

T-14267

RA

Regular

T-14267

Name BL Davis Ranch C-O BerkDavis and Roger DavisAddress PO BOX 159Adams, OR 97810

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Awell, South Morrison wellTrib. Wild Horse CreekUse Supplemental Irrigation, Irrigator County Umatilla

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

Name of ditch _____

App# G4648 Per # G4372 Cert # 40920 PR Date 10-16-1968App# G4647 Per # G4374 Cert # 40919 PR Date 10-16-1968App# G4648 Per # G7122 Cert # 46354 PR Date _____ Date _____

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

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

FEES PAID

Date	Amount	Receipt #
<u>5-23-23</u>	<u>3,060.00</u>	<u>140983</u>
<u>6-23-23</u>	<u>9125.00</u>	<u>140985</u>
<u>9-1-23</u>	<u>9125.00</u>	<u>141544</u>
<u>9-22-23</u>	<u>82,696.42</u>	<u>141656</u>

FEES REFUNDED

Amount	Receipt #
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Change in A POCDate Filed 6/23/2023Initial notice date 7-11-2023

DPD issued date _____

PD issued date 6/10/2024PD notice date 6/11/2024Date of FO 11/27/2024 Vol 133 Page 400-405

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

Assignments: _____

Irrigation District _____

Agent William Porfily

CWRE _____

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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

November 27, 2024

BL Davis Ranch
C/O Roger Davis & Roger Davis
PO Box 159
Adams, OR 97810
REFERENCE: Transfer Application T-14267

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, Kim French, by telephone at (503) 979-9607 or by e-mail at Kim.r.french@water.oregon.gov.

Sincerely,

Elyse D. Richman
Water Rights Services Support
Transfers and Conservation Section

cc: Gregory M. Silbernagel, Watermaster Dist. # 5 (via email)
William Porfily, Agent
Umatilla 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
T-14267, Umatilla County)	AN ADDITIONAL POINT OF
)	APPROPRIATION

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

BL DAVIS RANCH
C/O BERK DAVIS AND ROGER DAVIS
PO BOX 159
ADAMS, OR 97810

Findings of Fact

1. On June 23, 2023, BL DAVIS RANCH, C/O BERK DAVIS AND ROGER DAVIS, filed an application for an additional point of appropriation under Certificates 40919, 40920 and 46354. The Department assigned the application number T-14267.
2. Notice of the application for transfer was published on July 11, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On March 28, 2024, the Department sent a copy of the draft Preliminary Determination to the applicants, proposing to approve Transfer Application T-14267. The draft Preliminary Determination cover letter set forth a deadline of April 27, 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 applicants are authorized to pursue the transfer.

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 June 10, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14267 and sent a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on June 11, 2024, and in the East Oregonian newspaper on September 11 and September 18, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 40919 in the name of B. L. DAVIS RANCH, INC. (perfected under Permit G-4371)
Use: SUPPLEMENTAL IRRIGATION OF 158.01 ACRES
Priority Date: OCTOBER 16, 1968
Rate: 1.98 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: A WELL, a tributary of WILDHORSE CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	34 E	WM	4	SW NW	(MORRISON WELL) - 30 FEET NORTH AND 70 FEET EAST FROM THE W1/4 CORNER OF SECTION 4

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
3 N	34 E	WM	4	NE NW	3	40.0
3 N	34 E	WM	4	NW NW	4	38.9
3 N	34 E	WM	4	SW NW		41.4
3 N	34 E	WM	4	SE NW		37.71
TOTAL						158.01

6. Transfer Application T-14267 proposes an additional point of appropriation approximately 4,680 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	34 E	WM	33	SW SE	SANDHOLLOW WELL - 1071 FEET NORTH AND 962 FEET EAST FROM THE S1/4 CORNER OF SECTION 33

7. The second right to be transferred is as follows:

Certificate: 40920 in the name of B. L. DAVIS RANCH, INC. (perfected under Permit G-4372)
Use: IRRIGATION OF 157.72 ACRES
Priority Date: OCTOBER 16, 1968
Rate: 1.98 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL a tributary of WILDHORSE CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	34 E	WM	4	SW NW	(MORRISON WELL) - 30 FEET NORTH AND 70 FEET EAST FROM THE E1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
3 N	34 E	WM	5	NE NE	1	40.4
3 N	34 E	WM	5	NW NE	2	41.0
3 N	34 E	WM	5	SW NE		40.0
3 N	34 E	WM	5	SE NE		36.32
TOTAL						157.72

8. Transfer Application T-14267 proposes an additional point of appropriation approximately 4,680 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	34 E	WM	33	SW SE	SANDHOLLOW WELL - 1071 FEET NORTH AND 962 FEET EAST FROM THE S1/4 CORNER OF SECTION 33

9. The third right to be transferred is as follows:

Certificate: 46354 in the name of B. L. DAVIS RANCHES, INC. (perfected under Permit G-7122)
Use: IRRIGATION OF 165.0 ACRES
Priority Date: JANUARY 21, 1974
Rate: 1.56 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed

3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: SOUTH MORRISON WELL, a tributary of WILDHORSE CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	34 E	WM	4	SW NW	SOUTH MORRISON WELL - 30 FEET NORTH AND 50 FEET EAST FROM THE E1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	34 E	WM	4	NE SW	40.8
3 N	34 E	WM	4	NW SW	41.0
3 N	34 E	WM	4	SW SW	41.6
3 N	34 E	WM	4	SE SW	41.6
TOTAL					165.0

10. Transfer Application T-14267 proposes an additional point of appropriation approximately 4,680 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	34 E	WM	33	SW SE	SANDHOLLOW WELL - 1071 FEET NORTH AND 962 FEET EAST FROM THE S1/4 CORNER OF SECTION 33

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

11. Water has been used within the last five years prior to the submittal of Transfer Application T-14267 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
12. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14267.
13. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
14. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
15. The proposed change, as conditioned, would not result in enlargement of the rights.
16. The proposed change, as conditioned, would not result in injury to other existing water rights.
17. All other application requirements are met.

Conclusions of Law

The additional point of appropriation proposed in Transfer Application T-14267 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

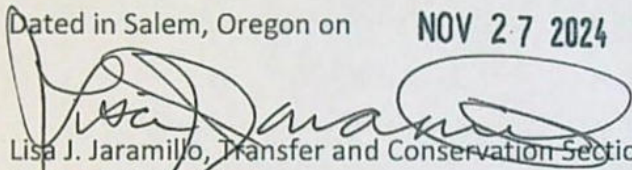
Now, therefore, it is ORDERED:

1. The additional point of appropriation proposed in Transfer Application T-14267 is 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 Certificates 40919, 40920 and 46354 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.
4. Water right Certificates 40919, 40920 and 46354 are cancelled. A new certificate will be issued describing that portion of Certificate 40919 not affected by this transfer.
5. Under the right described by Certificate 40919, the quantity of water diverted at the new additional point of appropriation (Sandhollow Well), together with that diverted at the original point of appropriation (Morrison Well), shall not exceed the quantity of water lawfully available at the original point of appropriation (Morrison Well).
6. Under the right described by Certificate 40920, the quantity of water diverted at the new additional point of appropriation (Sandhollow Well), together with that diverted at the original point of appropriation (Morrison Well), shall not exceed the quantity of water lawfully available at the original point of appropriation (Morrison Well).
7. Under the right described by Certificate 46354, the quantity of water diverted at the new additional point of appropriation (Sandhollow Well), together with that diverted at the original point of appropriation (South Morrison Well), shall not exceed the quantity of water lawfully available at the original point of appropriation (South Morrison Well).
8. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
9. Water Use Measurement Conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (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.
10. 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.
11. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on

NOV 27 2024


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

MAILING DATE: **DEC 2 - 2024**

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

B. L. DAVIS RANCH, INC.
ROUTE 1
ADAMS, OR 97810

confirms the right to use the waters of a WELL, a tributary of WILDHORSE CREEK, for SUPPLEMENTAL IRRIGATION of 1.5 ACRES.

This right was perfected under Permit G-4371. The date of priority is OCTOBER 16, 1968. The amount of water to which this right is entitled is limited to an amount actually used beneficially and shall not exceed 0.02 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the stream.

The point of diversion is located in the:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	34 E	WM	4	SW NW	30 FEET NORTH AND 70 FEET EAST FROM THE W1/4 CORNER OF SECTION 4

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use to which this right is appurtenant, is as follows:

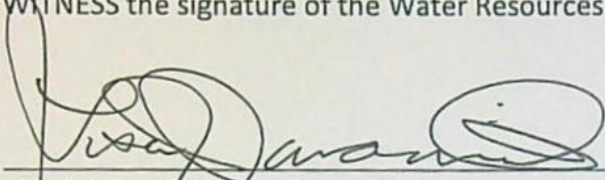
SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
3 N	34 E	WM	4	NW NW	4	1.5

This certificate describes that portion of water right Certificate 40919, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 27 2024, approving Transfer Application T-14267.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed NOV 27 2024.

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", is written over a horizontal line.

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



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

June 10, 2024

VIA CERTIFIED MAIL AND E-MAIL

Applicant

BL DAVIS RANCH

C/O BERK DAVIS AND ROGER DAVIS

PO BOX 159

ADAMS, OR 97810

SUBJECT: Water Right Transfer Application T-14267

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14267. 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 East Oregonian 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 Kim.R.French@water.oregon.gov, if I may be of assistance.

Sincerely,

Kim French

Transfer Specialist

Transfer and Conservation Section

cc: T-14267

Gregory M. Silbernagel, District 5 Watermaster (via e-mail)

William Porfily, Agent for the applicant (via e-mail)

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14267, Umatilla County)	PROPOSING APPROVAL FOR AN
)	ADDITIONAL POINT OF APPROPRIATION

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

BL DAVIS RANCH
C/O BERK DAVIS AND ROGER DAVIS
PO BOX 159
ADAMS, OR 97810

Findings of Fact

1. On June 23, 2023, BL DAVIS RANCH, C/O BERK DAVIS AND ROGER DAVIS, filed an application for an additional point of appropriation under Certificates 40919, 40920 and 46354. The Department assigned the application number T-14267.
2. Notice of the application for transfer was published on July 11, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On March 28, 2024, the Department sent a copy of the draft Preliminary Determination to the applicants, proposing to approve Transfer Application T-14267. The draft Preliminary Determination cover letter set forth a deadline of April 27, 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 applicants are 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.

