

Temporary - DROUGHT

Name Russell B. MattisAddress P.O. Box 87
Fort Rock, OR 97735Change in POUDate Filed 7-15-2022Initial notice date 8-2-2022

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 9/20/2022 Vol 125 Page 1093-95

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(s)

Name of Stream A WellTrib. of Fort Rock BasinUse Irrigation County LAKE

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

Name of ditch _____

App# G-8139 Per # G-7510 Cert # 52624 PR Date 5/18/1977

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>138677</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent Scott D. Montgomery - scott@apeands.com

CWRE _____

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



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

September 20, 2022

RUSSELL B. MATTIS
PO BOX 87
FORT ROCK, OR 97735

REFERENCE: Temporary Drought Transfer Application T-14045

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

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

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

Sincerely,

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

cc: Jeremy T. Giffin, Watermaster Dist. #11 (via email)
Lake County Planning Department
Scott D. Montgomery, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING AN
T-14045, Lake County	)	EMERGENCY USE DROUGHT TEMPORARY
	)	CHANGE IN PLACE OF USE

Authority

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

Applicant

RUSSELL B. MATTIS
PO BOX 87
FORT ROCK, OR 97735

Findings of Fact

1. On July 15, 2022, RUSSELL B. MATTIS filed an application to temporarily change the place of use under Certificate 52624 for the remainder of the 2022 irrigation season or the term of the Governor's declared drought, whichever is shorter. The Department assigned the application number T-14045.

2. Notice of the application for transfer was published on August 2, 2022, pursuant to OAR 690-380-4000.

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

Certificate: 52624 in the name of WILLIAM L AND FLOY O. SMITH (perfected under Permit G-7510)

Use: IRRIGATION of 16.8 ACRES

Priority Date: MAY 18, 1977

Rate: 0.21 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-

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

EIGHTIETH of one cubic foot per second per acre or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL, a tributary of FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	14 E	WM	28	NE SW	560 FEET SOUTH AND 20 FEET WEST FROM THE C1/4 CORNER OF SECTION 28

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	14 E	WM	28	NE SW	1.3
26 S	14 E	WM	28	NW SE	15.5
Total					16.8

4. Temporary Drought Transfer Application T-14045 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	14 E	WM	28	NE SW	16.8

Temporary Drought Transfer Review Criteria

- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
- The Governor issued an executive order on April 25, 2022, declaring a state of drought emergency in Lake County due to drought and extreme weather conditions, which is still in effect and the water right proposed for transfer is on lands included in the area covered by the drought order.
- The proposed changes would not result in enlargement of the rights.
- The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under OAR 690-019-055(3) if injury to existing water rights is shown and cannot be mitigated to the satisfaction of the Director and injured parties.

Conclusions of Law

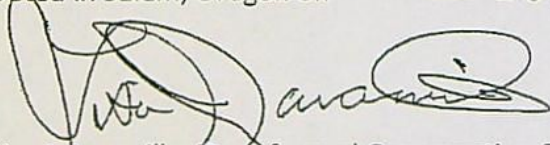
The temporary change in place of use proposed in Temporary Drought Transfer Application T-14045 is consistent with the requirements of ORS 536.750 and OAR 690-019-0055.

Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Temporary Drought Transfer Application T-14045 is approved.
2. The former places of use **shall not** be irrigated as part of these water rights during the remainder of the 2022 irrigation season or until the end of the Governor's declared drought, whichever occurs first.
3. The approval of this temporary drought transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
4. The proposed change in place of use shall revert to the authorized place of use at the end of the 2022 irrigation season or the end of the Governor's declared drought, whichever occurs first.
5. The use of water at the temporary places of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 52624.
6. The use of the remaining water right described by Certificate 52624 shall continue to be in accordance with the terms and conditions of Certificate 52624.

