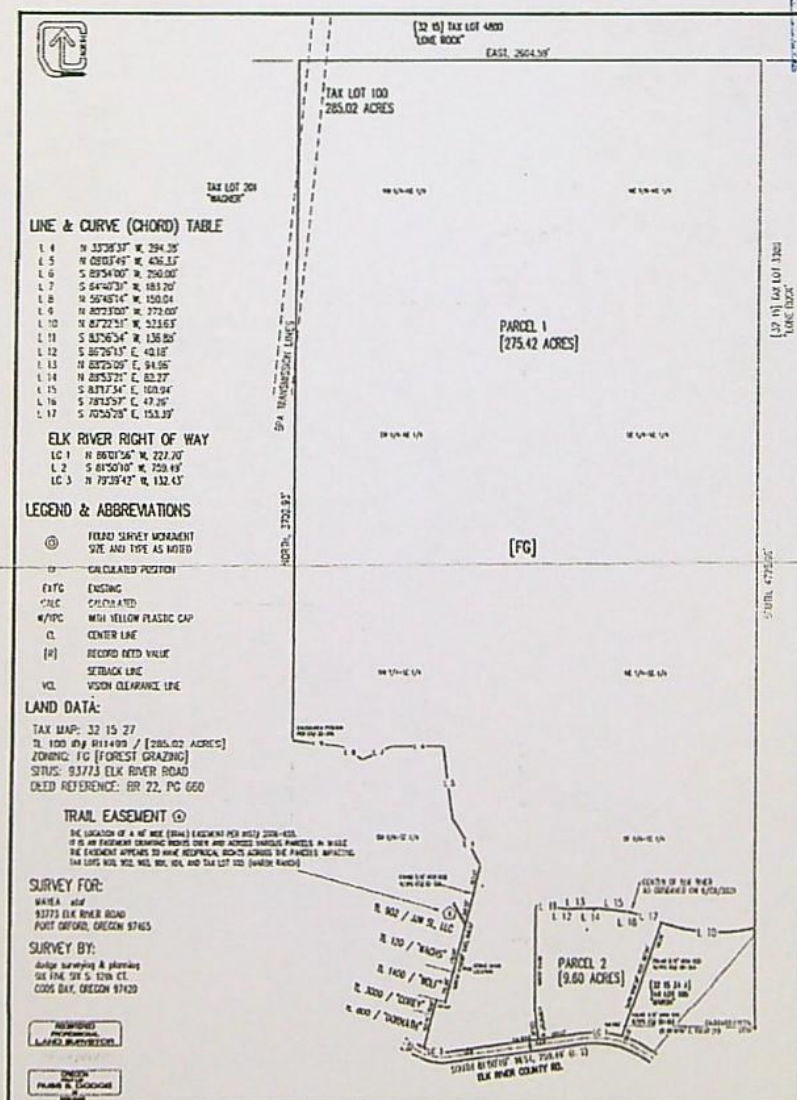
Persons may submit documents or evidence to the record of the decision on this matter until the comment period is declared closed by the Planning Director. All written evidence or documents submitted by mail, e-mail or FAX must be received by the staff prior to the end of the comment period to ensure that the material will be submitted to the record. All written evidence and documents submitted should be legible, page numbered and identified with the application number indicated on this notice.

For further information regarding this notice, please email: planning@co.curry.or.us
Or call Nancy O'Dwyer (541-247-3284) or Becky Crockett (541-247-3228)

