

Regular

T-13864

Name Kreg Lindberg & Cassie CousinsAddress PO Box 1497
Sisters or 97759Change in POD PODDate Filed 11/5/2021Initial notice date 11/11/2021

DPD issued date

PD issued date 2/26/2025PD notice date 3/4/2025Date of FO 3/13/2025 Vol 134 Page 108-111

C-Date

COBU due date

COBU Received date

Certificate issued

Assignments:

Irrigation District

Agent Michelle Wright Sims sims.mw@gmail

CWRE

CC's list Deschutes County Planning☐ - Oversized map - Location

DESCRIPTION OF WATER RIGHT(s)

Name of Stream wellTrib. of Whychus Creek BasinUse irrigationCounty Deschutes

Quantity of water (CFS)

No. of Acres

Name of ditch

App# G13581Per # G12559Cert # 94134PR Date 12/21/2023

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 #

11-5-2021\$2,930.00136781

FEES REFUNDED

Date

Amount

Receipt #

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13864

Transfer Specialist: *Joan*

Transfer Type: Regular Transfer

Applicant: KREG LINDBERG PO BOX 1497 SISTERS, OR 97759 Email: _____ Phone: _____		Agent: ☐ N/A MICHELE SIMS 14865 CHECKREIN SISTERS, OR 97759 Email: _____ Phone: _____	
Irrigation District: ☐ N/A Email: _____		CWRE: ☐ N/A Email: _____	
Affected Local Gov'ts: ☐ N/A Deschutes County Planning Department Email: _____		Affected Tribal Gov't: ☐ N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: ☐ N/A Email: _____		Receiving Landowner: ☐ N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	G13581	G12559	94134	☐ Yes ☒ No	<u> </u>
☐				☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd: November 5, 2021	Proposed Action(s): POINT OF APPROPRIATION; PLACE OF USE	
Fees Pd: 2930.00	WM District: 11	ODFW District:
Initial Public Notice: November 16, 2021	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: <i>8/22/24</i> Initials: <i>Joan</i>	Date: <i>8/22/24</i> Initials: <i>Joan</i>	Date: _____ Initials: _____	Date: <i>8-29-24</i> Initials: <i>CC</i>	Date: <i>8-30-24</i> Initials: <i>Joan</i>	CW Sent: <i>8-30-24</i>	N/A
PD	Date: <i>2/10/25</i> Initials: <i>Joan</i>	Date: <i>2/19/25</i> Initials: <i>Joan</i>	Date: <i>2-21-25</i> Initials: <i>Joan</i>	Date: _____ Initials: <i>7</i>	Date: <i>2-25-25</i> Initials: <i>Joan</i>	Date: <i>2-25-25</i>	Date: <i>2/26/2026</i>
FO	Date: <i>2/27/25</i> Initials: <i>Joan</i>	Date: <i>2/28/25</i> Initials: <i>Scott</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: <i>3/13/2025</i>

Special Issues: *Deschutes - Resend 7/10/25 had to wait for Tribe letter*

Special Order Volume: Vol. *134* Pages *108-111*

Resend (11)



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

March 13, 2025

Kreg Lindberg And Carissa Cousins
PO BOX 1497
Sisters, OR 97759

REFERENCE: Transfer Application T-13864

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

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

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

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

If you have any questions related to the approval of this transfer, you may contact your caseworker, Joan Smith, by telephone at (503) 986-0892 or by e-mail at Joan.m.smith@water.oregon.gov.

Sincerely,

David V. Jones Jr
Water Rights Services Support
Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)
Michele Sims, Agent
Confederated Tribes of the Warm Springs
Deschutes County Planning Department, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A CHANGE IN
T-13864, Deschutes County	)	POINT OF APPROPRIATION AND A
	)	CHANGE IN PLACE OF USE

Authority

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

Applicant

KREG LINDBERG AND CARISSA COUSINS
PO BOX 1497
SISTERS, OR 97759

Findings of Fact

1. On November 5, 2021, Kreg Lindberg and Carissa Cousins filed an application to change the point of appropriation and to change the place of use under Certificate 94134. The Department assigned the application number T-13864.
2. Notice of the application for transfer was published on November 16, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On August 20, 2024, the Department received correspondence from Josh Newton, Attorney for the Confederated Tribes of the Warm Springs Reservation of Oregon (Tribe). The Tribe does not object to the Department processing the Transfer Application T-13864, in accordance with applicable law, and the Department's customary practice.

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

4. On August 30, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13864 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of September 29, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
5. On February 26, 2025, the Department issued a Preliminary Determination proposing to approve Transfer T-13864 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on March 4, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
6. The right to be transferred is as follows:

Certificate: 94134 in the name of CATHERINE OHAGAN (perfected under Permit G-12559)

Purpose or Use: IRRIGATION OF 5.6 ACRES

Priority Date: DECEMBER 20, 1993

Rate: 0.058 CUBIC FOOT PER SECOND

Period of Use: MARCH 1 THROUGH OCTOBER 31

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-foot for each acre irrigated during the irrigation season of each year.

Source: A WELL in the WHYCHUS CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	10 E	WM	18	SE SE	1023 FEET NORTH AND 250 FEET WEST FROM THE SE CORNER OF SECTION 18

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	10 E	WM	18	SE SE	5.6

7. Transfer Application T-13864 proposes to move the authorized point of appropriation approximately 20 feet northeast from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	10 E	WM	18	SE SE	POA 2 - 1020 FEET NORTH AND 270 FEET WEST FROM THE SE CORNER OF SECTION 18

8. Transfer Application T-13864 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	10 E	WM	18	SE SE	5.6

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), OAR 690-380-2110(2), and OAR 690-380-2200]

9. Water has been used within the last five years prior to the submittal of Transfer Application T-13864 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.
10. 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-13864.
11. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
12. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
13. The proposed changes, as conditioned, would not result in enlargement of the right.
14. The proposed changes would not result in injury to other existing water rights.
15. All other application requirements are met.

Conclusions of Law

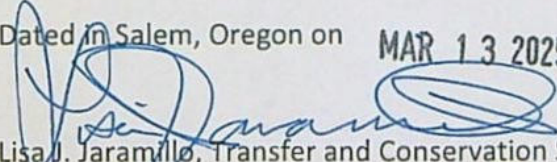
The change in point of appropriation and change in place of use proposed in Transfer Application T-13864 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore it is ORDERED:

1. The change in point of appropriation and change in place of use proposed in Transfer Application T-13864 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 94134 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation or the new place of use.