Dated in Salem, Oregon on

SEP 20 2022



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

Mailing Date:

SEP 21 2022

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14045

Transfer Specialist:

Transfer Type: Drought Transfer

Aula

Applicant: RUSSELL B. MATTIS PO BOX 87 FORT ROCK, OR 97735 Email: _____ Phone: _____		Agent: ☐ N/A SCOTT D. MONTGOMERY PO BOX 767 TERREBONNE, OR 97760 Email: _____ Phone: _____	
Irrigation District: ☐ N/A Email: _____		CWRE: ☐ N/A Email: _____	
Affected Local Gov'ts: ☐ N/A County Of Lake Email: _____		Affected Tribal Gov't: ☐ N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: ☐ N/A Email: _____		Receiving Landowner: ☐ N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	G-8139	G-7510	52624	☐ Yes ☐ No	
☐				☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd: July 15, 2022	Proposed Action(s): PLACE OF USE	
Fees Pd: 200.00	WM District: 11	ODFW District:
Initial Public Notice: UNAVAILABLE	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent ☒		GW Review sent: ☐ N/A
County sent cc: of Ack Letter ☒	BOR notified (date): ☐ N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: <u>8/17/22</u> Initials: <u>AW</u>	Date: <u>8/18/22</u> Initials: <u>Jaw</u>	Date: _____ Initials: _____	Date: <u>8/24/22</u> Initials: <u>PIES</u>	Date: <u>8/30/22</u> Initials: <u>AW</u>	Date: <u>8/30/22</u>	Date: <u>9/12/2022</u>

Special Issues: POU only

Special Order Volume: Vol. 125 Pages 693-95

STATE OF OREGON

COUNTY OF

LAKE

CERTIFICATE OF WATER RIGHT

This is to certify, That WILLIAM L. AND FLOY O. SMITH

of General Delivery, Fort Rock, State of Oregon 97735, has made
proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of
a well

a tributary of Fort Rock Basin for the purpose of
irrigation of 46.0 acres

under Permit No. G-7510 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
May 18, 1977
that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is
limited to an amount actually beneficially used for said purposes, and shall not exceed
0.58 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is
located in the NE 1/4 SW 1/4, Section 28, T26S, R14E, WM; 560 feet
South and 20 feet West from the Center 1/4 Corner, Section 28.

The amount of water used for irrigation, together with the amount secured under any other right
existing for the same lands, shall be limited to one-eightieth of one cubic foot per second
per acre, or its equivalent for each acre irrigated and shall be further limited
to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated
during the irrigation season of each year

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:

5.5 acres NE 1/4 SW 1/4
40.5 acres NW 1/4 SE 1/4
Section 28
Township 26 South, Range 14 East, WM

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 Water Resources Director, affixed

this date. December 17, 1984

...../s/ William H. Young.....
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 47, page 52624

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-14045

Review Due Date: 08/28/2022

Applicant Name: Russell Mattis

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

Reviewer(s): Giffin

Date of Review: 08/01/2022

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

☒ N/A

7. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? If you check the box, describe and, if possible, estimate the losses:

☒ N/A

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

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

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

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

☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:
- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:
- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:
- iv. Do you have any other observations regarding the temporary transfer?
☐ Yes ☐ No If "Yes", describe:
- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

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

- i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☒ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☒ No If "Yes", explain:

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

☒ Yes ☐ No If "Yes", explain:

The landowner needs to be aware of the POU restrictions as historical use shows more than 10 acres being irrigated more than Certificate 52624 allows.

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

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐ Weir
☐ Parshall Flume
☐ Other: _____

☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14045



In order to avoid enlargement of the right or injury to other rights, a Totalizing flowmeter will be required to be installed prior to diversion of water, as a condition of this transfer:



at each point of diversion/appropriation (new and existing) **OR**



at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Jeremy Giffin

District: 11

Address: 231 Sw Scalehouse lp

City/State/Zip: Bend, OR 97702

Phone: 541-306-6885

Email: Jeremy.T.Giffin@Water.Oregon.Gov

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

Approval of an Alternate Measurement Device

T-

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

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

Watermaster signature

District

Date

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

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 138677

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

INVOICE # _____

RECEIVED FROM: Mathis Ranch Inc

BY: _____

CASH: ☐ CHECK: # 1082 OTHER: (IDENTIFY) ☐

APPLICATION _____
PERMIT _____
TRANSFER T-14045

TOTAL REC'D \$ 200.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS
0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) 46112 \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) Drought \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:
0201 SURFACE WATER EXAM FEE \$ _____ 0202 RECORD FEE \$ _____
0203 GROUND WATER EXAM FEE \$ _____ 0204 RECORD FEE \$ _____
0205 TRANSFER EXAM FEE \$ 200.00
WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ 0219 LICENSE FEE \$ _____
LANDOWNER'S PERMIT 0220 LICENSE FEE \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: 138677

