

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.

RECEIVED

DEC 22 2023

OWRD

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: 25974**

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

NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

Part 2 of 5 – Transfer Application Map

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

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

- ☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- ☐ ☒ N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ A north arrow, a legend, and scale.
- ☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- ☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- ☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- ☐ ☒ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- ☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- ☐ ☒ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
2	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b) If only one change, this will be 0</u> Multiply line 2b by \$1090 and enter » 	2	0
3	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in 3a above: <u>0 (3b) If only one water right this will be 0</u> Multiply line 3b by \$610 and enter » 	3	0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed _____ (4a) Do you propose to add or change additional wells? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 _____ (4b) Add line 4a to line 4b and enter » 	4	0
5	Do you propose to change the place of use or character of use? <input checked="" type="checkbox"/> No: enter 0 on line 5 <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$410, then enter on line 5 » 	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	1,360
7	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input checked="" type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » 	7	680
8	Subtract line 7 from line 6 » Transfer Fee:	8	680

RECEIVED
DEC 22 2023
OWRD

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

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

FEE WORKSHEET for SUBSTITUTION

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Roy and Leslie Walker		PHONE NO. 541-575-2185	ADDITIONAL CONTACT NO. 541-620-4783
ADDRESS 26272 Pine Creek Road			FAX NO.
CITY John Day	STATE OR	ZIP 97845	E-MAIL royles@hughes.net
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 Roy Walker		PHONE NO. 541-575-2185	ADDITIONAL CONTACT NO. 541-620-4783
ADDRESS 26272 Pine Creek Road			FAX NO.
CITY John Day	STATE OR	ZIP 97845	E-MAIL royles@hughes.net
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
We propose to transfer the POD on Pine Creek downstream approximately 40 ft. to accommodate a proposed ODFW POD structure with fish by- pass resulting in a net benefit to fish habitat and more efficient use of the water.

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.

RECEIVED

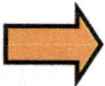
DEC 22 2023

OWRD

By my signature below, I confirm that I understand:

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


Roy L. Walker
Applicant signature

Roy L. Walker
Print Name (and Title if applicable)

12/14/2023
Date

Leslie A. Walker
Applicant signature

Leslie A. Walker
Print Name (and Title if applicable)

12/14/2023
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

RECEIVED
DEC 22 2023

OWRD

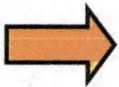
RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Grant County	ADDRESS 201 S. Humbolt	
CITY Canyon City	STATE OR	ZIP 97820

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED

DEC 22 2023

OWRD

Part 5 of 5 – Water Right Information

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

CERTIFICATE # **25974**

Description of Water Delivery System

System capacity: **0.90** cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

RECEIVED

DEC 22 2023

OWRD

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 diverted by gravity flow ditch to flood irrigate the fields,**

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)
POD #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14 S	32 E	1	NE	SW		Certificate 25974 places POD in the NE1/4SW1/4, Section 1, T14S., R32E.
POD #2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		14 S	32 E	1	NE	SW		23 Ft. North & 416 Ft. West from the SE corner of the NE1/4SW1/4 Sec.1, T14S., R32E
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

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

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

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

Table 2. Description of Changes to Water Right Certificate # 25974

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
14	S	32	E	1	NW	SE	500		1.0	irrigation	POD #1	1905	POD	14	S	32	E	1	NW	SE	500		1.0		POD #2	1905
TOTAL ACRES:									1.0				TOTAL ACRES:									1.0				

Additional remarks: **POD CHANGE ONLY.**

For Place of Use or Character of Use Changes

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

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



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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

RECEIVED

DEC 2, 2023

OWRD

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

14380 -

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.

RECEIVED

DEC 22 2023

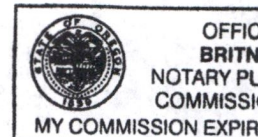
OWRD

State of Oregon)
County of GRANT) ss

I, ROY WALKER, in my capacity as OWNER,

mailing address 26272 PINE CREEK ROAD, JOHN DAY, OR 97845

telephone number (541-575-2185), 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 # ____; **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)
25974	14	S	32	E	WM	1	NW	SE		1.0

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)

14380 -

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

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.

B. L. Wood
Signature of Affiant

12/14/2023
Date

STAMP
BRITNEY R REED
LIC - OREGON
NO. 1013367
EXPIRES JUNE 10, 2025

Signed and sworn to (or affirmed) before me this 14th day of December, 2023.