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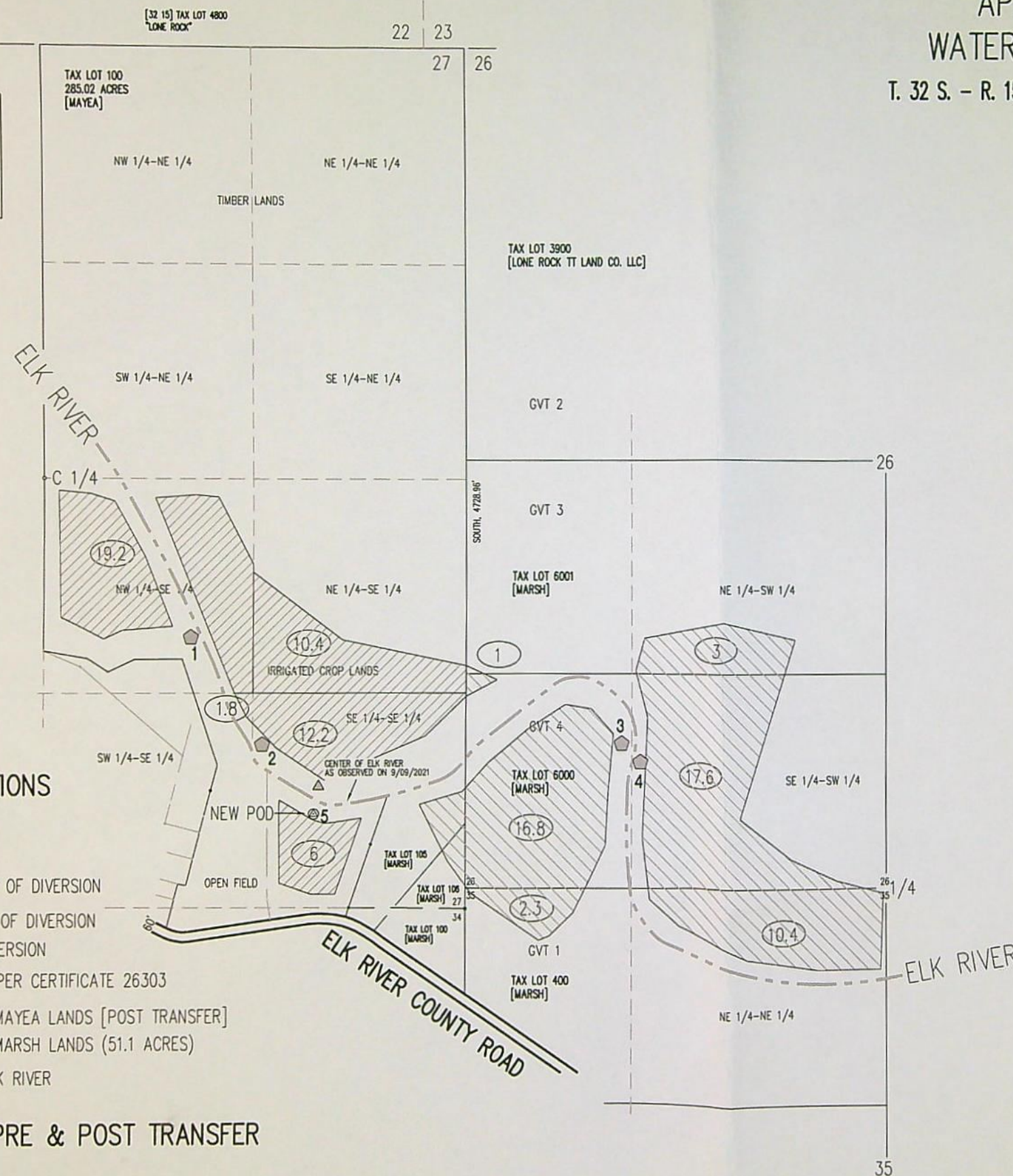
NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

LEGEND & ABBREVIATIONS

- | | |
|--------|--------------------------------------------|
| EXT'G | EXISTING |
| CALC | CALCULATED |
| ▲ | (OBSERVED) POINT OF DIVERSION |
| ⬢ X | HISTORICAL POINT OF DIVERSION |
| ⊗ X | NEW POINT OF DIVERSION |
| (XX.X) | IRRIGATED LANDS PER CERTIFICATE 26303 |
| | WATER RIGHT ON MAYEA LANDS [POST TRANSFER] |
| | WATER RIGHT ON MARSH LANDS (51.1 ACRES) |
| --- | CENTERLINE OF ELK RIVER |