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

Certificate: 40919 in the name of B. L. DAVIS RANCH, INC. (perfected under Permit G-4371)
Use: SUPPLEMENTAL IRRIGATION OF 158.01 ACRES
Priority Date: OCTOBER 16, 1968
Rate: 1.98 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: A WELL, a tributary of WILDHORSE CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	34 E	WM	4	SW NW	(MORRISON WELL) - 30 FEET NORTH AND 70 FEET EAST FROM THE W1/4 CORNER OF SECTION 4

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
3 N	34 E	WM	4	NE NW	3	40.0
3 N	34 E	WM	4	NW NW	4	38.9
3 N	34 E	WM	4	SW NW		41.4
3 N	34 E	WM	4	SE NW		37.71
TOTAL						158.01

5. Transfer Application T-14267 proposes an additional point of appropriation approximately 4,680 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	34 E	WM	33	SW SE	SANDHOLLOW WELL - 1071 FEET NORTH AND 962 FEET EAST FROM THE S1/4 CORNER OF SECTION 33

6. The second right to be transferred is as follows:

Certificate: 40920 in the name of B. L. DAVIS RANCH, INC. (perfected under Permit G-4372)
Use: IRRIGATION OF 157.72 ACRES
Priority Date: OCTOBER 16, 1968
Rate: 1.98 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL a tributary of WILDHORSE CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	34 E	WM	4	SW NW	(MORRISON WELL) - 30 FEET NORTH AND 70 FEET EAST FROM THE E1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Glott	Acres
3 N	34 E	WM	5	NE NE	1	40.4
3 N	34 E	WM	5	NW NE	2	41.0
3 N	34 E	WM	5	SW NE		40.0
3 N	34 E	WM	5	SE NE		36.32
TOTAL						157.72

7. Transfer Application T-14267 proposes an additional point of appropriation approximately 4,680 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	34 E	WM	33	SW SE	SANDHOLLOW WELL - 1071 FEET NORTH AND 962 FEET EAST FROM THE S1/4 CORNER OF SECTION 33

8. The third right to be transferred is as follows:

Certificate: 46354 in the name of B. L. DAVIS RANCHES, INC. (perfected under Permit G-7122)

Use: IRRIGATION OF 165.0 ACRES

Priority Date: JANUARY 21, 1974

Rate: 1.56 CUBIC FEET PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: SOUTH MORRISON WELL, a tributary of WILDHORSE CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	34 E	WM	4	SW NW	SOUTH MORRISON WELL - 30 FEET NORTH AND 50 FEET EAST FROM THE E1/4 CORNER OF SECTION 5

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	34 E	WM	4	NE SW	40.8
3 N	34 E	WM	4	NW SW	41.0
3 N	34 E	WM	4	SW SW	41.6
3 N	34 E	WM	4	SE SW	41.6
TOTAL					165.0

9. Transfer Application T-14267 proposes an additional point of appropriation approximately 4,680 feet from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 N	34 E	WM	33	SW SE	SANDHOLLOW WELL - 1071 FEET NORTH AND 962 FEET EAST FROM THE S1/4 CORNER OF SECTION 33

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

10. Water has been used within the last five years prior to the submittal of Transfer Application T-14267 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14267.
12. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
13. 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).
14. The proposed change, as conditioned, would not result in enlargement of the rights.
15. The proposed change, as conditioned, would not result in injury to other existing water rights.
16. All other application requirements are met.

Determination and Proposed Action

The additional point of appropriation proposed in Transfer Application T-14267 appears 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-14267 is approved, the final order will include the following:

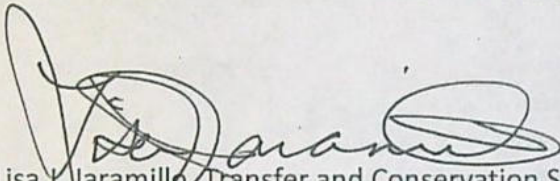
- 1. The additional point of appropriation proposed in Transfer Application T-14267 is approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 40919, 40920 and 46354 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.*
- 4. Water right Certificates 40919, 40920 and 46354 are cancelled. A new certificate will be issued describing that portion of Certificate 40919 not affected by this transfer.*
- 5. Under the right described by Certificate 40919, the quantity of water diverted at the new additional point of appropriation (Sandhollow Well), together with that diverted at the original point of appropriation (Morrison Well), shall not exceed the quantity of water lawfully available at the original point of appropriation (Morrison Well).*
- 6. Under the right described by Certificate 40920, the quantity of water diverted at the new additional point of appropriation (Sandhollow Well), together with that diverted at the original point of appropriation (Morrison Well), shall not exceed the quantity of water lawfully available at the original point of appropriation (Morrison Well).*
- 7. Under the right described by Certificate 46354, the quantity of water diverted at the new additional point of appropriation (Sandhollow Well), together with that diverted at the original point of appropriation (South Morrison Well), shall not exceed the quantity of water lawfully available at the original point of appropriation (South Morrison Well).*
- 8. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
- 9. Water Use Measurement Conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (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.*

10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*

11. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on **JUN 10 2024**



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

This Preliminary Determination was prepared by Kim French. If you have questions about the information in this document, you may reach me at 503-979-9607 or Kim.R.French@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><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.

RECEIPT #142846

INVOICE #

RECEIVED FROM: Porfily Water Rights Consulting
BY: _____
CASH: ☐ CHECK: # 7270 OTHER: (IDENTIFY) _____
TOTAL REC'D \$ 252.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 252.00
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS
0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____
WATER RIGHTS:
0201 SURFACE WATER EXAM FEE \$ _____ RECORD FEE \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____
0205 TRANSFER \$ _____
WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ LICENSE FEE \$ _____
LANDOWNER'S PERMIT 0219 \$ _____ 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 #142846

INVOICE #

RECEIVED FROM: Porfily Water Rights Consulting
BY: _____
CASH: ☐ CHECK: # 7270 OTHER: (IDENTIFY) _____
TOTAL REC'D \$ 252.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 252.00
0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS
0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____
WATER RIGHTS:
0201 SURFACE WATER EXAM FEE \$ _____ RECORD FEE \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____
0205 TRANSFER \$ _____
WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ LICENSE FEE \$ _____
LANDOWNER'S PERMIT 0219 \$ _____ 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 \$ _____

A CSB Checking For T-14267 NOTICE 252.00

Received
MAY 02 2024
OWRD

PORFILY WATER RIGHTS CONSULTING
Oregon Water Resources Department
For T-14267 NOTICE
4/29/2024
7270
252.00

IN THE CIRCUIT COURT OF
THE STATE OF OREGON
FOR BAKER/GRANT/MORROW/UMATILLA/UNION/WALLOWA COUNTIES

}AFFIDAVIT OF PUBLICATION

STATE OF OREGON

Counties of Baker/Grant/Morrow/Umatilla/Union/Wallowa) ss

I, Dayle Stinson being duly sworn, depose and say that I am the principal clerk of the publisher of the East Oregonian, eastoregonian.com, bakercityherald.com, lagrandeobserver.com, hermistonherald.com, bluemountaineagle.com and wallowa.com, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; that the

EO-13157 NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-14267 T-14267 FILED BY BL DAVIS RANCH C O BERK DAVIS AND ROGER DAVIS PO BOX 159 ADAMS OR 97810 PROPOSES AN ADDITIONAL POINT OF

a printed copy of which is hereto annexed; was published in the entire issue of said newspaper for 2 successive and consecutive issues in the following issues:

9/11/24, 9/18/24

Subscribed and sworn to before me on this 18th day of September, A.D. 2024

Dayle Stinson
Kathryn Bedford Brown
Notary Public of Oregon

Add: 450521

PO:

Tagline: EO-13157 T-14267



EO-13157
Notice of Preliminary
Determination for
Water Right Transfer T-14267

T-14267 filed by BL Davis Ranch, c/o Berk Davis and Roger Davis, PO Box 159, Adams, OR 97810, proposes an additional point of appropriation under Certificates 40919, 40920 and 46354. Certificate 40919 allows the use of 1.98 cubic feet per second (cfs) from a well in Sec. 4, T3N, R34E, WM for supplemental irrigation in Sec. 4, T3N, R34E, WM. Certificate 40920 allows the use of 1.98 cfs from a well in Sec. 4, T3N, R34E, WM for irrigation in Sec. 5, T3N, R34E, WM. Certificate 46354 allows the use of 1.56 cfs from a well in Sec. 4, T3N, R34E, WM for irrigation in Sec. 4, T3N, R34E, WM. The applicant proposes an additional point of appropriation in Sec. 33, T4N, R34E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 09/18/2024. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination. Publish September 11, 18, 2024