Britney R Reed
Notary Public for Oregon

My Commission Expires: June 10, 2025

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none">• Power usage records for pumps associated with irrigation use• Fertilizer or seed bills related to irrigated crops• Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none">• District assessment records for water delivered• Crop reports submitted under a federal loan agreement• Beneficial use reports from district• IRS Farm Usage Deduction Report• Agricultural Stabilization Plan• CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. <div>RECEIVED DEC 22 2023 OWRD</div> Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

14380 -



1 inch = 300 feet

Tax Lot 105

13 S 32 E

Tax Lot 2200

RECEIVED
DEC 22 2023
OWRD

Tax Lot 301

SW 1/4

SENE

Tax Lot 200

14 S 32 E

Tax Lot 100

Tax Lot 500

Tax Lot 7400

NW 1/4

NESE

Tax Lot 600

Bear Cr

Tax Lot 1100

14380 -
NAIP 2022 Aerial Photograph

Land Use Information Form



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

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.

RECEIVED

DEC 22 2023

OWRD

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.

14380 -

Land Use Information Form



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

Applicant(s): Roy Walker

Mailing Address: 26272 Pine Creek Road.

City: John Day

State: OR

Zip Code: 97845

Daytime Phone: 541-575-2185

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>14S</u>	<u>32E</u>	<u>1</u>	<u>NESW</u>	<u>400</u>	<u>mur</u>	<input checked="" type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
<u>14S</u>	<u>32E</u>	<u>1</u>	<u>NWSE</u>	<u>500</u>	<u>mur</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

Grant

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) Pine Creek

Estimated quantity of water needed: 0.025 ☒ 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:

POD CHANGE ONLY.

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. →

14380 -

Anderson 14-32-1 400
Walker 14-32-1 500

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): Article 14 Grant Co Land Development Code
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Irrigation is allowable use in MUR - ag zone.

Name: Shannon Springer Title: Planning Director
Signature: Shannon Springer Phone: 541-575-1519 Date: 12/12/23
Government Entity: Grant 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: _____

108689

MICROFILM

STATUTORY WARRANTY DEED

WESLEY WILSON and LAMONA WILSON, husband and wife, Grantors, convey and warrant to W. A. CHERRY and LAURA CHERRY, Grantees, all of that certain real property, land and premises in Grant County, Oregon described more particularly on Exhibit "A" attached hereto and incorporated herein, free of encumbrances except as specifically set forth herein on the said Exhibit "A."

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

The true consideration for this conveyance is \$35,000.00.

All tax statements shall be sent to the following address:

Izee Rt.; Canyon City, OR 97820 HCR 77, Box 215, JOHN DAY, OR 97845

Dated this 7 day of NOV, 1985.

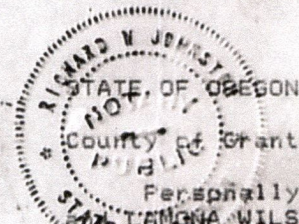
Wesley Wilson
WESLEY WILSON

Lamona Wilson
LAMONA WILSON

RECEIVED

DEC 22 2023

November 7, 1985 OWRD



Personally appeared before me the above-named WESLEY WILSON and LAMONA WILSON as husband and wife, and acknowledged the foregoing instrument to be their voluntary act and deed.



Richard V. Johnston
Notary Public for Oregon
My commission expires: 4-21-88

14380 -

STATE OF OREGON, } ss.
County of Grant

108689

I certify that the within instrument was received for record on the 7 day of November, A.D. 1985 at 12:40 o'clock P. M., and recorded in book 132 on page 610 of Record of Deeds of said County.

Witness my hand and seal of County affixed.

CAROL VOIGT, County Clerk

County Clerk.

By Sammie Lawrence
Deputy.

108689

RECEIVED

DEC 22 2023

OWRD

EXHIBIT "A"

In Township 14 South, Range 72 East, Willamette Meridian, Grant County, Oregon:

Section 1: A tract of land situated in the NW 1/4 SE 1/4, described as follows:

Beginning at a point on the Northerly side of the Pine Creek Road; said point being marked by a 1/2" iron pipe set during Survey No. 406, by M.V. Davenport, P.E., in June 1976, as shown on Map of Survey No. 406, filed in the Office of the Grant County Surveyor; said iron pipe being N. 0 degrees 55' 07" E., 349.97 feet (record distance 349.22 feet) from the Southwest corner of the NW 1/4 SE 1/4 of said Sec. 1, as said corner was monumented by M.V. Davenport during said Survey No. 406; thence N. 65 degrees 08' 55" E., 148.05 feet to THE TRUE POINT OF BEGINNING; thence N. 65 degrees 08' 55" E., along the Northerly side of said Pine Creek Road, 605.37 feet to a 1/2" iron pipe set by M.V. Davenport during said Survey No. 406; thence N. 1 degree 12' 00" W., 580.06 feet; thence S. 53 degrees 27' 37" W., 373.20 feet; thence S. 43 degrees 20' 06" W., 218.89 feet; thence S. 4 degrees 14' 18" E., 286.97 feet; thence S. 43 degrees 27' 25" W., 184.66 feet; thence S. 29 degrees 45' 05" E., 37.68 feet to THE TRUE POINT OF BEGINNING.