IRRIGATED LANDS - PRE & POST TRANSFER

MAYEA LANDS: 49.6 ACRES
MARSH LANDS: 51.1 ACRES



APPLICATION FOR WATER RIGHT TRANSFER

T. 32 S. - R. 15 W., W.M. - CURRY COUNTY, OREGON

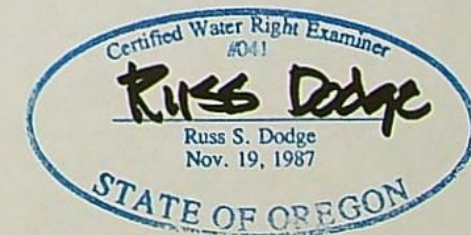
CERTIFICATE 26303
PERMIT 21647
APPLICATION 27510

IN NAME OF: N.B. MARSH
PRIORITY DATE: JULY 31, 1952
USE: IRRIGATION
RATE: 1.26 CFS (YEARLY IRRIGATION SEASON)
TOTAL ACREAGE: 100.7 ACRES

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APPLICATION FOR
WATER RIGHT TRANSFER
T. 32 S. - R. 15 W., W.M. - CURRY COUNTY, OREGON

DRAWN BY: rd
SCALE: 1" = 800'
DATE: MAY 11, 2022
DS&P 21-36, 4/1

dodge surveying & planning
(541) 404-3799 | rdodgesurvey@gmail.com
SIX FIVE SIX S. 12TH CT
COOS BAY, OREGON 97420



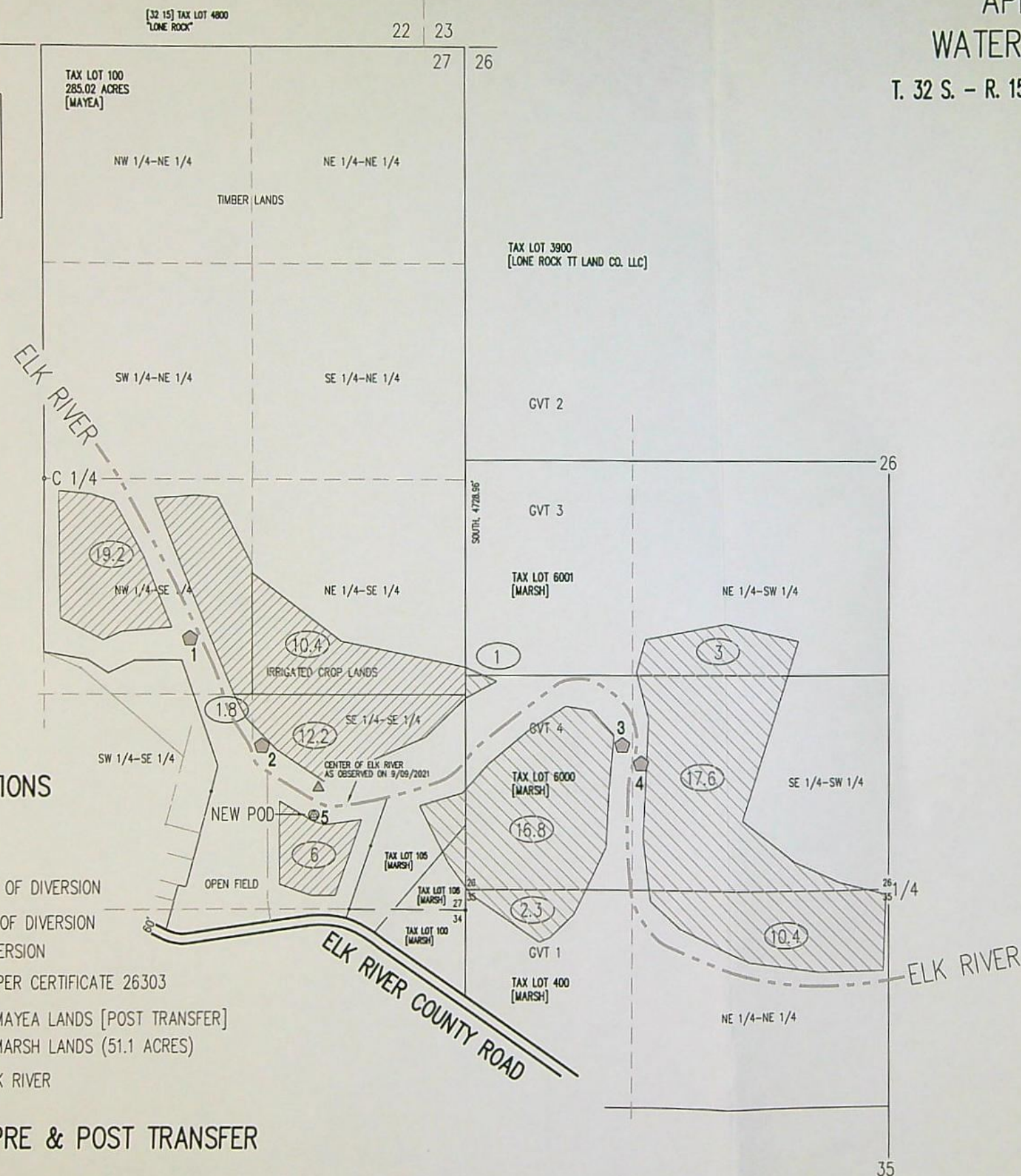
NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