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14267

GW Reviewer J. Hootsmans/J. Hackett Date Review Completed: 11/3/2023

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-14267

Applicant Name: BL Davis Ranch

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

Reviewer(s): J. Hootsmans/J. Hackett

Date of Review: 11/3/2023

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 12/28/23

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

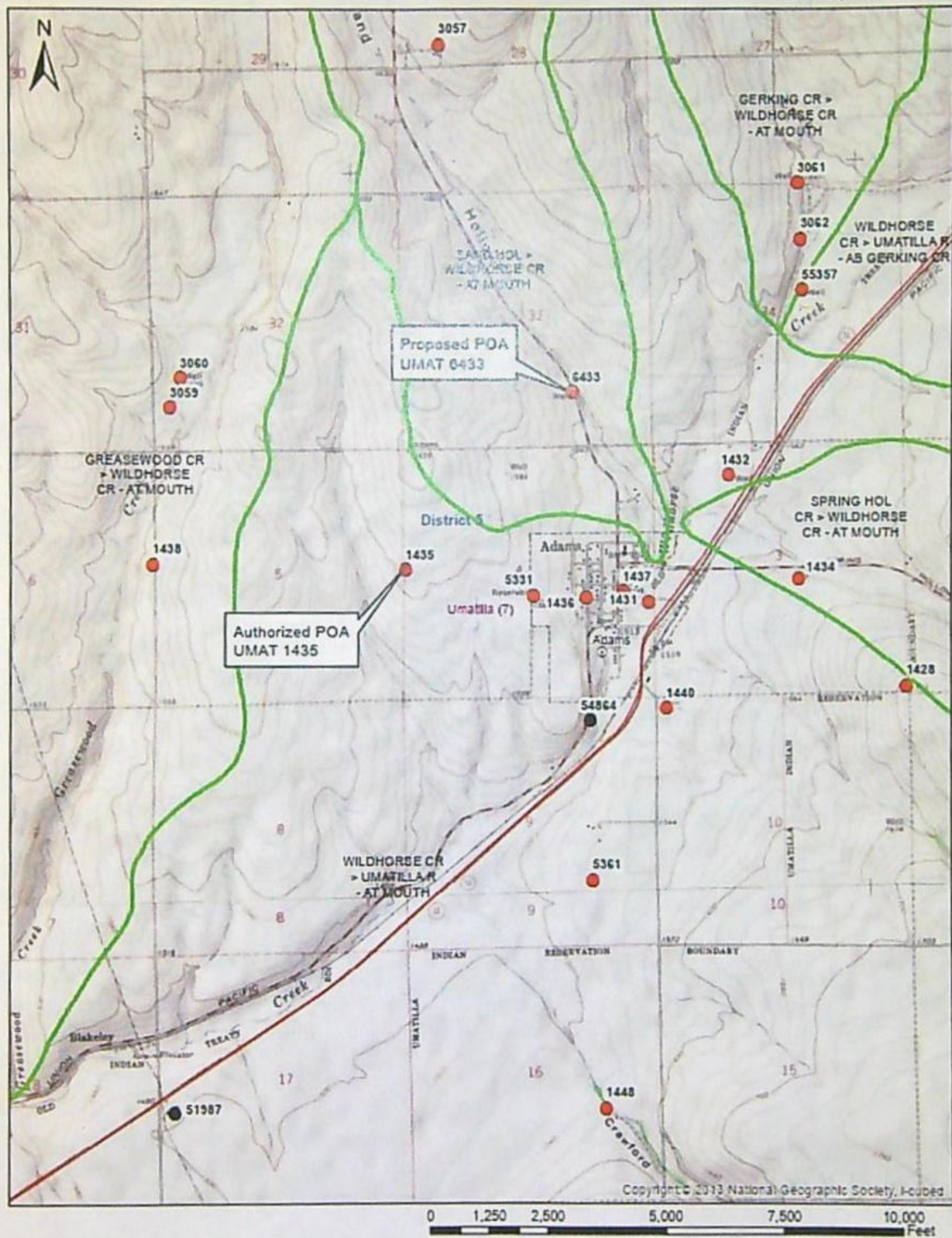
- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be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

-
1. Basic description of the changes proposed in this transfer: The applicant proposes to add an additional Point of Appropriation (POA), UMAT 6433 (Sand Hollow Well), to the three Certificates currently irrigated by authorized POA UMAT 1435 (Morrison Well). The affected certificates are Certs 40919, 40920 and 46354.
 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: The authorized POA (UMAT 1435) is 1680 feet deep and produces from multiple water-bearing zones (WBZs) in the Columbia River Basalt Group (CRBG) aquifer system. The proposed POA (UMAT 6433) is 1575 feet deep and also produces from multiple WBZs in the CRBG aquifer system. Additionally, water level elevations in both POAs are between 1450 and 1500 feet above mean sea level (amsl). All these factors indicate the POAs produce from the same aquifer.
 3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No Both the Authorized POA and Proposed POA develop water from the CRBG aquifer system.
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.): _____

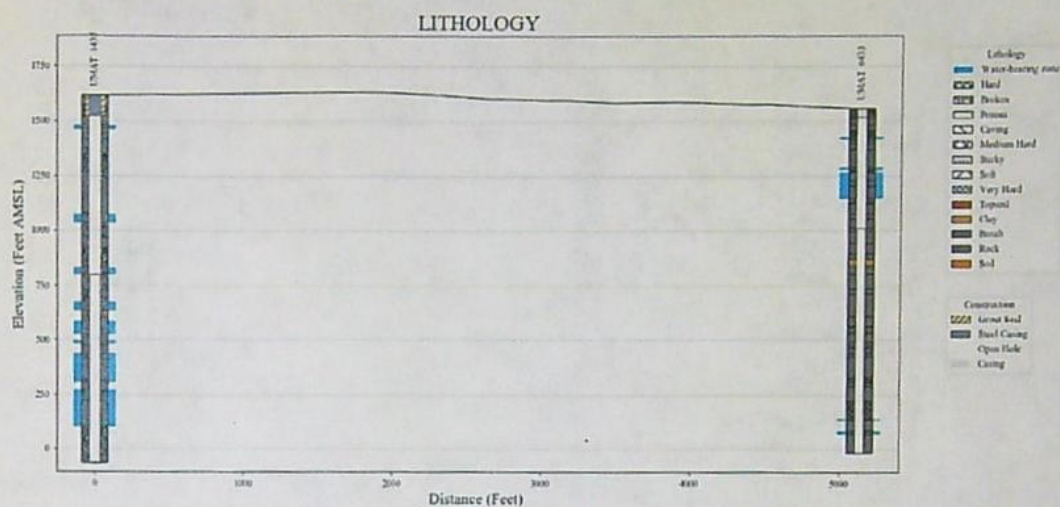
4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☐ Yes ☒ No Comments: Both POAs are located similar distances from existing groundwater users, so interference is not expected to increase.
- b) If yes, 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: Both the authorized and proposed POAs are located similar distances from nearby surface water sources, so interference is not expected to increase.
- 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: _____
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: _____
7. What conditions or other changes in the application are necessary to address any potential issues identified above: _____
8. Any additional comments: _____