4. Water right Certificate 94134 is cancelled.
5. The quantity of water diverted at the new point of appropriation (POA 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).
6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (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.
9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. 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 13 2025**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

Mailing date: **MAR 14 2025**



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 26, 2025

VIA CERTIFIED MAIL AND E-MAIL

KREG LINDBERG AND CARISSA COUSINS
PO BOX 1497
SISTERS, OR 97759

SUBJECT: Water Right Transfer Application T-13864

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-13864. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please don't hesitate to contact me at 503-986-0892 or Joan.M.Smith@water.oregon.gov, if I may be of assistance.

Sincerely,

Joan Smith

Transfer Specialist
Transfer and Conservation Section

**BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON**

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-13864, Deschutes County	)	PROPOSING APPROVAL OF A CHANGE IN
	)	POINT OF APPROPRIATION AND A
	)	CHANGE IN PLACE

Authority

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

Applicant

KREG LINDBERG AND CARISSA COUSINS
PO BOX 1497
SISTERS, OR 97759

Findings of Fact

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2. Notice of the application for transfer was published on November 16, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On August 20, 2024, the Department received correspondence from Josh Newton, Attorney for the Confederated Tribes of the Warm Springs Reservation of Oregon (Tribe). The Tribe does not object to the Department processing the Transfer Application T-13864, in accordance with applicable law, and the Department's customary practice.
4. On August 30, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-13864 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of September 29, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

5. The right to be transferred is as follows:

Certificate: 94134 in the name of CATHERINE OHAGAN (perfected under Permit G-12559)

Purpose or Use: IRRIGATION OF 5.6 ACRES

Priority Date: DECEMBER 20, 1993

Rate: 0.058 CUBIC FOOT PER SECOND

Period of Use: MARCH 1 THROUGH OCTOBER 31

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-foot for each acre irrigated during the irrigation season of each year.

Source: A WELL in the WHYCHUS CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
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6. Transfer Application T-13864 proposes to move the authorized point of appropriation approximately 20 feet northeast from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	10 E	WM	18	SE SE	5.6

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), OAR 690-380-2110(2), and OAR 690-380-2200]

8. Water has been used within the last five years prior to the submittal of Transfer Application T-13864 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.
9. 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-13864.

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

Determination and Proposed Action

The change in point of appropriation and change in place of use proposed in Transfer Application T-13864 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-13864 is approved, the final order will include the following:

1. *The change in point of appropriation and change in place of use proposed in Transfer Application T-13864 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 94134 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation or the new place of use.*
4. *Water right Certificate 94134 is cancelled.*
5. *The quantity of water diverted at the new point of appropriation (POA 2) shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*

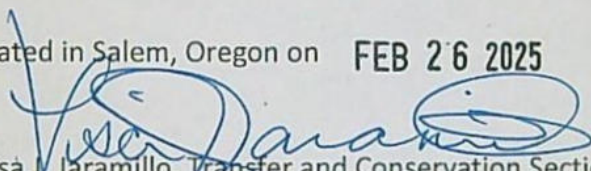
8. *Water use measurement conditions:*

- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (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.*

9. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. 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 **FEB 26 2025**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Joan Smith. If you have questions about the information in this document, you may reach me at 503-986-0896 or Joan.M.Smith@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.

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13864

GW Reviewer Joe Kemper Date Review Completed: 11/6/2023

Summary of Same Source Review:

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

Summary of Injury Review:

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

Summary of GW-SW Transfer Similarity Review:

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

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



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

Ground Water Review Form:

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

Application: T-13864

Applicant Name: Kreg Lindberg & Carissa Cousins

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

Reviewer(s): Joe Kemper

Date of Review: 11/6/2023

Date Reviewed by GW Mgr. and Returned to WRSD: _____

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

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

-
1. Basic description of the changes proposed in this transfer: Certificate 94134 authorizes 0.058 cfs of irrigation on 5.6 acres from one POA, DESC 3111. This transfer would change the POA from DESC 3111 to DESC 61857 and update the POU to reflect land use.
 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: DESC 3111 is located approximately 20 feet from DESC 61857 and drilled to similar depths within Cascade lavas and tuffaceous units.
 3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No _____
b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): _____
 4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☐ Yes ☒ No Comments: The nearest possible groundwater user is 750-1000 feet to the south in the adjacent tax lot. Assuming no change in pumping patterns, the proposed change in POA location is not expected to produce a measurable difference in well-to-well interference.
b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☐ Yes ☒ No If yes, explain: _____

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

☐ Yes ☒ No Comments: Considering the proximity of the "to" and "from" well, the proposed changes are not expected to measurably increase surface water interference.

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

Stream: _____ ☐ Minimal ☐ Significant

Stream: _____ ☐ Minimal ☐ Significant

Provide context for minimal/significant impact: NA

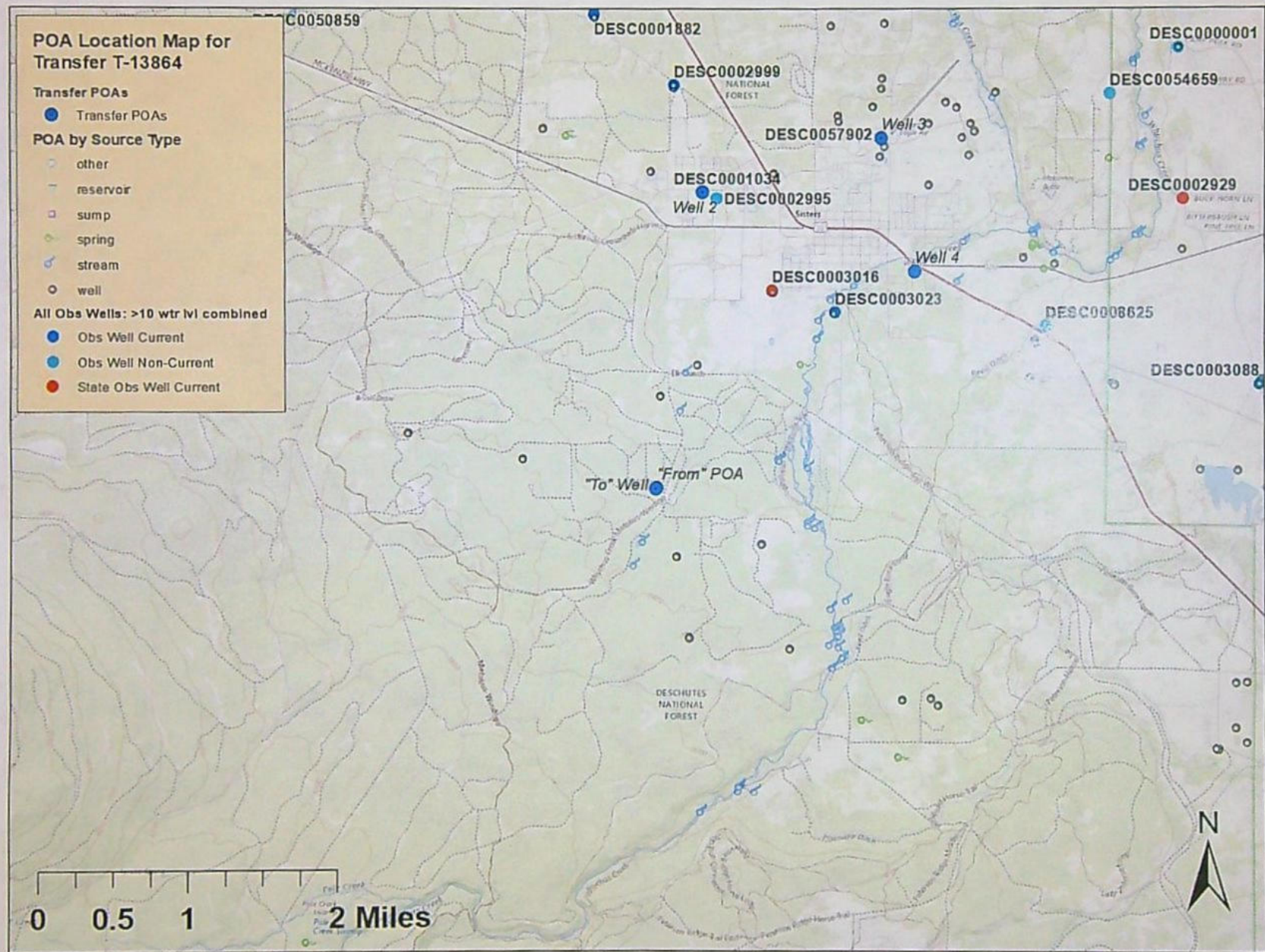
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