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

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 138677

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

INVOICE # _____

RECEIVED FROM: Mathis Ranch Inc

BY: _____

CASH: ☐ CHECK: # 1082 OTHER: (IDENTIFY) ☐

APPLICATION _____
PERMIT _____
TRANSFER T-14045

TOTAL REC'D \$ 200.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

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

RECEIPT: 138677

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

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

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



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

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

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

RECEIVED

JUL 15 2022

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: C-52624**

OWRD

Please include a separate Part 5 for each water right. (See instructions on page 6)

- ☐ ☒ N/A For standard Temporary Transfer (one to five years) **Begin Year:** ____ **End Year:** ____.
- ☒ ☐ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

JUL 15 2022

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

- ☐ ☒ N/A If more than three water rights are involved, separate maps are needed for each water right.
- ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ A north arrow, a legend, and scale.
- ☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet; the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated); the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet; or a scale that has been pre-approved by the Department.
- ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- ☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- ☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- ☒ ☐ N/A Proposed temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
-
- ☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- ☐ ☐ N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (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 TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » »	2	
3	Do you propose to change the place of use for a non-irrigation use? ☐ No: enter 0 on line 3 » » » » » » » » » » » » » » » » ☐ Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	3	
4	Do you propose to change the place of use for an irrigation use? ☐ No: enter 0 on line 4 » » » » » » » » » » » » » » » » ☐ Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: _____ (4a) Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	
5	Add entries on lines 1 through 4 above » » » » » » » » » » » » Subtotal:	5	
6	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 »	6	
7	Subtract line 6 from line 5 » » » » » » » » » » » » » » » » Transfer Fee:	7	

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*): 0.21 (2a) Subtract 1.0 from the number in 2a above: -0.79 (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: 0 (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » » » »	2	0
3	Add entries on lines 1 through 2 above » » » » » » » » » » » » Transfer Fee:	3	\$200

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

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

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Part 4 of 5 – Applicant Information and Signature

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Applicant Information

APPLICANT/BUSINESS NAME Russell B. Mattis			PHONE NO. 541-953-2359	ADDITIONAL CONTACT NO.
ADDRESS PO Box 87			FAX NO.	
CITY Fort Rock	STATE OR	ZIP 97735	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

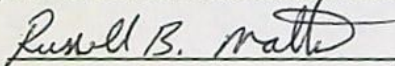
AGENT/BUSINESS NAME Scott D Montgomery			PHONE NO. 541-548-5833	ADDITIONAL CONTACT NO. 541-420-0401
ADDRESS PO Box 767			FAX NO.	
CITY Terrebonne	STATE OR	ZIP 97760	E-MAIL scott@apeands.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. 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:

Change irrigation system from wheel lines to center pivot

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

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


 Applicant signature

Russell B. Mattis
 Print Name (and Title if applicable)

6-21-22
 Date

 Applicant signature

 Print Name (and Title if applicable)

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

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

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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. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME NA	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 NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME LAKE County	ADDRESS 513 Center St	
CITY Lakeview	STATE OR	ZIP 97630

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Part 5 of 5 – Water Right Information

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

Water Right Certificate # 52624

Description of Water Delivery System

System capacity: 0.58 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the author POA and conveyed to a wheel line system

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)
A Well	☒ Authorized ☐ Proposed	LAKE 364/365	26 S	14 E	28	NE	SW	2100	560' S & 20' W from Center ¼ cor, Sec 28

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

- | | |
|---|---|
| ☐ Place of Use (POU) | ☐ Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | |

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Point of Appropriation/Well (POA) |
| ☐ Character of Use (USE) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Diversion (APOD) |