All according to Map of Survey No. 868 filed in the Office of the Grant County Surveyor.

ALSO, an easement in common, with others entitled to the use thereof and with the owners of the land which it traverses and to be jointly maintained, a right-of-way on the existing roadway, or any relocation thereof, over, through and across the NW 1/4 SE 1/4 and Lot 2 of Sec. 1, Twp. 14 S., R. 32 W.M., for the purpose of ingress and egress.

ALSO, a perpetual, exclusive easement to use a strip of land 10 feet wide, for the purpose of a water ditch and water pipeline and for transport of water through said ditch and pipeline, as shown in Easement to Wesley Wilson and Lamona Wilson, husband and wife, dated December 14, 1976, recorded December 21, 1976 in Book 115 of Deeds, page 915.

SUBJECT TO AND EXCEPT THE FOLLOWING:

1. Easement, including the terms and provisions thereof, to the United States of America, acting by and through the Forest

Service, U.S.D.A., dated February 21, 1958, recorded February 24, 1958 in Book 78 of Deeds, page 352, for roadway and incidental purposes.

2. Right-of-way, including the terms and provisions thereof, to Philip J. Kuhl, also known as Philip J. Kuhl, Jr., and Margaret R. Kuhl, his wife, and Echo E. Kuhl, a widow, dated January 6, 1966, recorded January 12, 1966 in Book 94 of Deeds, page 141, for roadway and incidental purposes, to-wit:

"A Right-of-Way on the existing roadway, or any relocation thereof, over, through and across the NE1/4 NE1/4 of Section 11; NW1/4 NW1/4 of Sec. 12; S1/2 SW1/4, NE1/4 SW1/4, W1/2 SE1/4 and Lot 2 of Sec. 1, Twp. 14 S., R. 32 E., W.M.; for the purpose of ingress and egress to NW1/4 of Sec. 11 and E1/2 E1/2 of Sec. 10, Twp. 14 S., R. 32 E., W.M., and the Grantors reserve the right to use said right-of-way in common with the Grantees, said road to be jointly maintained and appurtenant to the properties herein described."

3. Right-of-Way Easement, including the terms and provisions thereof, to California-Pacific Utilities Company, a corporation, dated August 17, 1972, recorded August 21, 1972 in Book 108 of Deeds, page 711, for utility and incidental purposes.
4. Right-of-Way Easement, including the terms and provisions thereof, to California-Pacific Utilities Company, a corporation, dated January 10, 1974, recorded January 15, 1974 in Book 110 of Deeds, page 936, for utility and incidental purposes.
5. Reservation, including the terms and provisions thereof, in deed from Steve Skidgel and Bonnie Skidgel, husband and wife, dated April 25, 1972, recorded April 22, 1976 in Book 114 of Deeds, page 682, for ingress and egress, to-wit:
"RESERVING UNTO Grantors, their heirs, administrators, successors and assigns, rights-of-way for easements on the existing roads, or any relocation thereof, on Lot 2, NW1/4 SE1/4, N1/2 SW1/4 SE1/4, SW1/4 SW1/4 SE1/4 and SE1/4 SE1/4 of Sec. 1, Twp. 14 S., R. 32 E., W.M. That said rights-of-way shall be easements in common and shall be jointly maintained."
6. Right-of-Way Easement, including the terms and provisions thereof, to California-Pacific Utilities Company, a corporation, dated May 3, 1976, recorded June 8, 1976 in Book 114 of Deeds, page 888, and re-recorded June 22, 1976 in Book 114 of Deeds, page 949, for utility and incidental purposes.

RECEIVED

DEC 22 2023

OWRD

14380

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME James Jerry Jensen, Co-Trustee and Mary S. Alexander, Co-Trustee of the James Jerry Jensen Revocable Living Trust and the Mary S. Alexander Revocable Living Trust James J. Jensen Mary Jensen			PHONE NO. 541-620-0714	ADDITIONAL CONTACT NO. 541-575-2911
ADDRESS P. O. Box 834				FAX NO.
CITY John Day	STATE OR	ZIP 97845	E-MAIL wagons@oxbowwagonsandcoaches.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 James J. Jensen			PHONE NO. 541-620-0714	ADDITIONAL CONTACT NO. 541-575-2911
ADDRESS P. O. Box 834				FAX NO.
CITY John Day	STATE OR	ZIP 97845	E-MAIL wagons@oxbowwagonsandcoaches.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
We propose to transfer our authorized point of diversion on Pine Creek downstream approximately 40 feet to the ODFW proposed fish passage structure. We also propose an additional point of diversion. Multiple portable pumps are used off of APOD #3 ditch to irrigate the place of use as well as directly from the APOD. It is noted that the long standing area of use located in Gov't. Lot 1 and in the SE corner of Gov't. Lot 2 differs from the adjudication map.