LEGEND & ABBREVIATIONS

- | | |
|--------|--------------------------------------------|
| EXT'G | EXISTING |
| CALC | CALCULATED |
| ▲ | (OBSERVED) POINT OF DIVERSION |
| ⬢ X | HISTORICAL POINT OF DIVERSION |
| ⊗ X | NEW POINT OF DIVERSION |
| (XX.X) | IRRIGATED LANDS PER CERTIFICATE 26303 |
| | WATER RIGHT ON MAYEA LANDS [POST TRANSFER] |
| | WATER RIGHT ON MARSH LANDS (51.1 ACRES) |
| --- | CENTERLINE OF ELK RIVER |

IRRIGATED LANDS – PRE & POST TRANSFER

MAYEA LANDS: 49.6 ACRES
MARSH LANDS: 51.1 ACRES



APPLICATION FOR WATER RIGHT TRANSFER

T. 32 S. – R. 15 W., W.M. – CURRY COUNTY, OREGON

CERTIFICATE 26303
PERMIT 21647
APPLICATION 27510

IN NAME OF: N.B. MARSH
PRIORITY DATE: JULY 31, 1952
USE: IRRIGATION
RATE: 1.26 CFS (YEARLY IRRIGATION SEASON)
TOTAL ACREAGE: 100.7 ACRES

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APPLICATION FOR
WATER RIGHT TRANSFER
T. 32 S. – R. 15 W., W.M. – CURRY COUNTY, OREGON

DRAWN BY rd

SCALE: 1" = 800'

DATE: MAY 11, 2022

DS&P 21-36.WR T

dodge surveying & planning
(541) 404-3799 | rdodgesurvey@gmail.com

SIX FIVE SIX S. 12TH CT
COOS BAY, OREGON 97420

Submitted TO:
Oregon Department of Water Resources
Transfer Application

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

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SUBMITTALS:

Transfer Application W/Fee
Evidence of Use Affidavit (2)
Certificate 26303 (Copy)
Permit 21647 (Copy)
Transfer Map (Paper Copy)
Transfer Map (Mylar)
Assessor Map
Curry County Land Use Decision

Background Information

The Applicant/Owner by this submittal wishes to apply for a Water Right Transfer. The Transfer would only alter or change that portion of Certificate 26303 applying to the Lands Located in Section 27, Township 32 South – Range 15 West, W.M. Curry County Oregon. These Lands are owned by the Mayea Family. This will not change any of the remaining irrigated lands located on the Marsh Lands.

Water is applied to the Irrigated Lands by Portable Pump Units mounted on small rubber tired trailers. The Intakes are screened and are for the most part 4" Flex Pipes. The Water is pumped up to the fields located about 15' above the normal Inlet. From that point water is conveyed through a standard sprinkler irrigation system. The Wheeled 4" Aluminum distribution pipes are both manually and mechanically moved across the crop lands.

There are no land use changes proposed, the farm lands have been in operation for many years.