☐ Yes ☐ No Comments: NA

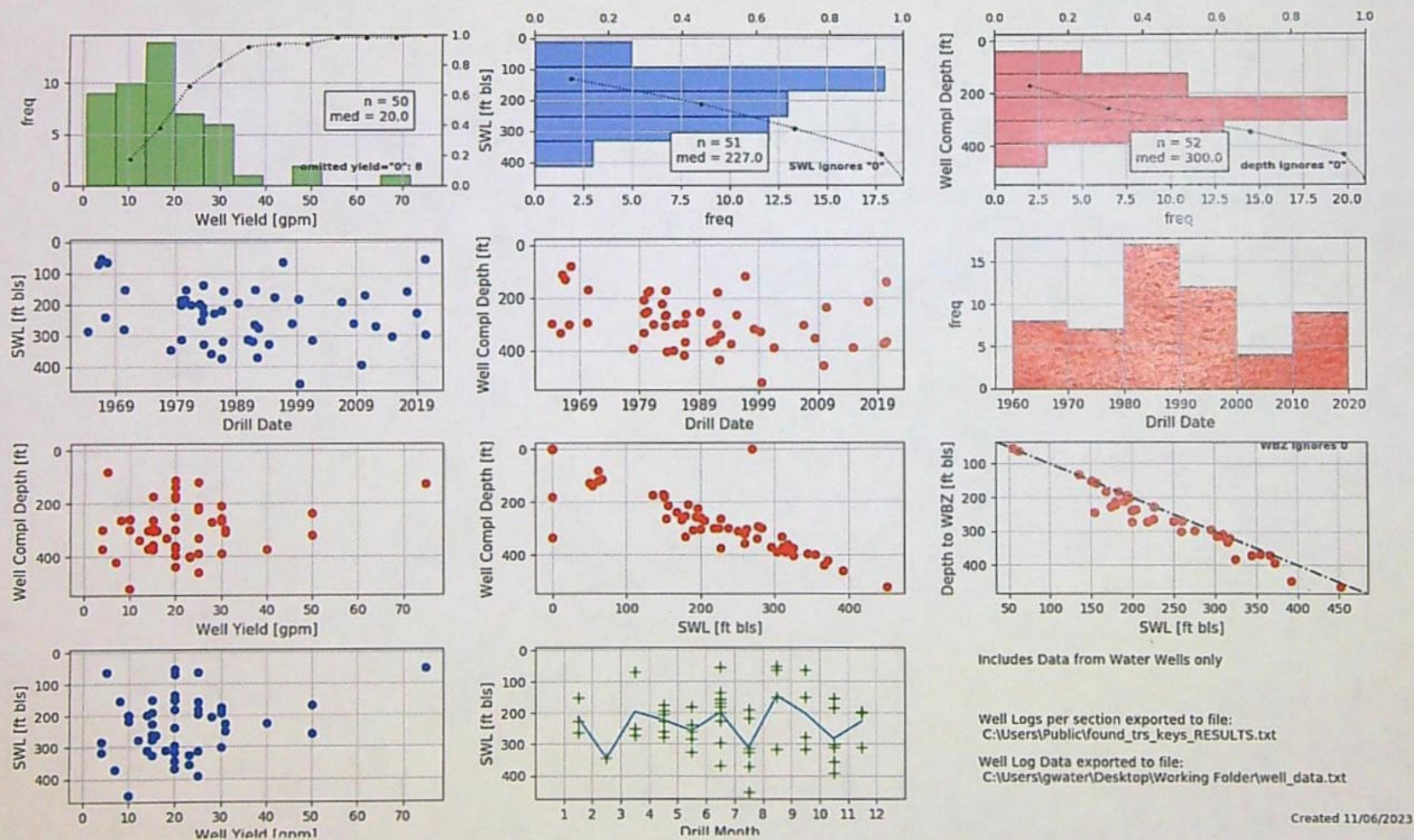
7. What conditions or other changes in the application are necessary to address any potential issues identified above: NA

8. Any additional comments: NA

Transfer Map



Summary Statistics for Well Reports Filed in TRS 15S/10E Sections 17-20





Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

November 15, 2021

KREG LINDBERG
CARISSA COUSINS
PO BOX 1497
SISTERS, OR 97759

Reference: Application T-13864

On November 5, 2021, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$2930.00. Our receipt number 136781 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 or to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well or as the original POD.

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 in the new place of use or from the new point of 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.