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.

RECEIVED


DEC 22 2023

OWRD

By my signature below, I confirm that I understand:

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


James Jerry Jensen
Applicant signature

James Jerry Jensen, Co-Trustee
Print Name (and Title if applicable)

12/13/23
Date

Mary S. Alexander

Mary S. Alexander, Co-Trustee

James J. Jensen

James J. Jensen

Mary Jensen 12-13-23
Applicant signature

Mary Jensen
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

RECEIVED

DEC 22 2023

OWRD

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	

Describe any special ownership circumstances:

The confirming Certificate shall be issued in the name of: ☐ Applicant ☐ Receiving Landowner

RECEIVED

DEC 22 2023

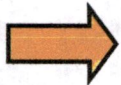
OWRD

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Grant County	ADDRESS 201 S. Humbolt	
CITY Canyon City	STATE OR	ZIP 97820

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED

DEC 22 2023

OWRD

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 25974

Description of Water Delivery System

System capacity: **0.898** 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. **Multiple pumps are used off of the APOD ditch to irrigate place of use as well as directly from APOD.**

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)
POD #1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		14 S	32 E	1	NE SW		Per Adjudication Map
POD #2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		14 S	32 E	1	NE SW		23 ft. North & 416 ft. West from SE cor. of the NE1/4SW1/4, Sec. 1, T14S., R32E.
APOD#3	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		14 S	32 E	1	NW SE		1 ft. South & 560 ft. West from SE cor. Gov't. Lot 2, Sec. 1, T14S., R32 E.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

RECEIVED
DEC 22 2023
OWRD

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 # 25974

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	
14	S	32	E	1	NW	SE	200		2.0	Irrigation	POD #1	1905	POD/APOD	14	S	32	E	1	NW	SE	200		2.0		POD#2 APOD#3	1905	
14	S	32	E	1	SW	NE	200	2	2.1	Irrigation	POD #1	1905	POD/APOD	14	S	32	E	1	SW	NE	200	2	2.1		POD#2 APOD#3	1905	
14	S	32	E	1	SE	NW	200	1	0.9	Irrigation	POD #1	1905	POD/APOD	14	S	32	E	1	SE	NW	200	1	0.9		POD#2 APOD#3	1905	
TOTAL ACRES:									5.0					TOTAL ACRES:									5.0				

Additional remarks: POINT OF DIVERSION CHANGE AND ADDITIONAL POINT OF DIVERSION ONLY.

For Place of Use or Character of Use Changes

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

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

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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

RECEIVED

DEC 22 2023

OWRD 14380 -

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 GRANT) ss

I, JAMES JENSEN, in my capacity as CO-OWNER,
mailing address P. O. BOX 834, JOHN DAY, OR 97845
telephone number (541-620-0714), being first duly sworn depose and say:

RECEIVED
DEC 22 2023
OWRD

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

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

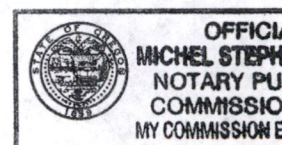
☒ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
25974	14	S	32	E	WM	1	NW	SE		2.0
25974	14	S	32	E	WM	1	SW	NE	2	2.1
25974	14	S	32	E	WM	1	SE	NE	1	0.9

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.): IRRIGATION

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.

James J. Jensen
Signature of Affiant

12/13/23
Date

Signed and sworn to (or affirmed) before me this 13th day of December, 2023.



[Signature]
Notary Public for Oregon

My Commission Expires: May 09, 2025

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none">• Power usage records for pumps associated with irrigation use• Fertilizer or seed bills related to irrigated crops• Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none">• District assessment records for water delivered• Crop reports submitted under a federal loan agreement• Beneficial use reports from district• IRS Farm Usage Deduction Report• Agricultural Stabilization Plan• CREP Report
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph RECEIVED DEC 22 2023 OWRD	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

STAMP
MICHEL SPROUFFSKE
NOTARY PUBLIC-OREGON
COMMISSION NO. 1012186
MY COMMISSION EXPIRES MAY 09, 2025

14380 -



1 inch = 300 feet

Tax Lot
105

13 S 32 E

Tax Lot
2200

RECEIVED
DEC 22 2023
OWRD

Tax Lot
301

SWNE

SENE

Tax Lot
200

14 S 32 E

Tax Lot
100

Tax Lot
500

Tax Lot
400

NWSE

NESE

Tax Lot
600

Bear Cr

14380 -
NAIP 2022 Aerial Photograph

Tax Lot
1100

Land Use Information Form



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

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.