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dodge surveying & planning
SIX FIVE SIX S. 12th CT – STE 1
Coos Bay, Oregon 97420
(541) 404-3799
May 12, 2022

STATE OF OREGON
COUNTY OF CURRY
CERTIFICATE OF WATER RIGHT

This Is to Certify, That N. B. MARSH

of Port Orford, State of Oregon, has made proof to the satisfaction of the STATE ENGINEER of Oregon, of a right to the use of the waters of Elk River, a tributary of Pacific Ocean, for the purpose of irrigation of 100.7 acres.

under Permit No. 21647 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from July 31, 1952.

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.26 cubic feet per second,

or its equivalent in case of rotation, measured at the point of diversion from the stream. The point of diversion is located in the Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$), Section 26; NW $\frac{1}{4}$ SE $\frac{1}{4}$, SE $\frac{1}{4}$ SE $\frac{1}{4}$, Section 27; Township 32 South, Range 15 West, W.M.

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 2 $\frac{1}{2}$ acre feet per acre for each acre irrigated during the irrigation season of each year,

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

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

3.0 acres NE $\frac{1}{4}$ SW $\frac{1}{4}$
1.0 acres Lot 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)
16.8 acres Lot 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)
17.6 acres SE $\frac{1}{4}$ SW $\frac{1}{4}$
Section 26
13.4 acres NE $\frac{1}{4}$ SE $\frac{1}{4}$
22.2 acres NW $\frac{1}{4}$ SE $\frac{1}{4}$
1.8 acres SW $\frac{1}{4}$ SE $\frac{1}{4}$
12.2 acres SE $\frac{1}{4}$ SE $\frac{1}{4}$
Section 27
10.4 acres NE $\frac{1}{4}$ NW $\frac{1}{4}$
2.3 acres Lot 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)
Section 35
Township 32 South, Range 15 West, W.M.

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

WITNESS the signature of the State Engineer, affixed

this date, NOVEMBER 19 1959

LEWIS A. STANLEY
State Engineer

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.

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Land Use Information Form

OREGON



WATER RESOURCES
DEPARTMENT

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

Applicant(s): GEORGIA MAYEA & JULIE KELLEHER

Mailing Address: 93773 ELK RIVER ROAD

City: PORT ORFORD State: OR Zip Code: 97465 Daytime Phone: (720) 989-7082

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:
32S	15W	27	SE	100	FG	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	R / FG
						<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:

CURRY COUNTY, OREGON

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) ELK RIVER

Estimated quantity of water needed: N/A ☐ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

A Water Right Transfer altering or shifting 6 Acres from two fields North of Elk River to an area of 6 Acres South of Elk River. No additional water has been applied for in the Transfer. No change in Use has been applied.

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

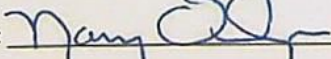
- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary 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
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	JUL 15 2022	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWNED	<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.

Existing single-family residence on property is non-conforming use. Replacement dwelling will be moved prior to completion of an approved partition separating the dwelling from the resource land.

Name: Nancy O'Dwyer Title: Planner

Signature:  Phone: 541-247-3284 Date: 7/11/2022

Government Entity: Curry County Community Development - 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: _____

ds&p

Six Five Six S. 12th CT.
Coos Bay, Oregon 97420

July 13, 2022

**OREGON WATER RESOURCES DEPARTMENT
725 SUMMER ST. NE, SUITE A
SALEM, Oregon 97301-1266**

Please find the enclosed Transfer Application which includes the missing Check List filled out along with the LUCS Form signed by Curry County.

I have included all of the pages and maps originally submitted but if I am missing something please let me know.