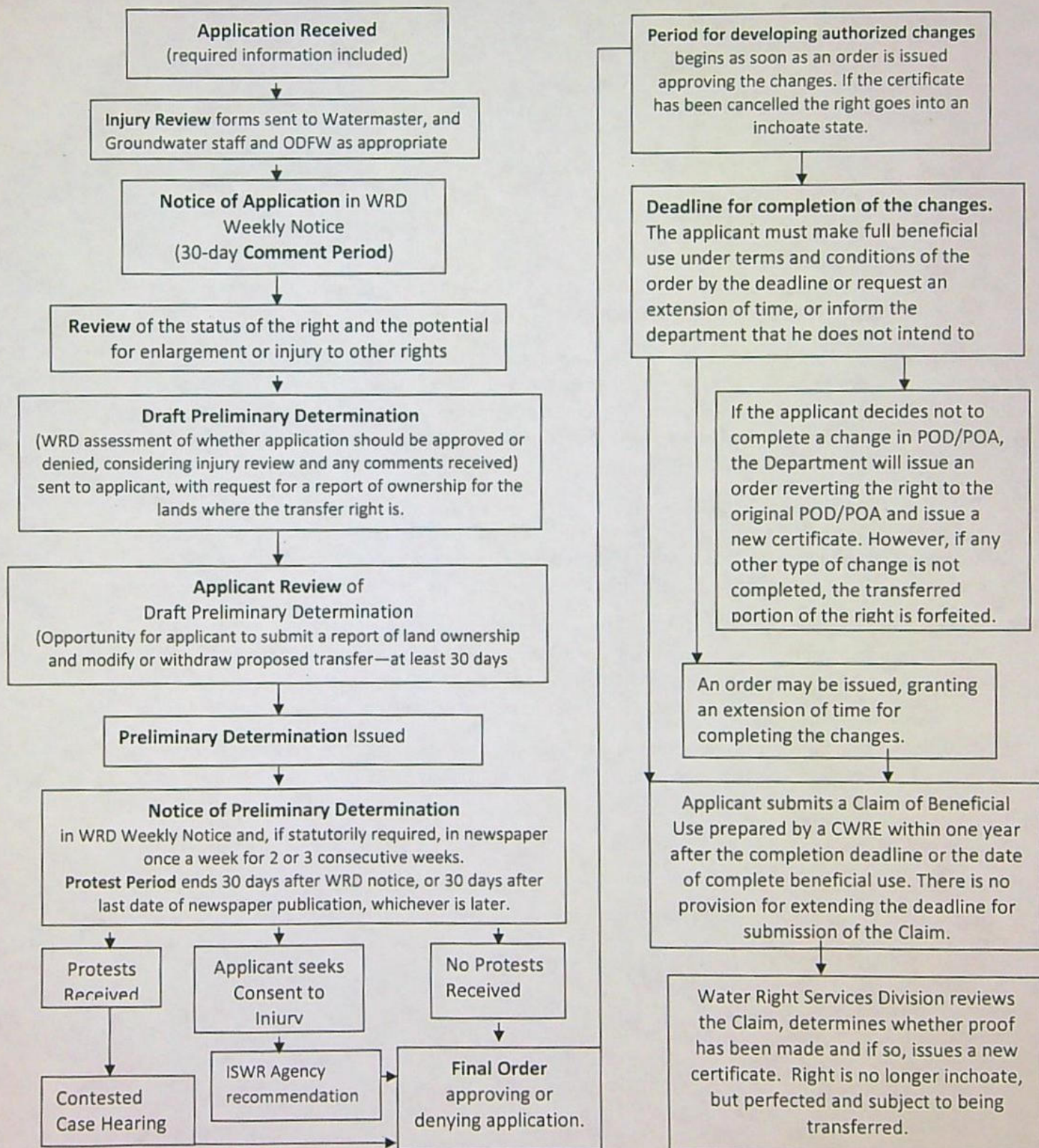
If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #11, Jeremy T. Giffin (*via email*)
Deschutes County Planning Department
Michele Sims, Agent

Enclosure

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

OAR 690 Division 380



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **136781**

INVOICE # _____

RECEIVED FROM: Kreg Lindberg
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>1-13864</u>

CASH: ☐ CHECK # 268 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 2,930.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 2,930.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____

LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____

0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

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

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT: **136781**

DATED: 11-5-2021

BY: Mindy Caddis

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

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

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

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

- ☒ 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: 94134**
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.

OWRD

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

13864

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OWRD 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.
- ☐ NA 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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***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:

- For irrigation calculate cfs for each water right involved as follows:
 - 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 ($x 45 \text{ ac} = 0.56 \text{ cfs}$).
 - 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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
- 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).

Revised 7/1/2021

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Kreg Lindberg and Carissa Cousins			PHONE NO. 541-617-8878	ADDITIONAL CONTACT NO.
ADDRESS POB 1497			FAX NO.	
CITY Sisters	STATE OR	ZIP 97759	E-MAIL kreglind@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.				

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

AGENT/BUSINESS NAME Michele Wright Sims			PHONE NO. 541-408-4777	ADDITIONAL CONTACT NO.
ADDRESS 14865 Checkrein			FAX NO.	
CITY OR	STATE OR	ZIP 97759	E-MAIL sims.mw@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:
Change POA to new well, change POU to reflect current land use

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: The Bulletin.
- 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.

Applicant signature

Print Name (and Title if applicable)

Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

Check the following boxes that apply:

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

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

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

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

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

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
NA				
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: ☐ Applicant ☐ Receiving Landowner				

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

IRRIGATION DISTRICT NAME 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 county, city, municipal corporation, or tribal governments within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Deschutes County Community Development Dept,	ADDRESS POB 6005	
CITY Bend	STATE OR	ZIP 97708-6005

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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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 additional rows to tables within the form.

CERTIFICATE # 94134

Description of Water Delivery System

System capacity: 0.058 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 well into the pond, then into the distribution 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)
POA1	☒ Authorized ☐ Proposed	DESC3111	15 S	10 E	18	SE	SE	2702	1023' N and 250' W from SE Corner Section 18
POA2	☐ Authorized ☒ Proposed	L-136385	15 S	10 E	18	SE	SE	2702	1020' N and 270' W from SE Corner Section 18
	☐ Authorized ☐ Proposed								
	☐ Authorized ☐ Proposed								

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

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

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

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

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 # 94134

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.																	
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date										
EXAMPLE																														
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901				
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901				
15	S	10	E	18	SE	SE	2702		5.6	IR	POA1	1993	POU	15	S	10	E	18	SE	SE	2702		5.6	na	POA2	1993				
TOTAL ACRES:									5.6					TOTAL ACRES:									5.6							

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Additional remarks: Applicant proposes transferring water right to new well and to update place of use to reflect current use.

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: NA.