RECEIVED

DEC 22 2023

OWRD

14380 -

Land Use Information Form



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

Applicant(s): James Jerry Jensen Revocable Living Trust & Mary S. Alexander Revocable Living Trust and
James J. Jensen and Mary Jensen

Mailing Address: P. O. Box 834

City: John Day

State: OR

Zip Code: 97845

Daytime Phone: 541-620 0714

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>14S</u>	<u>32E</u>	<u>1</u>	<u>NESW</u>	<u>400</u>	<u>mur</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	<u> </u>
<u>14S</u>	<u>32E</u>	<u>1</u>	<u>NWSE</u>	<u>200</u>	<u>mur</u>	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u> </u>
<u>14S</u>	<u>32E</u>	<u>1</u>	<u>Gov't Lot 2</u>	<u>200</u>	<u>mur</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u> </u>
<u>14S</u>	<u>32E</u>	<u>1</u>	<u>Gov't Lot 1</u>	<u>200</u>	<u>PF</u>	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	<u> </u>

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

Grant

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) Pine Creek

Estimated quantity of water needed: 0.125 ☒ 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:

POD CHANGE & APOD ONLY.

RECEIVED
DEC 22 2023
OWRD

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. →

RECEIVED

DEC 22 2023

OWRD

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): Article 64 + 65 Grant Co Land Development Code
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	RECEIVED	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	DEC 22 2023	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
	OWRD	<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

Irrigation is allowable use in MUR + PF zones

Name: Shannon Springer Title: Planning Director
Signature: Shannon Springer Phone: 541-575-1519 Date: 12/12/23
Government Entity: Grant 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: _____

20051440

RECEIVED

DEC 22 2023

OWRD

BARGAIN AND SALE DEED

JAMES JERRY JENSEN, Grantor, conveys to JAMES JERRY JENSEN and MARY S. ALEXANDER, Co-Trustees of the James Jerry Jensen Revocable Living Trust created the 9 day of June, 2005, Grantees, his undivided one-half interest in the following described real property free of encumbrances except as specifically set forth herein:

Township 14 South, Range 32 East, Willamette Meridian,
Grant County, Oregon:

Section 1: PARCEL 3 OF LAND PARTITION PLAT NO. 2000-03, as shown by the plat thereof filed for record in the office of the Grant County Clerk on February 22, 2000.

Said Parcel 3 of Land Partition No. 2000-03 also being a portion of Parcel 2 of Land Partition Plat No. 97-23 filed in the office of the Grant County Clerk on Aug. 1, 1997.

Subject to and excepting:

1. As disclosed by the tax roll, the premises herein described have been zoned or classified for forest land use.
2. Notwithstanding paragraph 4 of the insuring clauses of the policy or policies to be issued, the policy or policies will not insure against loss arising by reason of any lack of a right of access to and from the land.
3. Rights of the public in and to any portion of the herein described premises lying within the boundaries of streets, roads or highways.
4. Any and all matters, including easements and assessments, pertaining to irrigation ditches.
5. Right of Way granted to Philip J. Kuhl, aka Philip J. Kuh, Jr., and Margaret R. Kuhl, his wife, and Echo E. Kuhl, a widow, recorded January 12, 1966, in Book 94, page 141.
6. Easement granted to California-Pacific Utilities Company, a corp., recorded July 29, 1970, in Book 104, page 60.
7. Easement granted to California-Pacific Utilities Company, a corp., recorded January 15, 1974, in Book 110, page 936.
8. Easement granted to Wesley Wilson and Lamona Wilson, husband and wife, Recorded April 2, 1974, in Book 111, page 258.
9. Reservation from Steve Skidgel and Bonnie Skidgel, husband and wife, Recorded April 22, 1976, in Book 114, page 682.
10. Reservation from Wesley Wilson and Lamona Wilson, husband and wife, Recorded April 22, 1976, in Book 114, page 683.
11. Easement granted to California-Pacific Utilities Company, a corp., Recorded June 8, 1976, in Book 14, page 882, Re-recorded June 22, 1976, in Book 114, page 937.
12. Easement granted to Telephone Utilities of Eastern Oregon, Inc., dba PTI Communications, Recorded September 6, 1996, as Instrument No. 961915.
13. Matters disclosed in Declaration and on Plat for Land Partition Plat No. 97-23 filed in the office of the Grant County Clerk on August 1, 1997.
14. Matters disclosed in Declaration and on Plat for Land Partition Plat No. 2000-03 filed in the office of the Grant County Clerk on February 22, 2000.

The true and actual consideration for this conveyance is: \$-0-.

Until a change is requested, all tax statements are to be sent to the following address:
Jan & Jerry Jensen and Mary S. Alexander, POB 658, CANYON CITY, ORE
97820

AFTER RECORDING RETURN TO: Daniel L. Cronin
235 S Canyon Blvd., John Day, OR 97845

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE

20051440

APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

Dated this 10 day of JUNE, 2005.