Reference Certificate 26303 [Marsh]

If you have any questions or need additional information please call me at (541) 404-3799, or email at rdodgesurvey@gmail.com



Thank you,
Russ S. Dodge LS, CWRE

C: File Copy
20-36 WR T [Mayea]

RECEIVED

JUL 15 2022

OWRD

dodge surveying & planning
(541) 404-3799 / rdodgesurvey@gmail.com



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

May 26, 2022

RUSS DODGE
DODGE SURVEYING & PLANNING
656 S. 12TH CT
COOS BAY, OR 97420

RE: Incomplete Transfer Application

Dear Applicant,

The Water Resources Department has received an application for a permanent transfer for one certificated water right. The application is considered incomplete as the Department did not receive all of the required documentation to process the transfer. Pursuant to OAR 690-380, the following are missing from your application:

- **The Department's Land Use Form is missing. Please fill out the included Land Use Form and have signed and return with the application.**
- **Page one and two checklists are incomplete. Please fill them out completely to indicate what is included in the application.**

We are hereby returning the permanent transfer application and the fees submitted.

Please resend the complete application in its entirety.

Please contact the customer service number at 503-986-0801
If you need assistance with your application.

Transfer and Conservation Section
Oregon Department of Water Resources

Cc: OWRD Fiscal

[Main](#)
[Help](#)

[Return](#)
[Contact Us](#)

Fee Calculation

\$1,360.00

Types of Change Proposed:

- \$1,090.00**

\$0.00

\$0.00

- (If a supplemental certificate also covers the same land as an included primary right, only list the primary.)

\$2,450.00

\$2,450.00

Return to Edit Clear

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T-

62005

Checked by: <u>S204</u> Date: <u>7-19-22</u>	Type of Change(s) Proposed: <i>Mark the Proposed Changes</i>	Substitution	Supplemental to Primary	<input checked="" type="checkbox"/> POU	<input type="checkbox"/> POD	<input checked="" type="checkbox"/> APOD
Fee Received: <u>2450</u>		Gov Action	Surface to Ground	<input type="checkbox"/> USE	<input type="checkbox"/> POA	<input checked="" type="checkbox"/> APOA
Calculated Fee: <u>2450</u>		How many rights to be Transferred? Certificate # <u>20363</u>				
Additional Observations: _____						

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

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

Actions taken: _____ Date: _____



NOTE: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF A WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATION OF PROPERTY OWNERSHIP LINES.