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
POA1	yes	no tag	305'	6"	19'	19'	na	225'	basalt	na
POA2	yes	L1363853 05'	375'	8"	see log	18.5'	see log	227'	blacklava	na

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STATE OF OREGON
WATER SUPPLY WELL REPORT

(as required by ORS 537.765 & OAR 690-205-0210)

DESC 61857

1/14/2020

WELL I.D. LABEL#

START CARD #

ORIGINAL LOG #

136385

1046048

Page 1 of 2

(1) LAND OWNER

Owner Well I.D. _____
First Name KREG Last Name LINBERG
Company _____
Address 68015 EDGINGTON RD SISTERS OR 97753
City SISTERS State OR Zip 97759

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion
☐ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)

(2a) PRE-ALTERATION

Dia + From To Gauge Stl Plstc Wld Thrd
Casing: ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐
Material From To Amt sacks/lbs
Seal: ☐ ☐ ☐ ☐ ☐ ☐ ☐ ☐

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud
☐ Reverse Rotary ☐ Other _____

(4) PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Community
☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering
☐ Thermal ☐ Injection ☐ Other _____

(5) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)

Depth of Completed Well 375.00 ft.

BORE HOLE

Dia	From	To	Material	From	To	Amt	sacks/lbs
12	0	18.5	Bentonite	0	18.5	11	S
8	18.5	320				Calculated	10.49
6	320	375				Calculated	

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

☒ Other BENTONITE DRY

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

Filter pack from _____ ft. to _____ ft. Material _____ Size _____

Explosives used: ☐ Yes Type _____ Amount _____

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount _____ Actual Amount _____

(6) CASING/LINER

Casing	Liner	Dia	+	From	To	Gauge	Stl	Plstc	Wld	Thrd
☒	☒	8	☒	1.5	18.5	250	☒	☒	☒	☒
☐	☐	6	☐	5	320	188	☐	☐	☐	☐
☐	☐		☐				☐	☐	☐	☐
☐	☐		☐				☐	☐	☐	☐
☐	☐		☐				☐	☐	☐	☐
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☐	☐		☐				☐	☐	☐	☐
☐	☐		☐				☐	☐	☐	☐
☐	☐		☐				☐	☐	☐	☐

Shoe ☐ Inside ☒ Outside ☐ Other Location of shoe(s) 320

Temp casing ☐ Yes Dia _____ From + _____ To _____

(7) PERFORATIONS/SCREENS

Perforations Method FACTORY CUT

Screens Type _____ Material _____

Perf/	Casing/	Screen	Dia	From	To	Sern/slot	Slot	# of	Tele/
Screen	Liner					width	length	slots	pipe size
Perf	Liner		6	280	320	125	3	400	

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

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min	Drawdown	Drill stem/Pump depth	Duration (hr)
40		360	1

Temperature 45 °F Lab analysis ☐ Yes By _____

Water quality concerns? ☐ Yes (describe below) TDS amount 56 ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County DESCHUTES Twp 15.00 S N/S Range 10.00 E E/W WM

Sec 18 SE 1/4 of the SE 1/4 Tax Lot 2702

Tax Map Number _____ Lot _____

Lat _____ " or 44.26510923 DMS or DD

Long _____ " or -121.57513404 DMS or DD

☒ Street address of well ☐ Nearest address

68015 EDGINGTON ROAD SISTER OR

(10) STATIC WATER LEVEL

Date	SWL(psi)	+ SWL(ft)
Existing Well / Pre-Alteration		
Completed Well 1/2/2019		227

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES

Depth water was first found 227.00

SWL Date From To Est Flow SWL(psi) + SWL(ft)

SWL Date	From	To	Est Flow	SWL(psi)	+ SWL(ft)
1/2/2020	227	305	40		☒

(11) WELL LOG

Ground Elevation _____

Material	From	To
Sandy Top soil	0	3
Black basalt - lava	3	10
Brown SS - Tuff	10	11
Black lava - Basalt	11	50
Gray lava broken soft	50	78
Broken Soft Brown SS Tuff	78	82
Gray lava	82	110
Marron SS Tuff	110	125
Tan SS Congl	125	190
Brown SS - Tuff Congl	190	200
Gray lava broken soft	200	210
lava rock broken lost returns	210	211
Broken no returns	211	305
Midd lava	305	320
lava rock Black	320	375

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Date Started 12/30/2019 OWRD Completed 1/2/2020

(unbonded) Water Well Constructor Certification

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

License Number 2025 Date 1/14/2020

Signed SHAUN ALEXANDER (E-filed)

(bonded) Water Well Constructor Certification

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

License Number 1970 Date 1/14/2020

Signed NEIL FAGEN (E-filed)

Contact Info (optional) 541-548-1245

13864

ORIGINAL - WATER RESOURCES DEPARTMENT

THIS REPORT MUST BE SUBMITTED TO THE WATER RESOURCES DEPARTMENT WITHIN 30 DAYS OF COMPLETION OF WORK Form Version:

NOTICE TO WATER WELL CONTRACTOR

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

STATE ENGINEER, SALEM, OREGON
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)

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OCT - 9 1985

State Well No. 155/10E-1822

State Permit No.

WATER RESOURCES DEPT
SALEM, OREGON

(1) OWNER:

Name Jesse EdgingtonAddress P.O. Box 628
Sisters, Ore. 97259

(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 ☐

(5) CASING INSTALLED:

Threaded ☐ Welded ☒6" Diam. from 1 ft. to 19 ft. Gage 250

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

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

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used _____

Size of perforations _____ in. by _____ in.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static levelWas a pump test made? ☒ Yes ☐ No If yes, by whom? DrillerYield: 31 gal./min. with 0 ft. drawdown after 4 hrs.

" " " "

" " " "

Baffler test 15 gal./min. with 0 ft. drawdown after 2 hrs.

Artesian flow _____ g.p.m.

Temperature of water 49 Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used CementWell sealed from land surface to 19 ft.Diameter of well bore to bottom of seal 10 in.Diameter of well bore below seal 6 in.Number of sacks of cement used in well seal 6 sacks

Number of sacks of bentonite used in well seal _____ sacks

Brand name of bentonite _____

Number of pounds of bentonite per 100 gallons

of water _____ lbs./100 gals.

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 Deschutes Driller's well number _____S.E. $\frac{1}{4}$ S.E. $\frac{1}{4}$ Section 18 T. 15S R. 10E W.M.

Bearing and distance from section or subdivision corner

Rederson - Burn Rd.

(11) WATER LEVEL: Completed well.