T14267 BL Davis Ranch

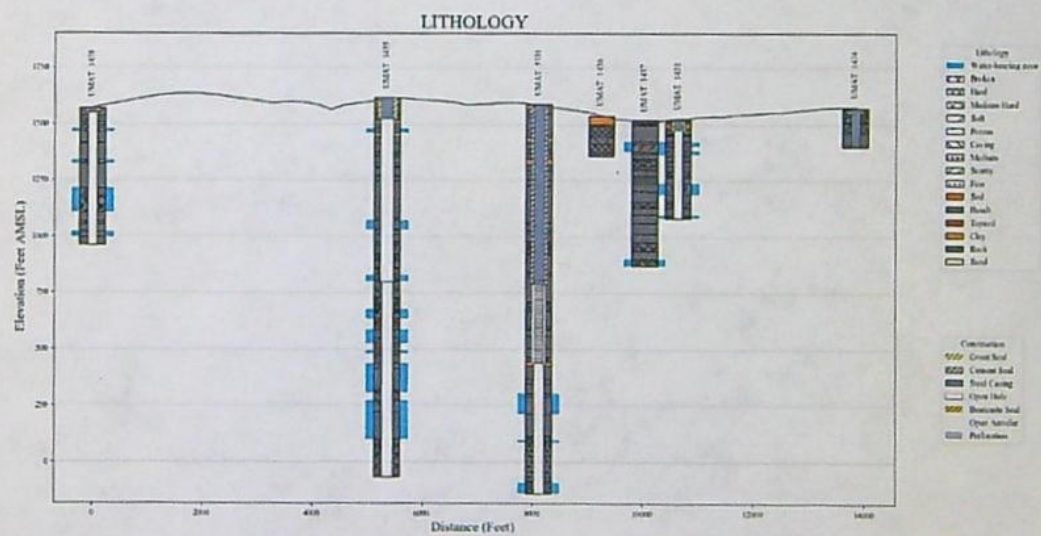
1:30,000 scale



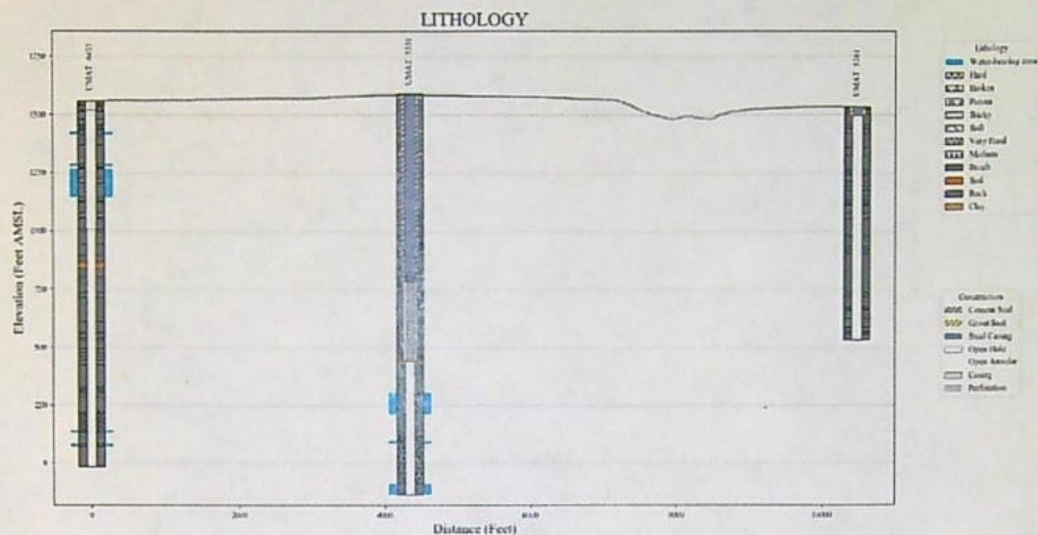
Cross Section: POA to POA



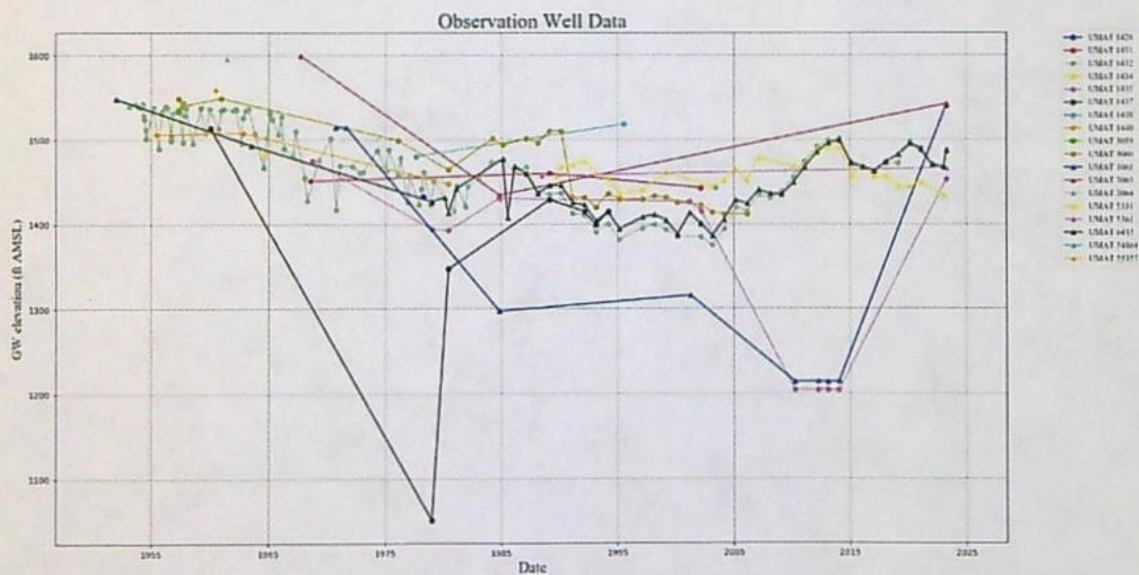
Cross Section: East to West



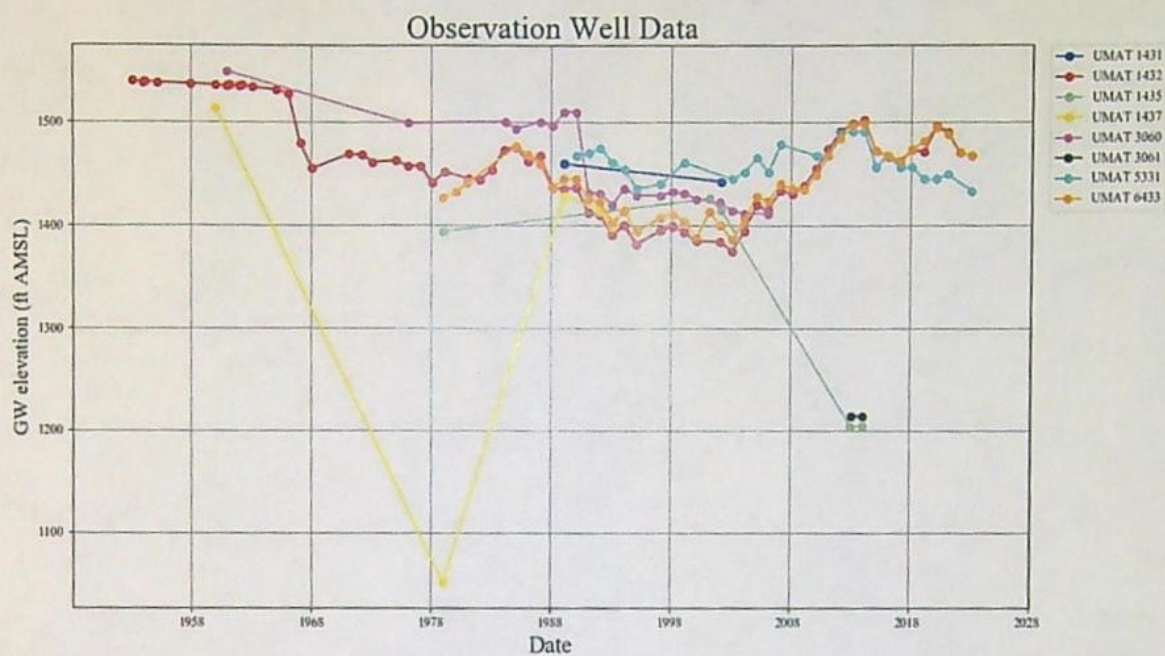
Cross Section: North to South



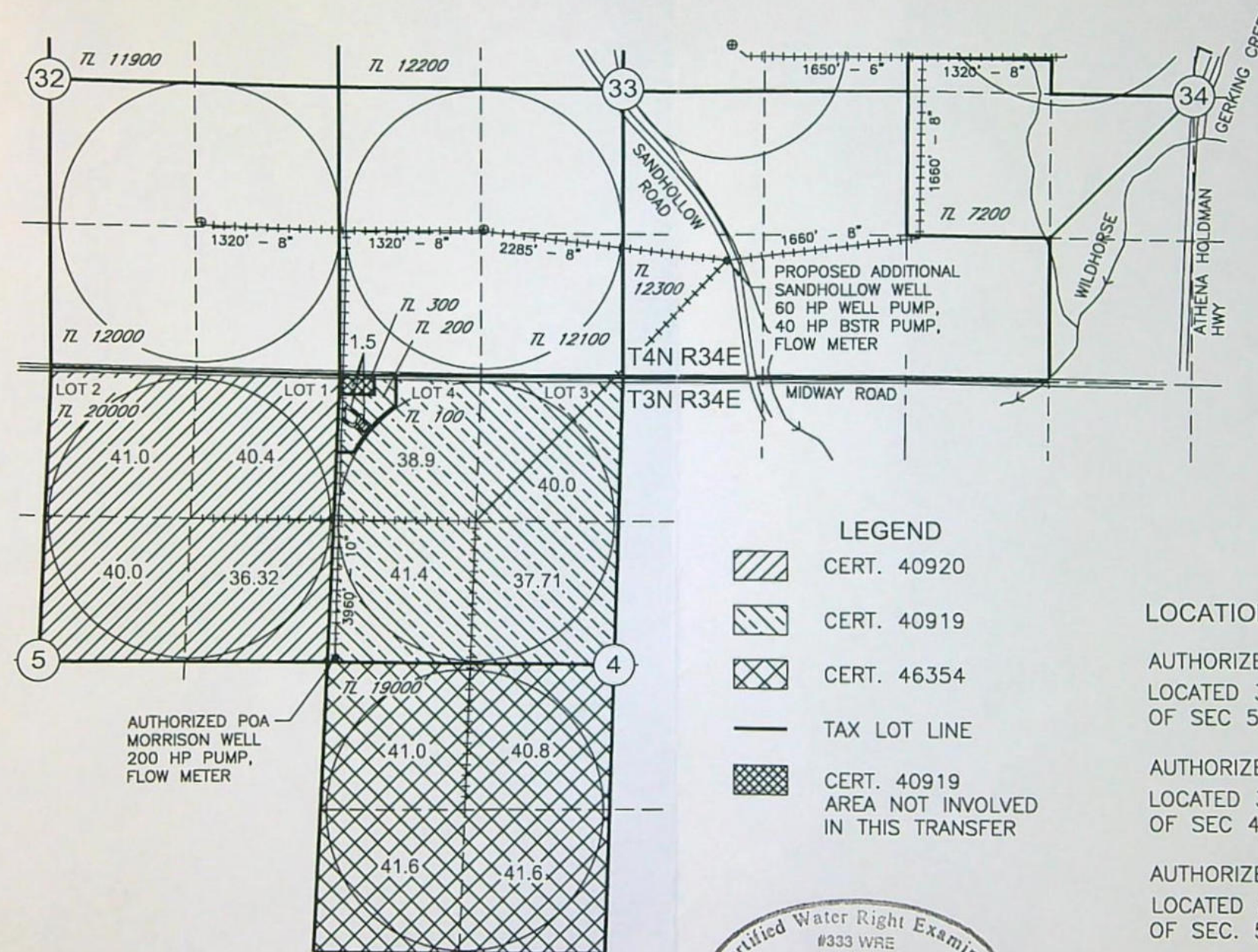
Observation Well Data – All Measurements



Observation Well Data – January to March Measurements only



TRANSFER APPLICATION MAP ADDING THE SANDHOLLOW WELL
AS AN ADDITIONAL POA TO
CERTIFICATES 40920, 40919, AND 46354
IN THE NAME OF B.L. DAVIS
T3N & T4N, R34E, W.M.
UMATILLA COUNTY



RECEIVED
OCT 23 2023
OWRD

LOCATION OF WELLS

AUTHORIZED POA FOR CERT. 40920 (MORRISON WELL)
LOCATED 30'N AND 70'E FROM THE EAST $\frac{1}{4}$ CORNER
OF SEC 5, T3N, R34E W.M.*

AUTHORIZED POA FOR CERT 40919 (MORRISON WELL)
LOCATED 30'N AND 70'E FROM THE WEST $\frac{1}{4}$ CORNER
OF SEC 4, T3N, R34E W.M.*

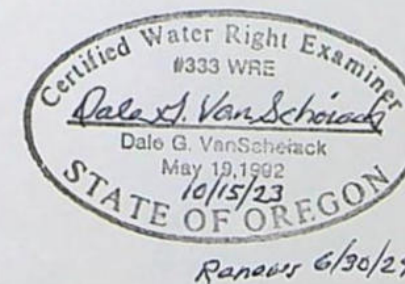
AUTHORIZED POA FOR CERT. 46534 (MORRISON WELL)
LOCATED 30'N AND 50'E FROM THE EAST $\frac{1}{4}$ CORNER
OF SEC. 5, T3N, R34E W.M.*

*ALL THREE CERTIFICATES DESCRIBE THE LOCATION OF
SAME MORRISON WELL

PROPOSED ADDITIONAL POA FOR ALL THREE
CERTIFICATES (SANDHOLLOW WELL)
LOCATED 1071'N AND 962'E FROM THE SOUTH
 $\frac{1}{4}$ COR OF SEC 33, T4N, R34E W.M.