James Jerry Jensen
James Jerry Jensen

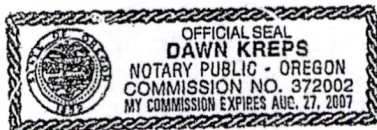
STATE OF OREGON)
) ss.
County of Grant)

RECEIVED

DEC 22 2023

This instrument was acknowledged before me on the 10th day of June, 2005, by James Jerry Jensen.

OWRD



Dawn Kreps
Notary Public for Oregon
My Comm. Expires: Aug 27, 2007

STATE OF OREGON)
County of Grant) ss

I certify that this instrument was received and recorded in the book of records of said county.

KATHY HICKINSON
Grant County Clerk
by Kathy Hickinson Deputy,

DOC#: 200514400 PAGES: 2
RCPT: 51440 28.50
6/14/2005 3:34 PM

20051440

APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

Dated this 10 day of June, 2005.

James Jerry Jensen
James Jerry Jensen

STATE OF OREGON)
) ss.
County of Grant)

This instrument was acknowledged before me on the 10th day of June, 2005, by James Jerry Jensen.



Dawn Kreps
Notary Public for Oregon
My Comm. Expires: Aug 27, 2007

STATE OF OREGON)
County of Grant)

I certify that this instrument was received and recorded in the book of records of said county.

KATHY MCKENNON
Grant County Clerk
by Kathy McKennon Deputy,

DOC#: 200514400 PAGES: 2
RCPT: 51440 28.50
6/14/2005 3:34 PM

RECEIVED

DEC 22 2023

OWRD

BARGAIN AND SALE DEED

MARY S. ALEXANDER, Grantor, conveys to JAMES JERRY JENSEN and MARY S. ALEXANDER, Co-Trustees of the Mary S. Alexander Revocable Living Trust created the 9 day of June, 2005, Grantees, her undivided one-half interest in the following described real property free of encumbrances except as specifically set forth herein:

Township 14 South, Range 32 East, Willamette Meridian,
Grant County, Oregon:

Section 1: PARCEL 3 OF LAND PARTITION PLAT NO. 2000-03, as shown by the plat thereof filed for record in the office of the Grant County Clerk on February 22, 2000.

Said Parcel 3 of Land Partition No. 2000-03 also being a portion of Parcel 2 of Land Partition Plat No. 97-23 filed in the office of the Grant County Clerk on Aug. 1, 1997.

Subject to and excepting:

1. As disclosed by the tax roll, the premises herein described have been zoned or classified for forest land use.
2. Notwithstanding paragraph 4 of the insuring clauses of the policy or policies to be issued, the policy or policies will not insure against loss arising by reason of any lack of a right of access to and from the land.
3. Rights of the public in and to any portion of the herein described premises lying within the boundaries of streets, roads or highways.
4. Any and all matters, including easements and assessments, pertaining to irrigation ditches.
5. Right of Way granted to Philip J. Kuhl, aka Philip J. Kuh, Jr., and Margaret R. Kuhl, his wife, and Echo E. Kuhl, a widow, recorded January 12, 1966, in Book 94, page 141.
6. Easement granted to California-Pacific Utilities Company, a corp., recorded July 29, 1970, in Book 104, page 60.
7. Easement granted to California-Pacific Utilities Company, a corp., recorded January 15, 1974, in Book 110, page 936.
8. Easement granted to Wesley Wilson and Lamona Wilson, husband and wife, Recorded April 2, 1974, in Book 111, page 258.
9. Reservation from Steve Skidgel and Bonnie Skidgel, husband and wife, Recorded April 22, 1976, in Book 114, page 682.
10. Reservation from Wesley Wilson and Lamona Wilson, husband and wife, Recorded April 22, 1976, in Book 114, page 683.
11. Easement granted to California-Pacific Utilities Company, a corp., Recorded June 8, 1976, in Book 14, page 882, Re-recorded June 22, 1976, in Book 114, page 937.
12. Easement granted to Telephone Utilities of Eastern Oregon, Inc., dba PTI Communications, Recorded September 6, 1996, as Instrument No. 961915.
13. Matters disclosed in Declaration and on Plat for Land Partition Plat No. 97-23 filed in the office of the Grant County Clerk on August 1, 1997.
14. Matters disclosed in Declaration and on Plat for Land Partition Plat No. 2000-03 filed in the office of the Grant County Clerk on February 22, 2000.

The true and actual consideration for this conveyance is: \$-0-.