Depth at which water was first found 265 ft.Static level 225 ft. below land surface. Date _____

Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG: Diameter of well below casing 6"Depth drilled 305 ft. Depth of completed well 300 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
Overburden	0	2	
LAVA	2	27	
BASALT	27	153	
Sandstone Br.	153	176	
Sandstone Red	176	201	
Basalt	201	232	225
Sandstone - Red	232	249	
Basalt	249	260	
Sandstone Br.	260	266	
noticably Basalt	266	305	

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Work started 4-8 1985 Completed 4-12 1985Date well drilling machine moved off of well 4-12 1985

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] Dr. Gordon Davidson Date 4-22 1985
(Drilling Machine Operator)

Drilling Machine Operator's License No. 685

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 DAVIDSON - SMITH DRILLING
(Person, firm or corporation) (Type or print)

Address 1605 N.W. Davidson - Gertsborn
OR 9

[Signed] Dr. Gordon Davidson
(Water Well Contractor)

Contractor's License No. 548 Date 4-21 1985

(USE ADDITIONAL SHEETS IF NECESSARY)

SP-45856-119

13864

Application for Water Right Transfer

Evidence of Use Affidavit

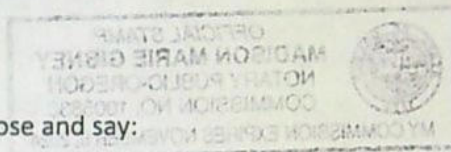


Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900
www.wrd.state.or.us

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)
County of DESCHUTES) ss

I, KREG LINDBERG, in my capacity as LANDOWNER,
mailing address PO BOX 1497, SISTERS OR 97759
telephone number (541)-617-8878, being first duly sworn depose and say:



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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the **entire** place of use for
Certificate # 94134; OR

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

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

OR

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

(continues on reverse side)

13864

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

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.

K Li
Signature of Affiant

8/27/21
Date

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Signed and sworn to (or affirmed) before me this 27 day of August, 2021.



Madison Marie Gibney
Notary Public for Oregon

My Commission Expires: November 8, 2024

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

Electricity usage for pumphouse, which includes the well pump for domestic and irrigation use, as well as the pumphouse heater. Irrigation started in the May billing period (includes part of April). Kreg Lindberg, 68015 Edgington Road, Sisters, OR 97759.



CENTRAL ELECTRIC

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View

☒ Monthly☐ Daily☐ Hourly

Date Range

☐

Unbilled

☐ Current Bill☐ Previous Bill☐ Year to Date☐ Past 13 Bills

Type

☒ Usage☐ Cost

Account

5431510101 - 68015 EDGING1 ▾

Show Temperature Line

☐ High☐ Average☐ Low☒

From

Jan 2021

To

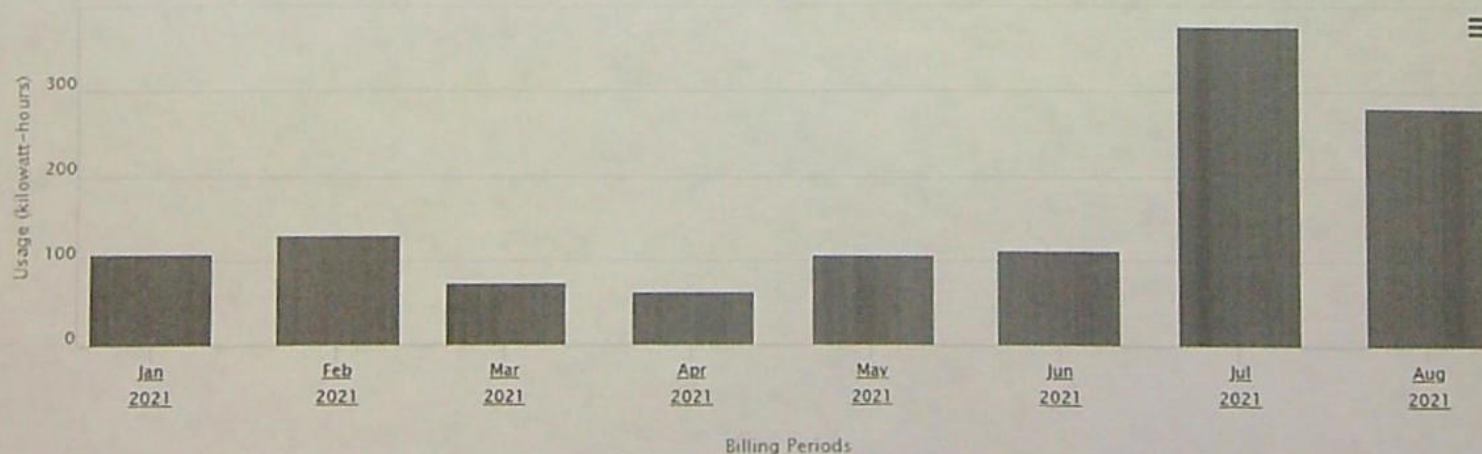
Aug 2021

Meter

109006828 ▾

Monthly Usage Jan 2021 to Aug 2021

Customer since: December 9, 2019



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WRD

The photos below were taken at approximately the locations indicated by the numbers overlaid on the following map.

Water Rights Transfer Application
Point of Appropriation and Place of Use
Certificate 94134

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Tax Lot 2702
Map 15-10-18

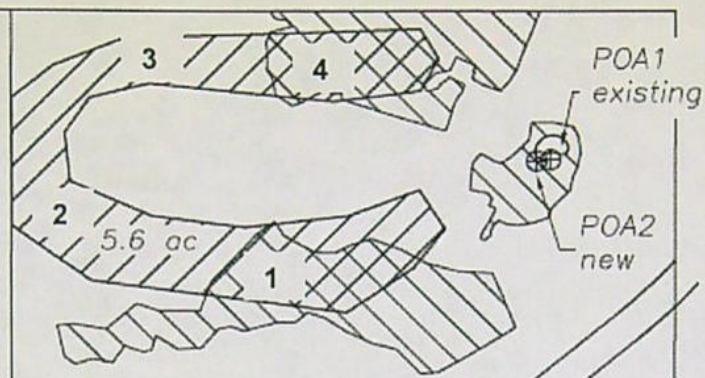


Photo 1



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Photo 2



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Photo 3



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Photo 4



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WATER SUPPLY WELL REPORT - Map with location identified must be attached and shall include an approximate scale and north arrow

DESC 61857

1/14/2020

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Map of Hole

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STATE OF OREGON WELL LOCATION MAP

This map is supplemental to the WATER SUPPLY WELL REPORT

Oregon Water Resources Department

725 Summer St NE, Salem OR 97301

(503)986-0900



LOCATION OF WELL

Latitude: 44.26510923 Datum: WGS84

Longitude: -121.57513404

Township/Range/Section/Quarter-Quarter Section:

WM15.00S10.00E18SESE

Address of Well:

68015 EDGINGTON ROAD SISTER OR

Well Label: 136385

Printed: January 14, 2020

DISCLAIMER: This map is intended to represent the approximate location the well. It is not intended to be construed as survey accurate in any manner.