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER
RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF
PROPERTY OWNERSHIP BOUNDARY LINES.

THE PIPE DISTRIBUTION SYSTEM IS BURIED PIPE. LOCATIONS AND SIZES ARE
APPROXIMATE. THEY ARE BASED ON FARM MAPS, FIELD OBSERVATIONS AND DESCRIPTIONS
PROVIDED BY OPERATIONS PERSONNEL.



T-14267

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14267

Review Due Date:

Applicant Name: BL Davis Ranch - c/o Berk and Roger Davis

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

Reviewer(s): Greg Silbernagel

Date of Review: 07/28/2023

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

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

☐ N/A

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

☒ N/A

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

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

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

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

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

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

- iv. Do you have any other observations regarding the temporary transfer?

☐ Yes ☐ No If "Yes", describe:

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

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

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

☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☐ No If "Yes", explain:

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

☒ Yes ☐ No If "Yes", explain:

1) The map scanned with the application was not related to the application. Applicant will need to resubmit a new map. 2) I will defer to groundwater section on injury and enlargement review.

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

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐ Weir
☐ Parshall Flume
☐ Other: _____

☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14267



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



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



at each new point of diversion/appropriation.

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

Watermaster name: Greg Silbernagel

District: 5

Address: 116 SE Dorion Avenue

City/State/Zip: Pendleton, Oregon 97801

Phone: 541-969-1677

Email: Greg.M.Silbernagel@water.oregon.gov

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

Approval of an Alternate Measurement Device

T-

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

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

Watermaster signature

District

Date

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

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

BAUSTIAN Julie C * WRD

From: SILBERNAGEL Greg M * WRD
Sent: Friday, July 28, 2023 8:27 AM
To: WRD_DL_transferreviews
Subject: T-14267 BL Davis
Attachments: T-14267_BL Davis Ranch.pdf

See attached for T-14267 BL Davis Ranch watermaster review.

Highlights – 1) The map scanned with the application is not the owner or the area identified in the application. Possibly a porfilly error but check the file first to make sure what is scanned is what they submitted.

Greg Silbernagel - Watermaster, District 5
Oregon Water Resources Department
116 SE Dorion Ave.
Pendleton, OR 97801
(541) 969-1677

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

To: Oregon Water Resources Dept
Account:

Check Date: 09/21/23

RECEIVED

SEP 22 2023

OWRD

Date Invoice Number

Amount

Amount Paid

09/21/23

App # T-14267

2,696.42

2,696.42

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 # 141656

INVOICE #

RECEIVED FROM: B L Davis Ranch, Inc.
BY:

APPLICATION
PERMIT
TRANSFER T-14267

CASH: ☐ CHECK: # 5130 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$2,696.42

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R11-462-25 \$
0412 OTHER: (IDENTIFY) Transfer R.A. \$ 2,696.42

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 RECORD FEE \$
0203 GROUND WATER EXAM FEE 0204 \$
0205 TRANSFER EXAM FEE

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD#
0210 MONITORING WELLS \$ CARD#
OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$

RECEIPT: 141656

DATED: 9/22/2023 BY: Leslie D. Miller

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-462-25**

RECEIVED

SEP 22 2023

OWRD

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Berk Davis, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes	Name: Berk Davis	Name: William Porfily
Title: Transfer Advisor	Contact:	Contact:
Address: 725 Summer Street, NE, Suite A	Address: P.O. Box 159	Address: P.O. Box 643
Salem, OR 97301-1266	Adams, OR 97810	Stanfield, OR 97875
Phone: 503 979-3511	Phone: (541) 861-9538	Phone: (541) 561-7259
Fax: 503 986-0901	Fax:	Fax:
Email: patrickkistarnes@water.oregon.gov	Email: bfatbld@hotmail.com	Email: Wporfily@gmail.com

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-14267)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is **\$2,696.42**. Applicant agrees to pay the full amount of **\$2,696.42** to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

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

For Applicant: Berkeley Davis President
Name/Title:

9-21-2023
Date

For OWRD: Dwight French Administrator

SEP 25 2023
Date

Mail signed Agreement to:

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

BL DAVIS RANCH LLC R11-462-25 T-14267							
Step	Review Step						
4b	Front Desk Staff receipts received AA funds						
4c	Transfer Support process Application						
5	Administrator signs AA						
6	NRS 1 Support enters workflow record in WRIS and updates RA spreadsheet						
7a	NRS 2 completes initial review of file for deficiencies						
7b	NRS 2 consults with Analyst and/or Manager						
9	Watermaster completes review						
10	Groundwater completes review						
11	NRS 2 completes DPD, PN, and RR						
12	Transfer staff peer reviews DPD, PN, RR						
13	Transfer Analyst completes policy check at DPD stage						
14a	NRS 2 sends DPD to app/agent by email and/or mail						
15	NRS 2 reviews report of ownership						
16	NRS 2 completes PD						
17	Transfer Staff peer reviews PD						
17a	Transfer Analyst peer reviews PD						
17b	Data Center reviews PD AND RR: (RR where applicable)						
18a	Transfer Analyst completes peer review of PN review for newspaper noticing						
18b	Transfer Support requests newspaper quote for PN publishing						
18c	NRS 2 sends publishing fee request to applicant						
18d	Transfer Support processes fee and newspaper publishing						
18e	Transfer Support processes public notice (dept notice)						
19	Administrator signs PD						
20	Transfer Support Issues PD, updates WRIS, copy to file, and mails hard copy to applicant						
21	NRS 2 completes FO						
22	Transfer Staff peer reviews FO						
22a	Transfer Analyst peer reviews FO						
23	Administrator signs FO						
24	Transfer Support Issues FO, updates WRIS, copy to file, record markings, and sends hard copy						
25	NRS 1 closes out RA Contract						
TOTAL ESTIMATED HOURS				45.38			
						TOTAL	\$2,696.42

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 # 141544

INVOICE # _____

RECEIVED FROM: Porfily Water Rights Consulting
BY: _____

APPLICATION
PERMIT
TRANSFER T-14267

CASH: ☐ CHECK: # 7182 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R11462-25 \$
0412 OTHER: (IDENTIFY) Transfer Reimbursement Authority \$ 125.00

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 RECORD FEE \$

0203 GROUND WATER EXAM FEE 0204 RECORD FEE \$

0205 TRANSFER EXAM FEE \$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE 0219 LICENSE FEE \$

LANDOWNER'S PERMIT

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: 141544

DATED: 9-1-23 BY: Bz

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

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 # 141544

INVOICE # _____

RECEIVED FROM: Porfily Water Rights Consulting
BY: _____

APPLICATION
PERMIT
TRANSFER T-14267

CASH: ☐ CHECK: # 7182 OTHER: (IDENTIFY) ☐

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0407 COPIES 47124 R11462-25 \$
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0243 I/S Lease _____ 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _____

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 RECORD FEE \$

0203 GROUND WATER EXAM FEE 0204 RECORD FEE \$

0205 TRANSFER EXAM FEE \$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE 0219 LICENSE FEE \$

LANDOWNER'S PERMIT

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: 141544

DATED: 9-1-23 BY: Bz

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



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



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

Please contact Transfer Staff before submitting this request, as the application fee of \$125.00 per request is non-refundable.

Checks submitted for this application must be separate from Transfer fees.

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

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number T-14267

	Applicant Information	Applicant's Representative/Contact
Name:	Berk Davis	William Porfily
Address:	P.O. Box 159 Adams, OR 97810	P.O. Box 643 Stanfield, OR 97875
Phone:	541-861-9538	541-561-7259
Fax:		
E-Mail Address:	bfdatbld@hotmail.com	wporfily@gmail.com

By signing this application, I understand:

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

I certify that I am the (check one):

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

Name: William Porfily

Signature: _____

William Porfily

Send completed Application and payment to:

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

RECEIVED

SEP 01 2023

OWRD

OWRD USE ONLY: Reimbursement Authority Number: R11-462-25

RICHMAN Elyse D * WRD

From: PHILLIPS Stacy H * WRD
Sent: Tuesday, August 15, 2023 8:43 AM
To: bfdatbld@hotmail.com; William Porfily
Cc: STARNES Patrick K * WRD; RICHMAN Elyse D * WRD
Subject: RE: T-14267 Reimbursement Authority Applicant's Agreement - Action Requested

Good Morning,

The signed agreement and fees were not received by the 30 day deadline of July 31, 2023. We are placing this file back into standard rotation to be process in the order it was received. If you wish to pursue reimbursement authority in the future, you will need to resubmit another RA application with another non-refundable \$125.

Thanks,

Stacy H. Phillips

Natural Resource Specialist 2, Permit Amendment Caseworker

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

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



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

From: PHILLIPS Stacy H * WRD
Sent: Friday, July 21, 2023 11:32 AM
To: bfdatbld@hotmail.com; William Porfily <wporfily@gmail.com>
Cc: STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Subject: RE: T-14267 Reimbursement Authority Applicant's Agreement - Action Requested
Importance: High

Hello,

This is a reminder to sign and return the Applicant Agreement Contract with the appropriate fees by the 30 day deadline. The deadline is **July 31, 2023**. I have attached the Agreement to this email for your convenience. If you have any questions or concerns regarding the contract, please contact Kelly Starnes at (503) 979-3511.

If you have chosen not to pursue RA, please respond to this email and let us know so we can return the file to the standard processing rotation. If the signed agreement and fees are on their way to the department, please let us know.