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 52624

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	$\frac{1}{4}$	$\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	$\frac{1}{4}$	$\frac{1}{4}$	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
26 S	14 E	28	NE	SW			1.3	IR	A Well	1977	POU	26 S	14 E	28	NE	SW	2100		16.8	IR	A Well	1977
26 S	14 E	28	NW	SE			15.5	IR	A Well	1977	POU											
TOTAL ACRES							16.8	TOTAL ACRES														16.8

Additional remarks: _____

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Water Right Certificate # 52624

For Place of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: _____

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Klamath Basin/County Drought Transfer Applications**Table 4. Klamath Basin/County Well Information (DROUGHT TRANSFER APPLICATIONS ONLY)**

Is there currently a flowmeter installed on each of the POAs listed in Table 1 of this application? ☐ Yes ☐ No*

**Please note that watermaster staff will visit the well to confirm flowmeter presence. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements.*

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

OWNER'S WELL NAME OR NUMBER	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FLOWMETER LOCATION

Land Use Information Form

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

Applicant(s): Russell B Mattis

Mailing Address: PO Box 87

City: Fort Rock

State: OR

Zip Code: 97735

Daytime Phone: 541-953-2359

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>26S</u>	<u>14E</u>	<u>28</u>	<u>NE SW</u>	<u>2100</u>	<u>EFU</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>IR</u>
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____
_____	_____	_____	_____	_____	_____	☐ Diverted	☐ Conveyed	☐ Used	_____

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

Lake County, OR

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.58 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

Change irrigation system from wheel lines to center pivot sprinkler

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

See bottom of Page 3. →

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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Lake County Zoning Ordinance - Article 3, Section 3.01
- ☐ 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

26-14-28-2100

Name: Darwin Johnson Title: Planning Director

Signature: [Signature] Phone: 541-947-6036 Date: 5 July 2022

Government Entity: Lake County Planning Department

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

Receipt for Request for Land Use Information

Applicant name: _____

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

The original and first copy of this report are to be filed with the

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

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No. 3-625/14E-280

State Permit No. 6-7510

(1) OWNER:

Name Bill Smith
Address General Delivery
Port Rock, Ore 97735

(2) TYPE OF WORK (check):

New Well ☐ Deepening ☒ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED:

Threaded ☐ Welded ☐

" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used

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

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

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

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

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

Yield: 750 gal./min. with 10 ft. drawdown after 1 hrs.

Ball test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water 56 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used seal undisturbed
Well sealed from land surface to ft.
Diameter of well bore to bottom of seal in.
Diameter of well bore below seal in.
Number of sacks of cement used in well seal sacks
How was cement grout placed?

Was a drive shoe used? ☐ Yes ☐ No Plugs Size: location ft.

Did any strata contain unusable water? ☐ Yes ☐ No

Type of water? depth of strata

Method of sealing strata off

Was well gravel packed? ☐ Yes ☐ No Size of gravel:

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lake Driller's well number
NE 1/4 SW 1/4 Section 28 T. 26 S. R. 14 E W.M.
Bearing and distance from section or subdivision corner
From S.W. corner of S28 - 1850 N & 2635 E.

(11) WATER LEVEL: Completed well.

Depth at which water was first found ft.

Static level 13 ft. below land surface. Date

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 12" to 28", 6" to 21"

Depth drilled ft. Depth of completed well ft.

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

MATERIAL	From	To	SWL
Basalt	75	130	
soap stone	130	135	
Basalt	135	277	

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OWNED

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JUL 21 1979

WATER RESOURCES DEPT
SALEM, OREGON

Work started 6-30 1979 Completed 7-5 1979

Date well drilling machine moved off of well 7-5 1979

Drilling Machine Operator's Certification:

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

[Signed] Don Merrill Date 7-23, 1979
(Drilling Machine Operator)

Drilling Machine Operator's License No. 1285

Water Well Contractor's Certification:

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

Name Don Merrill
(Person, firm or corporation) (Type or print)

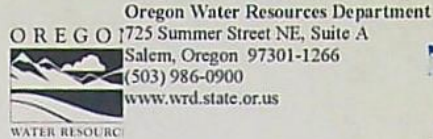
Address Rt 2, Box 440-A

[Signed] Don Merrill
(Water Well Contractor)