Provided by well constructor

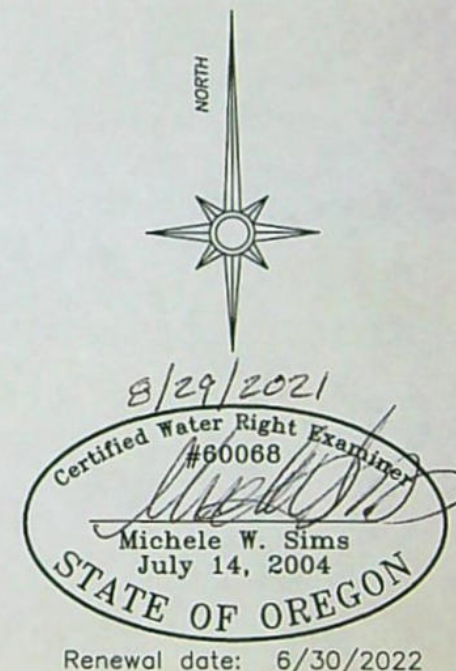
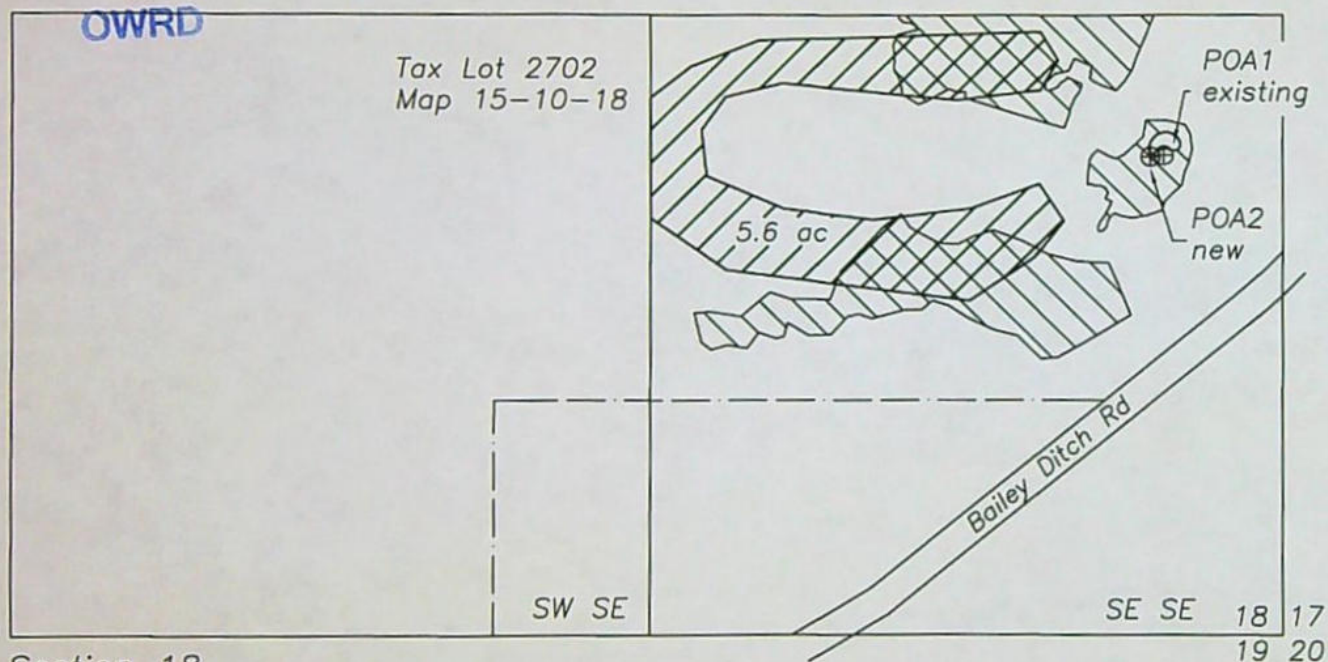


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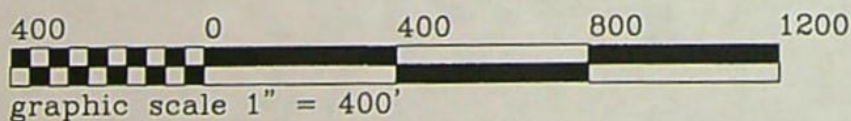
Water Rights Transfer Application
Point of Appropriation and Place of Use
Certificate 94134



138864
Section 18
T15S R10E WM
Descutes County, OR

POA1 existing: 1023' N and 250' W from SE Corner Sec. 18

POA2 new: 1020' N and 270' W from SE Corner Sec. 18



Legend



Water to transfer off: Cert. 94134,
priority date 12/20/1993.



Water to transfer on: Cert. 94134,
priority date 12/20/1993.

— — — — — Property line

This map is for the purpose of identifying the location of the water right. It is not intended to provide legal dimensions or locations of property ownership lines.

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

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NOTE TO APPLICANTS

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

This form is NOT required if:

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

NOTE TO LOCAL GOVERNMENTS

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

Land Use Information Form



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

Applicant(s): Michele Wright Sims

Mailing Address: 14865 Checkrein

City: Sisters

State: OR

Zip Code: 97759

Daytime Phone: 541-408-4777

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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>15S</u>	<u>10E</u>	<u>18</u>	<u>SE SE</u>	<u>2702</u>	<u>F2</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>irrigation</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:

Deschutes

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: 0.058 ☒ 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:

Transfer application to move existing water right to new well and to change place of use to reflect current land use conditions.

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. →

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:	
		☐ 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

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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.

PLEASE SEE ATTACHED LETTER.

Name: Norlange Murrell Title: Assistant Planner

Signature: [Signature] Phone: 541-517-5164 Date: 10/26/21

Government Entity: Deschutes County

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: _____



247-21-000803-PS

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Subject Property:

OWRD

- Tax Map: 15-10-18 Tax Lot: 2702
Zoning: Forest Use Zone (F-2)

Request: The applicant has requested a *Water Right Transfer* (0.058 cubic feet per second (CFS) of groundwater) for irrigation. The applicant has stated that the water use is for irrigation and is not for commercial use. This was verified by planning staff by phone on 10/26/2021. Staff interprets the applicant's request as the irrigation of crops for farm use. Pursuant to DCC Chapter 18.40.020(E), "Farm Use", as defined in DCC 18.04, is allowed outright in the F-2 Zone.

Farm Use, as defined in DCC 18.04:

"Farm use" means the current employment of land for the primary purpose of obtaining a profit in money by raising, harvesting and selling crops or by the feeding, breeding, management and sale of, or the produce of, livestock, poultry, fur-bearing animals or honeybees or for dairying and the sale of dairy products or any other agricultural or horticultural use or animal husbandry or any combination thereof. "Farm use" includes the preparation, storage and disposal by marketing or otherwise of the products or by-products raised on such land for human or animal use. "Farm Use" also includes the current employment of the land for the primary purpose of obtaining a profit in money by stabling or training equines, including but not limited to, providing riding lessons, training clinics and schooling shows. "Farm use" also includes the propagation, cultivation, maintenance and harvesting of aquatic species and bird and animal species to the extent allowed by the rules adopted by the State Fish and Wildlife Commission. "Farm use" includes the on-site construction and maintenance of equipment and facilities used for the activities described above. "Farm use" does not include the use of land subject to the provisions of ORS chapter 321, except land used exclusively for growing cultured Christmas trees as defined in ORS 215.203(3). Current employment of the land for farm use also includes those uses listed under ORS 215.203(2)(b).