Until a change is requested, all tax statements are to be sent to the following address:
James Jerry Jensen and Mary S. Alexander, P.O. Box 658, Canyon City OR 97820

AFTER RECORDING RETURN TO: Daniel L. Cronin
235 S Canyon Blvd., John Day, OR 97845

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE

RECEIVED

DEC 22 2023

OWRD

20051441

APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

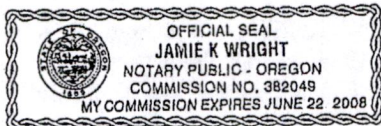
THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

Dated this 14 day of June, 2005.

Mary S. Alexander
Mary S. Alexander

STATE OF OREGON)
) ss.
County of Grant Grant)

This instrument was acknowledged before me on the 14 day of June, 2005, by Mary S. Alexander.



Jamie K Wright
Notary Public for Oregon
My Comm. Expires: 6-22-08

STATE OF OREGON }
County of Grant } ss.

I certify that this instrument was received and recorded in the book of records of said county.

KATHY MCKINNON
Grant County Clerk
by Kathy McKinnon Deputy,

DOC#: 200514410 PAGES: 2
RCPT: 51441 28.50
6/14/2005 3:36 PM

RECEIVED
DEC 22 2023
OWRD

20051441

APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES.

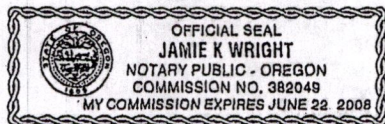
THE PROPERTY DESCRIBED IN THIS INSTRUMENT MAY NOT BE WITHIN A FIRE PROTECTION DISTRICT PROTECTING STRUCTURES. THE PROPERTY IS SUBJECT TO LAND USE LAWS AND REGULATIONS, WHICH, IN FARM OR FOREST ZONES, MAY NOT AUTHORIZE CONSTRUCTION OR SITING OF A RESIDENCE. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND EXISTENCE OF FIRE PROTECTION FOR STRUCTURES.

Dated this 14 day of June, 2005.

Mary S. Alexander
Mary S. Alexander

STATE OF OREGON)
County of Grant Grant) ss.

This instrument was acknowledged before me on the 14 day of June, 2005, by Mary S. Alexander.



Jamie K Wright
Notary Public for Oregon
My Comm. Expires: 6-22-08

STATE OF OREGON }
County of Grant } ss

I certify that this instrument was received and recorded in the book of records of said county.

KATHY L HICKINSON
Grant County Clerk
by Kathy Hickinson Deputy,

DOC#: 200514410 PAGES: 2
RCPT: 51441 28.50
6/14/2005 9:36 PM

RECEIVED

DEC 22 2023

14380 - OWRD

STATE OF OREGON

County of Grant

SS

I certify that this instrument was received
and recorded in the book of records of
said county.

After recording return to: (Name, Address, Zip)

Until requested otherwise, send all tax statements to:
(Name, Address, Zip)

James S. Jensen
P.O. Box 1658
Canyon City, OR 97820

KATHY MCKINNON
Grant County Clerk

by Deputy,

DOC#: 201003440 PG 2
RCPT: 100344 43.50
2/25/2010 3:58 PM

SPACE

WARRANTY DEED (Corporate Grantor)

HOLLIDAY LAND & LIVESTOCK, INC., an Oregon Corporation, Grantor, conveys and warrants to James J. Jensen and Mary Jensen, as tenants by the entirety, Grantee, the following described real property free of encumbrances, except as specifically set forth herein: situated in Grant County, State of Oregon, described as follows, to-wit:

See Legal Description attached hereto as Exhibit 'A'

21935 Subject to and excepting: Matters of record

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER SECTIONS 2, 3 AND 6 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (BALLOT MEASURE 49 (2007)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 216.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.830 AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER SECTIONS 2, 3 AND 6 TO 22 OF CHAPTER 424, OREGON LAWS 2007 (BALLOT MEASURE 49 (2007)).

The true and actual consideration for this conveyance is \$30,000.00. (Here, comply with the requirements of ORS 93.030.)

Dated this 25th day of February, 2010.

Holliday Land and Livestock, Inc.

By: Kenneth L. Holliday
Kenneth Holliday, President

STATE OF Oregon

County of Grant

SS.

RECEIVED

DEC 22 2023

OWRD

This instrument was acknowledged before me on this 25th day of February, 2010 by Kenneth Holliday as President of Holliday Land and Livestock, Inc.



Jami A. Kowind
Notary Public for Oregon

My commission expires: November 20, 2011

14380 -

20100344

'EXHIBIT A'

Land in Grant County, Oregon:
T14S, R32E, W.M.

Section 1: A parcel of land in Gov't Lot 1 and in the NE1/4SE1/4 described as follows:

All that portion of Gov't Lot 1 and the NE1/4SE1/4 of said Section 1 lying West of the centerline of the existing road described in Deed Instrument No. 212571 Land Patent, known as USDA Forest Service Road Right of Way Number ORE 6059.