Contractor's License No. 728 Date 7-23, 1979

C52624

Application for Water Right
Transfer
Evidence of Use Affidavit



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

State of Oregon)

) ss

County of LAKE

I, RUSSELL B MATTIS, in my capacity as OWNER,

mailing address PO BOX 87, FT ROCK, OR 97735

telephone number (541) 548-5833, being first duly sworn depose and say:

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

Personal observation Professional expertise

2. I attest that:

Water was used during the previous five years on the entire place of use for
Certificate # 52624; OR

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

Certificate #	Township	Range	Mer	Sec	1/4	Gov't Lot or DLC	Acres (if applicable)

OR

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

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

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

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

(continues on reverse side)

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

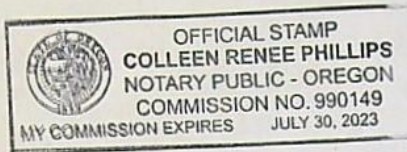
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above
statements, my application will be considered incomplete.

Russell B. Mattis

6-29-22

Signature of Affiant

Date

Signed and sworn to (or affirmed) before me this 29 day of June, 2022.

Notary Public for Oregon

My Commission Expires:

July 30, 2023

Supporting Documents	Examples
Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agricultural Stabilization Plan • CREP Report
Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU - www.oregonexplorer.info/imagery OWRD - www.wrd.state.or.us Google Earth - earth.google.com TerraServer - www.terra-server.com
Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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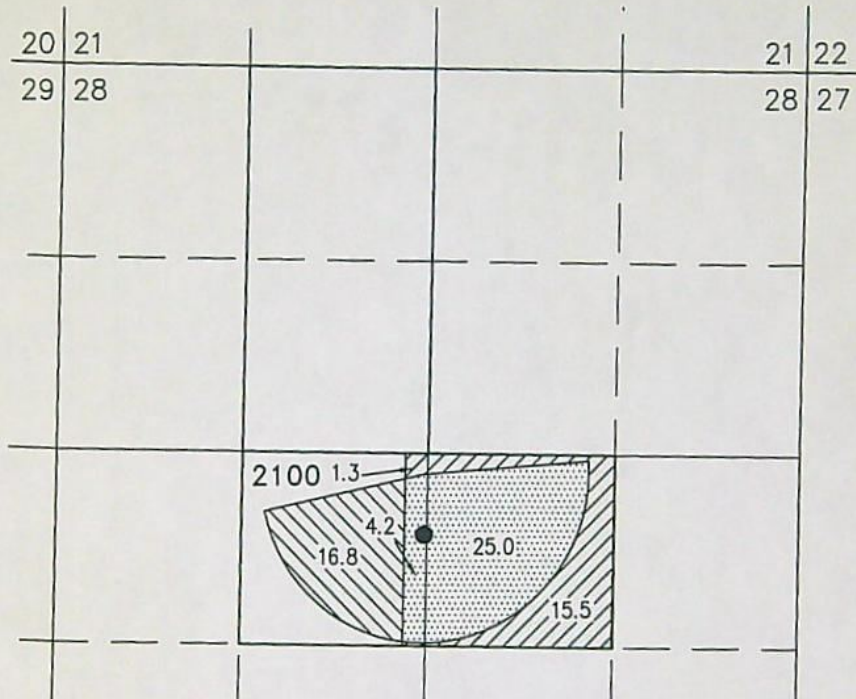
MAP TO ACCOMPANY APPLICATION TO CHANGE PLACE OF USE FOR RUSS MATTIS

TOWNSHIP 26 SOUTH, RANGE 14 EAST, SECTION 28, W.M.
TAX LOT: 2100

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29.2 ACRES IR FROM C52624,
REMAIN AS SHOWN



16.8 ACRES IR FROM C52624,
TRANSFERRED OFF, AS SHOWN



16.8 ACRES IR FROM C52624,
TRANSFERRED ON, AS SHOWN

● POA (LAKE 364/365)

EXISTING WELL AUTHORIZED BY C52624 LOCATED IN THE
NE 1/4 OF THE SW 1/4 SECTION 28 & 560 FEET SOUTH
& 20 FEET WEST FROM THE C 1/4 CORNER SECTION 28.