Thanks,

Stacy H. Phillips

Natural Resource Specialist 2, Permit Amendment Caseworker

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

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



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

From: PHILLIPS Stacy H * WRD
Sent: Monday, July 3, 2023 8:51 AM
To: bfdatbld@hotmail.com; William Porfily <wporfily@gmail.com>
Cc: STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Subject: T-14267 Reimbursement Authority Applicant's Agreement - Action Requested

July 3, 2023

Berk Davis
PO Box 159
Adams, OR 97810
(via email)

RE: Transfer Application T-14267

Dear Berk Davis,

Enclosed is the Reimbursement Authority Applicant Agreement (Agreement) for Transfer T-14267. To commence processing, the Agreement must be signed and accompanied with the full payment of the estimated maximum cost.

Current average processing time for transfer applications under Reimbursement Authority (RA) is up to twelve months.

Please read the Agreement thoroughly and follow the instructions to proceed with the expedited RA transfer process. To complete the requested service, please mail the signed contract and a check made out for the full amount of the estimated maximum cost to:

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

IMPORTANT: Due to recent staffing changes and training of new staff, Department processes for Reimbursement Authority may be unavoidably delayed.

If you have any questions, please contact me at (503) 986-0898 or via email: stacy.h.phillips@water.oregon.gov.

Sincerely,

A handwritten signature in blue ink that reads "Stacy H. Phillips".

Stacy H. Phillips
Natural Resource Specialist
Transfer and Conservation Section

cc: William Porfily, via email

To: Oregon Water Resources Dept
Account:

Check Date: 06/20/23

RECEIVED
JUN 23 2023
OWRD
SALEM, OREGON

Date 06/20/23
Invoice Number water right
Amount 125.00
Amount Paid 125.00

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 140985
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #
RECEIVED FROM: BL Davis Ranch, Inc.
BY:
APPLICATION PERMIT
TRANSFER T-14267
CASH: CHECK: # 4918 OTHER: (IDENTIFY)
TOTAL REC'D \$125.00

1083 TREASURY 4170 WRD MISC CASH ACCT
0407 COPIES 47124 K11451-23
0412 OTHER: (IDENTIFY) Transfer Reimbursement Authority
0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT
MISCELLANEOUS
0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$
WATER RIGHTS: EXAM FEE RECORD FEE
0201 SURFACE WATER \$ 0202 \$
0203 GROUND WATER \$ 0204 \$
0205 TRANSFER \$
WELL CONSTRUCTION EXAM FEE LICENSE FEE
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: 140985 DATED: 6/23/23 BY: mcalyx
Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 140985
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #
RECEIVED FROM: BL Davis Ranch, Inc.
BY:
APPLICATION PERMIT
TRANSFER T-14267
CASH: CHECK: # 4918 OTHER: (IDENTIFY)
TOTAL REC'D \$125.00

1083 TREASURY 4170 WRD MISC CASH ACCT
0407 COPIES 47124 K11451-23
0412 OTHER: (IDENTIFY) Transfer Reimbursement Authority
0243 I/S Lease 0244 Muni Water Mgmt. Plan 0245 Cons. Water

4270 WRD OPERATING ACCT
MISCELLANEOUS
0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$
WATER RIGHTS: EXAM FEE RECORD FEE
0201 SURFACE WATER \$ 0202 \$
0203 GROUND WATER \$ 0204 \$
0205 TRANSFER \$
WELL CONSTRUCTION EXAM FEE LICENSE FEE
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: 140985 DATED: 6/23/23 BY: mcalyx
Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



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

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

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

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	T-14267 Attached to the Transfer App.

	Applicant Information	Applicant's Representative/Contact
Name:	Berk Davis	William Porfily
Address:	P.O. Box 159 Adams, OR 97810	P.O. Box 643 Stanfield, OR 97875
Phone:	541-861-9538	541-561-7259
Fax:		
E-Mail Address:	bfdatbld@hotmail.com	Wporfily@gmail.com

I understand the following:

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

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

RECEIVED
JUN 23 2023
OWRD
SALEM, OREGON

I certify that I am the (check one):

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

Name: Berk Davis

Signature: Berk Davis

OWRD USE ONLY: Reimbursement Authority Number: R11-451 -23



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

June 29, 2023

BERK DAVIS, ROGER DAVIS

PO BOX 159

ADAMS, OR 97810

Reference: Application T-14267

On June 23, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$3060.00. Receipt number 140983 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 groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

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

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new 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) 986-0935.

Cc: Watermaster Dist. #5, Gregory M. Silbernagel (*via email*)

William Porfily, Agent

Umatilla County

Enclosure

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14267

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority? ☐

Applicant: Berk Davis, Berk Davis;roger Davis BERK DAVIS PO BOX 159 ADAMS, OR 97810	Agent: WILLIAM PORFELY PO BOX 643 STANFIELD, OR 97875	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Umatilla County	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	G4648	G4372	40920	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	G4947	G4371	40919	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	G6408	G7122	46354	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions (Support Staff)

Rec'd: June 23, 2023	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 3060.00	Acknowledgement Letter Sent <input type="checkbox"/>	Basin: 7 Umatilla
Initial Public Notice:	County sent cc: of Ack Letter <input type="checkbox"/>	County: UMATILLA
WM District: 5 Gregory M. Silbernagel	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: <input type="checkbox"/>	Name of Newspaper:
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):
Request for news \$ sent:	News \$ received:
Affidavit of publication received:	Last day of publication:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ No. of docs for sig: _____	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____

Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # T- 14267

Checked by <u>Dante</u>	Type of Change(s) Proposed: <u>NO</u> other changes allowed other than those listed	
Date <u>6/27/2023</u>		
Fee Received: \$3060	<input type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input checked="" type="checkbox"/> APOA <input type="checkbox"/> USE	
Calculated Fee: \$3060		How many rights to be Transferred? <u>3</u>
Deficiencies and Observations:		Certificate #(s) <u>40920, 40919, 46354</u>

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

- ☒ 1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom?
If not, what is missing? Whose signature is missing? _____
- ☒ 2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D? ☒ N/A.
Name of the District _____
- ☒ 3. Part 5 of application, has the applicant completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application?
If not, you may need to contact the applicant or agent? _____
- ☒ 4. For multiple certificates, do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2? (compare with OAR 690-380-3220-may need to return)
If no, which certificates are missing a separate Part 5, tables 1 & 2? _____
- ☒ 5. Has the map been completed and signed by a CWRE? Does the map meet the requirements?
If not, what is missing? _____. Map waiver included? ☐
- ☒ 6. If a change in point of appropriation, have the well logs been included? ☐ N/A.
- ☒ 7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
- ☒ 8. Has applicant filled out the Minimum Requirements Checklist (Part 1 of 5)? Is the application complete? If not, what is missing (check Evidence of Use and Land Use)? _____
- ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

- ☐ This application is deficient, and **CANNOT** be accepted.
It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken:

_____ date _____

Permanent Transfer Application Checklist

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
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$410 »		
4		4	0
	Do you propose to change the place of use or character of use? <input 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 example 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 \$350, then enter on line 5 »		
5		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	

To: Oregon Water Resources Dept
Account:

Check Date: 06/20/23

RECEIVED

JUN 23 2023

OWRD
SALEM, OREGON

Date Invoice Number Amount

Amount Paid

06/20/23

water right

3,060.00

3,060.00

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 140983
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE #

RECEIVED FROM: BL Davis Ranch, Inc.
BY:

CASH: CHECK: # OTHER: (IDENTIFY)

☐ ☒ 4917 ☐ TOTAL REC'D \$3,060.00

APPLICATION
PERMIT
TRANSFER T-14267

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 EXAM FEE \$ 0202 RECORD FEE \$
0203 GROUND WATER \$ 0204 \$
0205 TRANSFER \$3,060.00
WELL CONSTRUCTION EXAM FEE \$ LICENSE FEE \$
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: 140983 DATED: 6/23/23 BY: mcalaf
Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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SALEM, OREGON

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?** 3 **List them here:** 40920, 40919, 46354
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: ____/____/____

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Part 2 of 5 – Transfer Application Map

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

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

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

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
	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>		
2	Multiply line 2b by \$1090 and enter »	2	0
	Number of water rights included in transfer <u>3 (3a)</u> Subtract 1 from the number in line 3a above: <u>2 (3b) If only one water right this will be 0</u>		
3	Multiply line 3b by \$610 and enter »	3	1220
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 <input checked="" type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed <u>480 (4a)</u> 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 <u>410 (4b)</u>		
4	Add line 4a to line 4b and enter »	4	480
	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*): <u>0 (5a)</u> 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		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	3060.00
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat?		
7	If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	3060.00

*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	N/A

14267-

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JUN 23 2023 TACS

QWRD
CALIF. STATE

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME BL DAVIS RANCH C-O BERK DAVIS AND ROGER DAVIS		PHONE NO. 541.861.9538	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 159		FAX NO.	
CITY Adams	STATE OR	ZIP 97810	E-MAIL BFDATLD@HOTMAIL.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 William Porfily		PHONE NO. 541.561.7259	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 643		FAX NO.	
CITY Stanfield	STATE OR	ZIP 97838	E-MAIL wporfily@gmail.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:

We are adding an additional well, Sandhollow well, as an addition appropriation to the three certificates that are currently irrigated from Morrison well.