Beginning at the NW corner of said Gov't Lot 1, thence East, 490 ft. more or less, along the North line of said Gov't Lot 1, to the centerline of the existing road way; thence Southerly, along the centerline of the existing road way known as USDA Forest Service Road Right of Way Number ORE 6059, to the West line of the NE1/4SE1/4 of said Section 1; thence North, 2400 ft., more or less, along the West line of the NE1/4SE1/4 and the West line of Gov't Lot 1 of said Section 1 to the point of beginning.
(Portion of Tax Acct. 3-10 14-32-01 100; Ref. 39400)

RECEIVED

DEC 22 2023

OWRD

14380-



Oregon

Kate Brown, Governor

Department of Fish and Wildlife
John Day Field Office
PO Box 9

John Day, OR 97845

Voice: 541-575-1167

Fax: 541-575-0948

<http://www.dfw.state.or.us>

January 3rd, 2023

Oregon Water Resources Dept.
ATTN: Transfer Section
725 Summer Street NE, Suite A
Salem, OR 97301-1266



To Whom It May Concern,

This letter is in support of the transfer application for Certificate 25974 in Pine Creek in the John Day River Basin. The Oregon Department of Fish and Wildlife (ODFW) has assessed that the proposed actions will provide a net benefit to fish habitat which qualifies for a fee reduction offered through the Oregon Water Resources Department.

This project will screen an unscreened irrigation diversion and eliminate a 2' rock dam that during low stream flow creates a passage barrier in Pine Creek. A new diversion control structure will be installed to provide fish passage to juvenile and adult ESA-listed summer steelhead (threatened), redband, and westslope cutthroat trout (both sensitive state species). There will be 100' of pipe placed from behind the headgate to the front bay of the fish screen in the ditch to create water efficiencies.

Based on this preliminary information, ODFW has determined that the proposed transfer provides a change that will result in a net benefit to fish habitat and qualifies for OWRD's fee reduction.

Sincerely,

Stephan Charette
John Day District Fish Biologist
Oregon Department of Fish and Wildlife

RECEIVED

DEC 22 2023

OWRD

C: Danette Faucera, ODFW

14380 -

ROBERT D. BAGETT, PLS, CWRE

Certified Water Right Examiner
P.O. Box 476
217 N. Canyon Blvd.
John Day, Oregon 97845
Phone (541) 620-0717
e-mail bobbagett@gmail.com

December 16, 2022

To: Eric Julsrud, Watermaster

Re: Certificate 25974 -Proposed new point of diversion on Pine Creek.

ODFW proposes to transfer the record POD on Pine Creek downstream to install a permanent prefab steel headgate.

The original POD has been obliterated through time and its location is not obvious on the ground.

Certificate 25974 does not give an exact position of the POD. The certificate states, in part, "the use of the waters of Pine Creek and Spring, in the SW1/4NE1/4, Section 1, T.14S., R.32E., W.M. for the purpose of irrigation."

The SW1/4NE1/4 does not exist in Section 1 because sections 1 through 6 are fractional sections in this township. This was a scrivener error and should read NE1/4SW1/4.

This POD is shown on Adjudication Map 127-2-3, Township 14S., Range 32E.

The POD is shown on this map as being very close to the line between the NE1/4SW1/4 and the SE1/4SW1/4 of Section 1.

On August 31, 2022, I met with ODFW employees Ryan Seal and Tracy Wyllie near the POD site. They agreed on a point where they thought the original POD was located. I drove a 1/2" x 24" rebar at that point. They also agreed on a point where they wanted the new POD to be placed. I drove a 1/2" x 24" rebar at that point.

On December 15, 2022, I accompanied land surveyor Mike Springer, to locate the record monuments at the SW corner and the SE corner of the NE1/4 SW 1/4, Section 1, plus the two 1/2 inch rebars on Pine Creek. We found both 1/16 corner monuments and both rebars in place.

The results are shown on the accompanying map.

RECEIVED

DEC 22 2023

OWRD

Page 2

In conclusion, I believe that the rebar set at the approximate location of the record POD is just that, it was a guess.

From that rebar the proposed POD at the other rebar is downstream, 48.7 feet, its position is in the NE1/4SW1/4.

Because Pine Creek flows north for a short distance of about 10-12 feet from the rebar set at the approximate POD. This could easily place the POD in the NE1/4 SW1/4, Section 1. The direction of the creek then turns northeast, then east to the proposed POD.

In my opinion, it is certainly possible that the original POD is located in the NE1/4SW 1/4, Section 1 and approximately 45 feet upstream from the rebar set at the proposed POD.

Sincerely,
Bob Baggett, PLS, CWRE



Cc Ryan Seal, ODFW
Tracy Wyllie, ODFW

RECEIVED
DEC 22 2023
OWRD

14380 -