LEGEND & ABBREVIATIONS

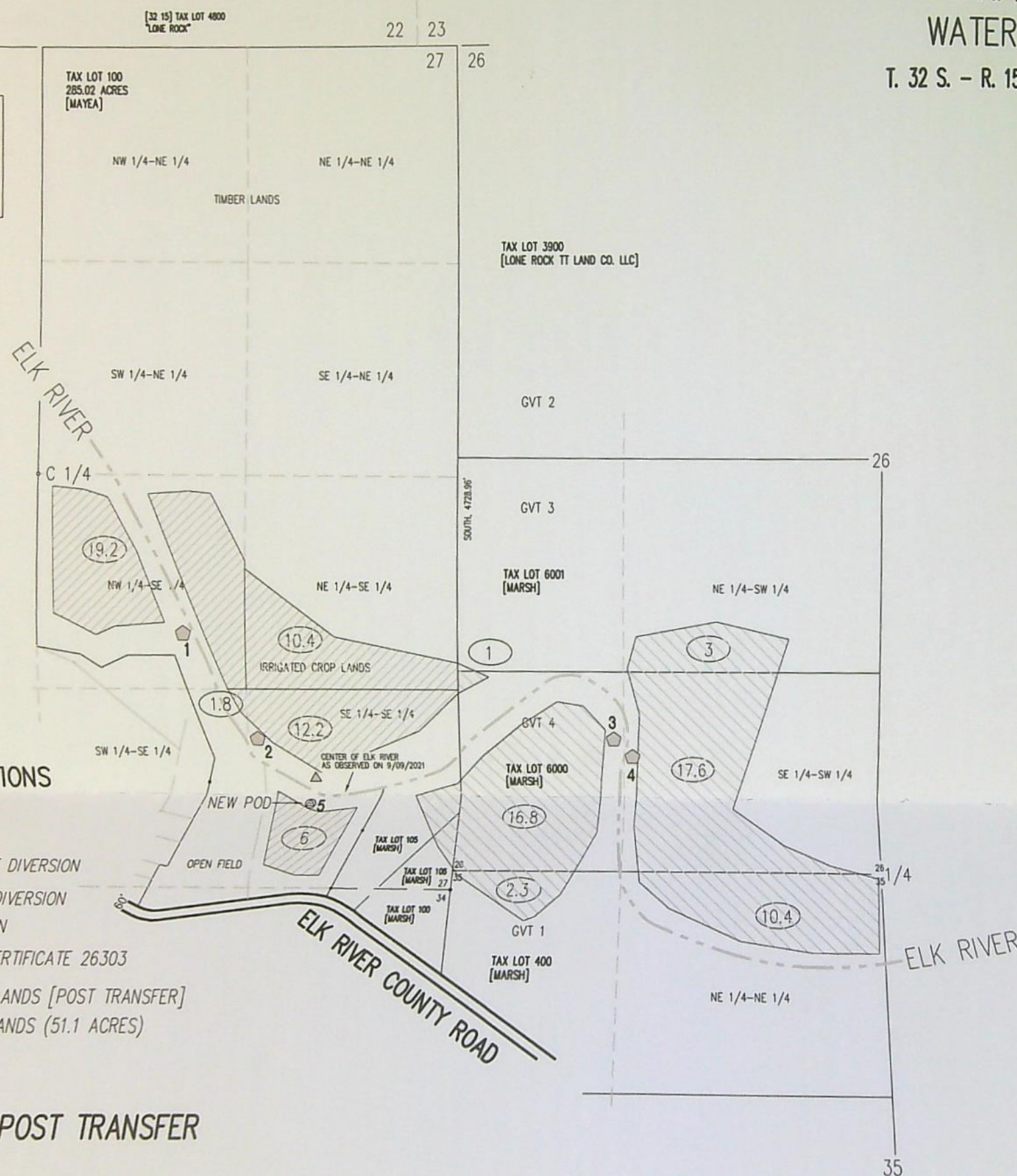
- EXT'G EXISTING
CALC CALCULATED
△ (OBSERVED) POINT OF DIVERSION
X HISTORICAL POINT OF DIVERSION
⊗ NEW POINT OF DIVERSION

(XX.X) IRRIGATED LANDS PER CERTIFICATE 26303

- WATER RIGHT ON MAYEA LANDS [POST TRANSFER]
WATER RIGHT ON MARSH LANDS (51.1 ACRES)
CENTERLINE OF ELK RIVER

IRRIGATED LANDS - PRE & POST TRANSFER

MAYEA LANDS: 49.6 ACRES
MARSH LANDS: 51.1 ACRES



APPLICATION FOR WATER RIGHT TRANSFER

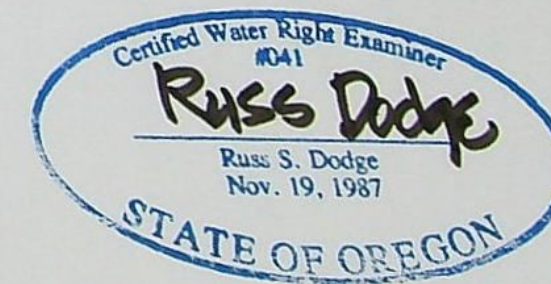
T. 32 S. - R. 15 W., W.M. - CURRY COUNTY, OREGON

CERTIFICATE 26303
PERMIT 21647
APPLICATION 27510

IN NAME OF: N.B. MARSH
PRIORITY DATE: JULY 31, 1952
USE: IRRIGATION
RATE: 1.26 CFS (YEARLY IRRIGATION SEASON)
TOTAL ACREAGE: 100.7 ACRES

RECEIVED
JUL 15 2022
OWRD

RECEIVED
MAY 19 2022
OWRD



dodge surveying & planning
(541) 404-3799 | rdodgesurvey@gmail.com

SIX FIVE SIX S. 12TH CT
COOS BAY, OREGON 97420

APPLICATION FOR
WATER RIGHT TRANSFER
T. 32 S. - R. 15 W., W.M. - CURRY COUNTY, OREGON

DRAWN BY rd
SCALE: 1" = 800'
DATE: MAY 11, 2022
DS&P 21-36