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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SALEM, OREGON

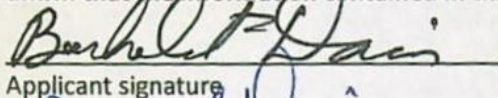
SALEM, OREGON

14267-

By my signature below, I confirm that I understand:

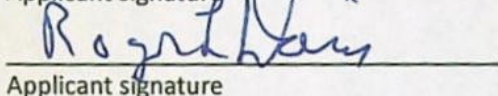
- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper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

BL Davis Ranch c-o Berk Davis
Print Name (and Title if applicable)

6-19-23
Date


Applicant signature

Roger Davis
Print Name (and Title if applicable)

6-19-23
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.
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 N/A	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 N/A	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 Umatilla County	ADDRESS 216 S.E. 4 th	
CITY Pendleton	STATE OR	ZIP 97838

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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JUN 23 2023

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SALEM, OREGON

14267-

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JUN 23 2023

OWRD
SALEM, OREGON**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 # 40919**Description of Water Delivery System**

System capacity: 2.0 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. [Please refer to application map for description of delivery 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)
Morrison Well	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1435	3	N	34	E	4	SW	NW	2100	30 feet N & 70 feet E from W ¼ corner of section 4	
Sandhollow Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 6433 UMAT 1459	4	N	34	E	33	SW	SE	1230 0	1071 feet N & 962 feet E from the south ¼ corner section 33	
	<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 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) |

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 # 40919

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	POA(s) to be used (from Table 1)	Priority Date		
3	N	34	E	4	NE	NW	100	L3	40.0	IR	MORRISON WELL	10/16/68	APOA	3	N	34	E	4	NE	NW	100	L3	40.0	IR	MORRISON WELL & SANDHOLLOW WELL	10/16/68
3	N	34	E	4	NW	NW	100	L4	38.9	IR	MORRISON WELL	10/16/68	APOA	3	N	34	E	4	NW	NW	100	L4	38.9	IR	MORRISON WELL & SANDHOLLOW WELL	10/16/68
3	N	34	E	4	SW	NW	100		41.4	IR	MORRISON WELL	10/16/68	APOA	3	N	34	E	4	SW	NW	100		41.4	IR	MORRISON WELL & SANDHOLLOW WELL	10/16/68
3	N	34	E	4	SE	NW	100		37.71	IR	MORRISON WELL	10/16/68	APOA	3	N	34	E	4	SE	NW	100		37.71	IR	MORRISON WELL & SANDHOLLOW WELL	10/16/68
TOTAL ACRES:									158.01					TOTAL ACRES:									158.01			

Additional remarks:_____.

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For Place of Use or Character of Use Changes

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

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

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 # N/A

Surface water primary Certificate # N/A

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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 N/A

- ☐ 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
SEE ATTACHED WELL LOGS		UMAT 1435 UMAT 6433 UMAT 1459								

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 40920

Description of Water Delivery System

System capacity: 1.98 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. [Please refer to application map for description of delivery 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)
Morrison Well	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1435	3 N	34 E	4	SW NW	2100	30 feet N & 70 feet E from E ¼ corner of section 5
Sandhollow Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 6433 UMAT 1459	4 N	34 E	33	SW SE	1230 0	1071 feet N & 962 feet E from the south ¼ corner of section 33
	<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 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) |

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 # 40920

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			
										APOA	3	N	34	E	5	NE	NE	20000	L1	40.4	IR	MORRISON WELL & SANDHOLLOW WELL	10/16/68
										APOA	3	N	34	E	5	NW	NE	20000	L2	41.0	IR	MORRISON WELL & SANDHOLLOW WELL	10/16/68
										APOA	3	N	34	E	5	SW	NE	20000		40.0	IR	MORRISON WELL & SANDHOLLOW WELL	10/16/68
										APOA	3	N	34	E	5	SE	NE	20000		36.32	IR	MORRISON WELL & SANDHOLLOW WELL	10/16/68
TOTAL ACRES:												TOTAL ACRES:						157.72					

Additional remarks:_____.

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For Place of Use or Character of Use Changes

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

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

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 # _____: N/A

Surface water primary Certificate # _____: N/A

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SALEM, OREGON**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # N/A

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 N/A

- ☐ 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
Morrison		UMAT 1435								
Sandhollow		UMAT 6433 UMAT 1459								

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 # 46354

Description of Water Delivery System

System capacity: 1.56 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. [Please refer to application map for description of delivery 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)
Morrison Well	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	UMAT 1435	3	N	34	E	4	SW	NW	2100	30 feet N & 50 feet E from E ¼ corner of section 4	
Sandhollow Well	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed	UMAT 6433 UMAT 1459	4	N	34	E	33	SW	SE	1230 0	1071 feet N & 962 feet E from the south ¼ corner of section 33	
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed											
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed											

*Certificates 40920 & 40919 describe the location as this well as being 30 feet N & 70 feet E from NE corner of section 5

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 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 checked="" type="checkbox"/> Additional Point of Appropriation (APOA) |

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 # 46354

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		
												APOA	3	N	34	E	4	NE	SW	19000		40.8	IR	MORRISON WELL & SANDHOLLOW WELL	1/21/74	
												APOA	3	N	34	E	4	NW	SW	19000		41.0	IR	MORRISON WELL & SANDHOLLOW WELL	1/21/74	
												APOA	3	N	34	E	4	SW	SW	19000		41.6	IR	MORRISON WELL & SANDHOLLOW WELL	1/21/74	
												APOA	3	N	34	E	4	SE	SW	19000		41.6	IR	MORRISON WELL & SANDHOLLOW WELL	1/21/74	
TOTAL ACRES:													TOTAL ACRES:								165.0					

Additional remarks:_____.

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For Place of Use or Character of Use Changes

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

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



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 # _____; N/A

Surface water primary Certificate # N/A

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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 N/A

- ☐ 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
SEE ATTACHED WELL LOGS		UMAT 1435 UMAT 6433 UMAT 1459								

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Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of UMATILLA

I, BERK, in my capacity as AN OWNER,

mailing address P.O. Box 159 ADAMS, OR, 97810

telephone number (541)861-9538, 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 # _____; 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)
40919	3	N	34	E	WM	4	NW		120
46354	3	N	34	E	WM	4	SW		120
40920	3	N	34	E	WM	5	NE		120

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)

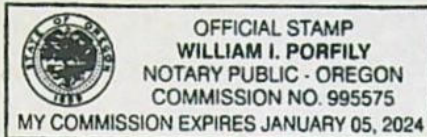
14267 -

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

Berbet Dan
Signature of Affiant

June 20, 2023
Date

Signed and sworn to (or affirmed) before me this 20 day of June, 2023.



William I. Porfily
Notary Public for Oregon

My Commission Expires: JAN 5, 2024

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input 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	<p>Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added.</p> <p>Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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2019 Google Earth Aerial Photo

Write a description for your map

Legend

- Adams Skate Park
- Center of section
- Pratt Gardens -Event Venue

Center of section 5

Center of section 4

Pratt Gardens -Event Venue

Google Earth

2000 ft



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): BL Davis Ranch c-o Burt Davis and Roger Davis

Mailing Address: P.O. Box 159

City: Adams

State: OR

Zip Code: 97810

Daytime Phone: 541.861.9538

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>3 N</u>	<u>34 E</u>	<u>4</u>	<u>NW</u>	<u>200 & 100</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>IRRIGATION</u>
<u>3 N</u>	<u>34 E</u>	<u>4</u>	<u>SW</u>	<u>19000</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>IRRIGATION</u>
<u>3 N</u>	<u>34 E</u>	<u>5</u>	<u>NE</u>	<u>20000</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>IRRIGATION</u>
<u>4 n</u>	<u>34 E</u>	<u>33</u>	<u>SW SE</u>	<u>12300</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	<u>SANDHOLLOW WELL IRRIG.</u>

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

Umatilla County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 5.94 ☐ 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:

We are adding an additional well, Sandhollow well, as an addition appropriation to the three certificates that are currently irriga from Morrison well.

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. →

14267

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JUN 23 2023

OWRD
SALEM, OREGON

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): UCDC 152.056(A)
- ☐ 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.

Name: Megan Davchevski Title: Planning Manager
 Signature: Megan Davchevski Phone: 541-279-6252 Date: 5/30/2023
 Government Entity: Umatilla 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: _____

14267-

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 JUN 23 2023
 OWRD

STATE ENGINEER
Salem, Oregon

UMAT
6433

Well Record

STATE WELL NO. 3N/34-33Q
COUNTY Umatilla
APPLICATION NO. U-682

Sand Hollow well

OWNER: L. L. Rogers

MAILING

ADDRESS: 311 N. Main St.

LOCATION OF WELL: Owner's No. Krebs #2

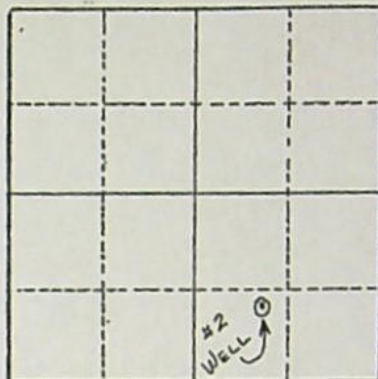
CITY AND

STATE: Pendleton, Oregon

SW 1/4 SE 1/4 Sec. 33 T. 3 N. R. 34 W. W.M.

Bearing and distance from section or subdivision

corner N. 41° 55' 30" E. 1439.3' from S 1/4 cor. Sec. 33.



Section 33

Altitude at well

TYPE OF WELL: Drilled Date Constructed 1951

Depth drilled 414'

Depth cased

CASING RECORD:

10"

FINISH:

AQUIFERS:

WATER LEVEL:

10'

PUMPING EQUIPMENT: Type Jacuzzi 6 x 6 in. Turbine

H.P. 20

Capacity 200 G.P.M.

WELL TESTS:

Drawdown	ft. after	Time	Hours	Drawdown	G.P.M.
20		8:50 A.M.		200	
48		9:15 A.M.		375	
57		9:30 A.M.		325	
90		10:35 A.M.		350	
102		11:35 A.M.		310	
111		12:35 P.M.		285	

USE OF WATER Irrigation Temp. °F. 19

SOURCE OF INFORMATION U-682

DRILLER or DIGGER Geo. E. Scott

ADDITIONAL DATA:

Log X Water Level Measurements Chemical Analysis Aquifer Test

REMARKS:

Irrigation of 186.55 acres.