This LUCS only confirms that the use of irrigation water for "Farm Use" is allowed outright on the subject property.

To the extent the irrigation is for crops including marijuana/cannabis, staff notes this LUCS does not confirm compliance with State or Federal administered regulations for medical or recreational marijuana. Additionally, there are specific County regulations for both medical and recreational marijuana. This LUCS does not expressly or implicitly confirm the subject property could comply with the adopted rules governing medical or recreational marijuana. The applicant/property owner shall comply with all applicable regulations in place at the time of establishment of the use.

To the extent other uses or structures are included on the LUCS application sheet, this LUCS does not review or approve those uses.

This LUCS does not review or approve:

- Construction of buildings,
- Earthmoving or construction in floodplains,
- Earthmoving, construction, or vegetation changes in wetlands,
- Surface mining, and/or
- Other primary or accessory uses regulated by the Deschutes County Code

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OWRD

Each of the listed uses would require separate land use permits and/or building permits, which are not covered by this LUCS. This LUCS does not confirm compliance with wetlands or floodplain regulations. On-site sales or on-site processing of farm crops may require additional permits. Any development on the properties are subject to all requirements of Title 18 of the Deschutes County Code (DCC), the requirements of the Environmental Soils and Building Safety Divisions, and the Deschutes County Road Department for access to public roads

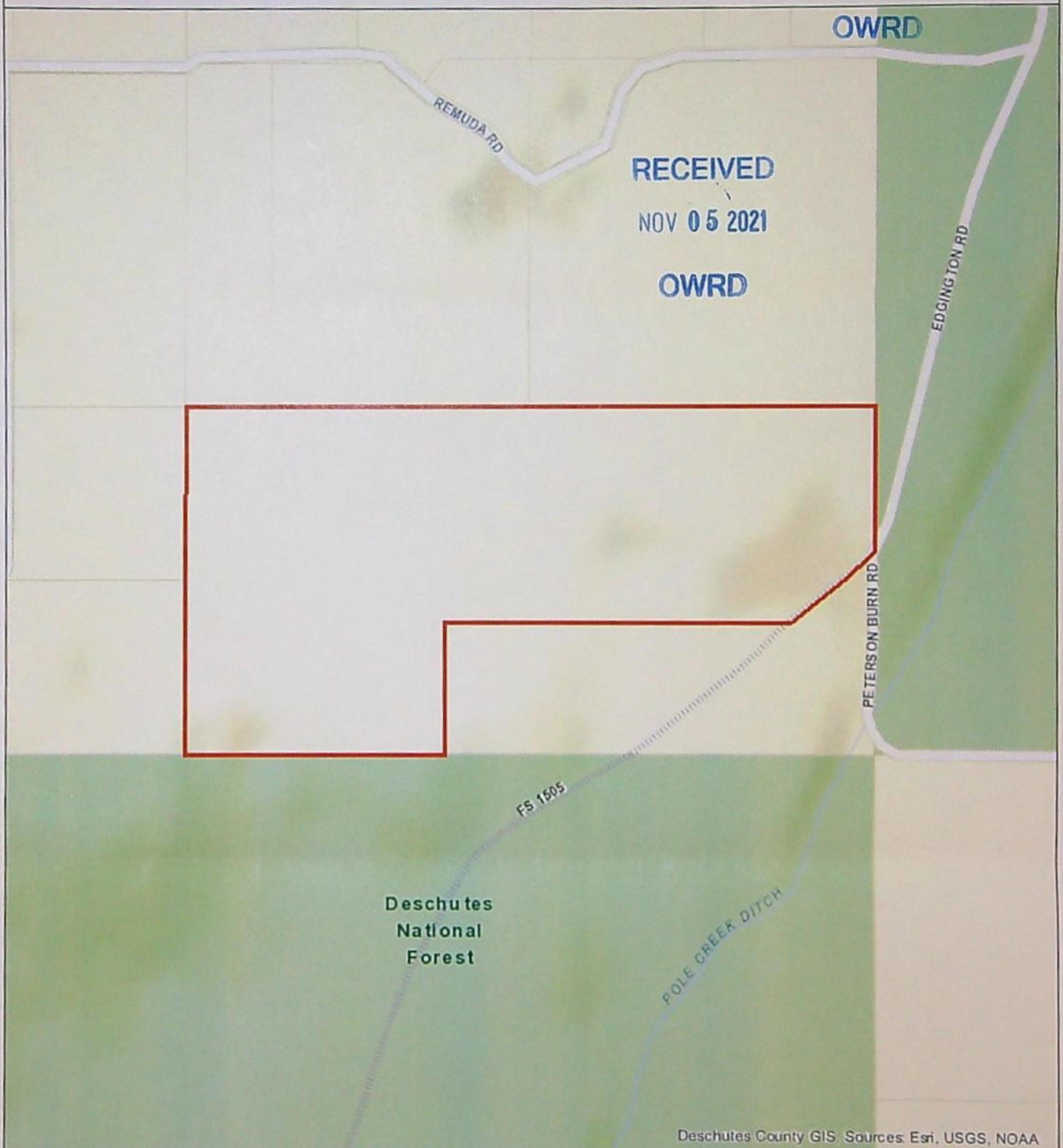
For more information, please contact the Planning Division office at 541-388-6560.

File: 247-21-000803-PS

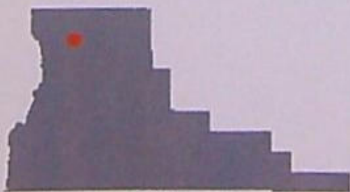
68015 Edgington Road

RECEIVED

NOV 05 2021



Deschutes County GIS. Sources: Esri, USGS, NOAA



Date: 10/26/2021



Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T-

Checked by: <u>Scott</u> Date: <u>11-10-21</u>	Type of Change(s) Proposed: <i>Mark the Proposed Changes</i>	Substitution Gov Action	Supplemental to Primary Surface to Ground	☒ POU USE	POD ☒ POA	APOD APOA
Fee Received: <u>2930</u>						
Calculated Fee: <u>2930</u>			How many rights to be Transferred? <u>1</u> Certificate # <u>94134</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: _____

Permanent Transfer Application Intake Completion Checklist

[illegible]