THIS MAP IS FOR THE PURPOSE OF DESIGNING AN
IRRIGATION SYSTEM PLAN AND HAS NO INTENT TO PROVIDE
LEGAL DIMENSIONS OR THE LOCATION OF PROPERTY LINES

PROJECT No. 22-093

PREPARED AT THE REQUEST OF:

RUSS MATTIS
P.O. BOX 87
FT. ROCK, OR 97735

ALL POINTS ENGINEERING
& SURVEYING, INC.



P.O. BOX 767
TERREBONNE, OREGON 97760
(541) 548-5833 PH
Scott@APEandS.com
www.APEandS.com

Temporary Transfer Application Checklist

DROUGHT
If drought mark drought here

Check the Certificate(s)

Transfer # T-14045

Checked by: <u>[Signature]</u> Date: <u>7/19/22</u>	Type of Change(s) No other changes other than those listed: (Mark the proposed changes)	POU/POD	POU/APOD	POU
Fee Received: <u>200.00</u>		POU/POA	POU/APOA	
Calculated Fee: <u>200.00</u>		How many rights to be Transferred? <u>1</u>		
Additional observations:		Certificate # <u>52624</u>		

If OK, check box; if not, fill in.

- ☒ 1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom?

If not, what is missing? Whose signature is missing? _____

- ☒ 2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D? ☒ N/A.

Name of the District _____

- ☒ 3. Part 5 of application, have the applicants completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application?

If not, you may need to contact the applicant or agent? _____

- ☒ 4. 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 certificates are missing a separate Part 5 tables 1 & 2? _____

- ☒ 5. Has the map been completed? Does the map meet the requirements? Can you tell which lands are off and on and where the lands are located? If not, what is missing?

- ☒ 6. If a change in point of appropriation, have the well logs been included? ☒ N/A. *Included but not needed.*

- ☒ 7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.

- ☒ 8. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

- ☐ 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 _____

Temporary Transfer Application Checklist

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1.0 cubic foot per second (cfs))	Line -1	\$200.00
2	Enter the cfs for the portions of the rights to be transferred (see example below*) _____(2a) Subtract 1.0 from the number in 2a above _____(2b) If <u>2b</u> is <u>0</u> enter <u>0</u> on line 2 If 2b is greater than 0, round to the nearest whole number: _____(2c) and multiply by \$50.00, then enter on line 2	Line -2	
3	Add entries on lines 1 through 2 above Total Fee	Line -3	

*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land: 1. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$). 2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$) 3. Add cfs for the portions of water rights on all the land included in the transfer; however do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).



ALL POINTS
ENGINEERING & SURVEYING, INC.

P.O. Box 767
Terrebonne, Oregon 97760

TRANSMITTAL

To:
Oregon Water Resources Department
725 Summer St. NE Suite A
Salem, OR 97301-1266

Date: 7/12/2022
Attention: Transfer Section

Re: Drought Transfer App.

☒ Prints ☐ Plans ☒ Map/Plat ☐ Specifications ☐ Change order ☐ Other

Copies	No.	Description
1	1	Temp/Drought Transfer Application (9 sheets letter bond)
1	2	Temp/Drought Transfer Application Map (1 sheet Arch E bond)
1	3	Land Use Information Form (2 sheets letter bond)
1	4	Well ID Reports (2 sheets letter bond)
1	5	Evidence of Use Affidavit & Supporting Docs (6 sheets letter bond)
1	6	Deed of Ownership (6 sheets letter bond)
1	7	Site photos
1	7	Application Fee (check for \$200)

These are transmitted as checked below:

☒ For OWRD approval ☐ Approved as submitted ☐ Approved as noted
☐ Copies for distribution ☐ Returned for corrections ☐ Returned corrected prints
☐ Review and comment ☐ For bids due ☐ Other

Remarks:

Thanks, and if you have questions please don't hesitate to call (541) 548-5833.

Signed: Debbie Montgomery

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