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OWRD
SALEM, OREGON

STATE ENGINEER
Salem, Oregon

State Well No. 3N/34-330
County Umatilla
Application No. U-682

Well Log

Owner: L. L. Rogers Owner's No. Krebs #2

Driller: Geo. E. Scott Date Drilled 1951

CHARACTER OF MATERIAL	(Feet below land surface)		Thickness (feet)
	From	To	
<u>Soil</u>	<u>0</u>	<u>11</u>	<u>11</u>
<u>Broken basalt</u>	<u>11</u>	<u>20</u>	<u>9</u>
<u>Hard basalt rock</u>	<u>20</u>	<u>48</u>	<u>28</u>
<u>Softer basalt rock</u>	<u>48</u>	<u>78</u>	<u>30</u>
<u>Firm basalt rock</u>	<u>78</u>	<u>102</u>	<u>24</u>
<u>Black basalt rock</u>	<u>102</u>	<u>110</u>	<u>8</u>
<u>Reddish color rock</u>	<u>110</u>	<u>116</u>	<u>6</u>
<u>Reddish rock</u>	<u>116</u>	<u>123</u>	<u>7</u>
<u>Black basalt</u>	<u>123</u>	<u>130</u>	<u>7</u>
<u>Some water crystals</u>	<u>130</u>	<u>144</u>	<u>14</u>
<u>Black basalt</u>	<u>144</u>	<u>160</u>	<u>16</u>
<u>Black basalt (Crevice at 161 ft.)</u>	<u>160</u>	<u>190</u>	<u>30</u>
<u>Black basalt with crevices</u>	<u>190</u>	<u>270</u>	<u>80</u>
<u>Black basalt, harder with some water</u>	<u>270</u>	<u>282</u>	<u>12</u>
<u>Water dropped from 10 to 14 ft. Crevice at 284', water would lift ahead of sand pump from 14' to 3' of top of casing.</u>			
<u>Black basalt</u>	<u>282</u>	<u>290</u>	<u>8</u>
<u>Broken black basalt, tools ran irregular</u>	<u>290</u>	<u>292</u>	<u>2</u>
<u>Black basalt</u>	<u>292</u>	<u>330</u>	<u>38</u>
<u>At 330' water would pull over top with sand pump.</u>			
<u>Black basalt, some water crystals</u>	<u>330</u>	<u>355</u>	<u>25</u>
<u>Black basalt, no noticeable change in water</u>	<u>355</u>	<u>414</u>	<u>59</u>

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OWRD
SALEM, OREGON

14267-

NOTICE TO WATER WELL CONTRACTOR
The original and first copy
of this report are to be
filed with the
STATE ENGINEER, SALEM 10, OREGON
within 30 days from the date
of well completion.



WATER WELL REPORT
STATE OF OREGON
(Please type or print)
JUL 1 1963

State Well No. 3N/34-33G
State Permit No. 0619

(1) OWNER:

Name Berkley L. Davis
Address Adams, Oregon

(2) LOCATION OF WELL:

County Umatilla Driller's well number
SW 1/4 SE 1/4 Section 33 T. 3N R. 34 E.W.M.
Bearing and distance from section or subdivision corner

(3) TYPE OF WORK (check):

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

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐ Rotary ☐ Driven ☐
Irrigation ☒ Test Well ☐ Other ☐ Cable ☒ Jetted ☐
Dug ☐ Bored ☐

(5) TYPE OF WELL:

(6) CASING INSTALLED:

Threaded ☐ Welded ☐
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from NONE ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

(7) 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.
_____ perforations from _____ ft. to _____ ft.

(8) SCREENS:

Well screen installed ☐ Yes ☒ No
Manufacturer's Name _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:

Well seal—Material used in seal NONE
Depth of seal _____ ft. Was a packer used? _____
Diameter of well bore to bottom of seal _____ in.
Were any loose strata cemented off? ☐ Yes ☒ No Depth _____
Was a drive shoe used? ☐ Yes ☐ No
Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.
Did any strata contain unusable water? ☐ Yes ☐ No
Type of water? _____ Depth of strata _____
Method of sealing strata off _____

(10) WATER LEVELS:

Static level 63 ft. below land surface Date 7/10/63
Artesian pressure _____ lbs. per square inch Date _____

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level Far more
Was a pump test made? ☒ Yes ☐ No If yes, by whom? Athena, Ore.

Yield: 620 gal./min. with 243 ft. drawdown after 72 hrs.

Bailer test gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow g.p.m. Date _____

Temperature of water 70 Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:

Diameter of well below casing _____
Depth drilled 857 ft. Depth of completed well 1270 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Black basalt	413	430
Black basalt & grey clay	430	435
Black basalt	435	480
Grey basalt	480	503
Porour basalt & clay	503	507
Black basalt	507	550
Grey basalt	550	565
Black basalt	565	615
Grey basalt	615	665
Black basalt	665	690
Black sticky clay & broken bas.	690	720
Black basalt	720	755
Grey basalt	755	823
Black basalt, clay seams	823	845
Grey basalt	845	951
Black basalt (lost cuttings)	951	995
Grey basalt	995	1002
Black basalt (lost cuttings)	1002	1020
Grey basalt	1020	1030
Black basalt (lost outtings)	1030	1065
Grey basalt	1065	1085
Black basalt	1085	1100
Black basalt (no cuttings)	1100	1117

Pump tested—insufficient water

Work started _____ 19 _____ Completed _____ 19 _____

Date well drilling machine moved off of well _____ 19 _____

(13) PUMP:

Manufacturer's Name _____
Type: _____ H.P. _____

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 _____
(Person, firm or corporation)

Address _____

Drilling Machine Operator's License No. _____

[Signed] _____
(Water Well Contractor)

Contractor's License No. _____ Date _____, 19 _____

(USE ADDITIONAL SHEETS IF NECESSARY)

14267-

NOTICE TO WATER WELL CONTRACTOR

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

STATE ENGINEER, SALEM 10, OREGON
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON
(Please type or print)

State Well No. _____

State Permit No. _____

(1) OWNER:

Name _____

Address _____

(2) LOCATION OF WELL:

County _____

Driller's well number _____

1/4

1/4 Section

T.

R.

W.M.

Bearing and distance from section or subdivision corner _____

(3) TYPE OF WORK (check):

New Well ☐ Deepening ☐ Reconditioning ☐ Abandon ☐
Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐ Rotary ☐ Driven ☐
Irrigation ☐ Test Well ☐ Other ☐ Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(5) TYPE OF WELL:

(6) CASING INSTALLED:

Threaded ☐ Welded ☐

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

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

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

(7) 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.		
perforations from _____ ft. to _____ ft.		

(8) SCREENS:

Well screen installed ☐ Yes ☐ No

Manufacturer's Name _____

Model No. _____

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

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

(9) CONSTRUCTION:

Well seal—Material used in seal _____

Depth of seal _____ ft. Was a packer used? _____

Diameter of well bore to bottom of seal _____ in.

Were any loose strata cemented off? ☐ Yes ☐ No Depth _____Was a drive shoe used? ☐ Yes ☐ NoWas well gravel packed? ☐ Yes ☐ No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

Did any strata contain unusable water? ☐ Yes ☐ No

Type of water? _____ Depth of strata _____

Method of sealing strata off _____

(10) WATER LEVELS:

Static level _____ ft. below land surface Date _____

Artesian pressure _____ lbs. per square inch Date _____

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

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

Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.

" " " " "

" " " " "

Bailer test _____ gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow _____ g.p.m. Date _____

Temperature of water _____ Was a chemical analysis made? ☐ Yes ☐ No

(12) WELL LOG:

Diameter of well below casing _____

Depth drilled _____ ft. Depth of completed well _____ ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Black basalt	1117	1135
Grey basalt	1135	1230
Soft grey basalt (lost cuttings)	1230	1240
Grey basalt hard	1240	1855
no cuttings from	1255	1270
got black cuttings at bottom		

Old well to 413' is 10"

from 413' to 1270 is 8"

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OWRD
SALEM, OREGON

Work started Dec 18 19 62 Completed July 12 19 63

Date well drilling machine moved off of well 7/15/63 19

(13) PUMP:

Manufacturer's Name _____

Type: _____ H.P. _____

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 D. K. SMITH

(Person, firm or corporation)

(Type or print)

Address Route 3 Walla Walla, Washington

Drilling Machine Operator's License No. 121

[Signed] *D. K. Smith*
(Water Well Contractor)

Contractor's License No. 204 Date 7/82/63, 19

(USE ADDITIONAL SHEETS IF NECESSARY)

14267-

NOTICE TO WATER WELL CONTRACTOR

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

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion.

RECEIVED
OCT 30 1968
STATE ENGINEER
SALEM OREGON

WATER WELL REPORT

STATE OF OREGON

(Please type or print)
(Do not write above this line)

State Well No.

State Permit No.

Morrison well-

b cc

3N/34-4

G-4X35, G-4647, G-4648

(1) OWNER:

Name BL. DAVIS RANCH Inc.Address Adams, Oregon

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

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

(4) PROPOSED USE (check):

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

(5) CASING INSTALLED:

16" Diam. from 0 ft. to 90 ft. Gage Standard

" 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.

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) WATER LEVEL: Completed well.

Static level 140 ft. below land surface Date 10/2/68

Pneumatic pressure lbs. per square inch Date

(9) WELL TESTS:

Drawdown is amount water level is
lowered below static levelWas a pump test made? ☒ Yes ☐ No If yes, by whom? Athena, Ore.

Yield: 887 gal./min. with 337 ft. drawdown after 6 hrs.

910 " 353 " 14 "

" " " "

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

Artesian flow g.p.m. Date

Temperature of water 74 Was a chemical analysis made? ☐ Yes ☒ No

(10) CONSTRUCTION:

Well seal—Material used Cement grout

Depth of seal 0-90 ft.

Diameter of well bore to bottom of seal 20 in.

Were any loose strata cemented off? ☐ Yes ☒ No DepthWas a drive shoe used? ☒ Yes ☐ NoDid 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.

(11) LOCATION OF WELL:

County Umatilla

Driller's well number

SW 1/4 NW 1/4 Section 4 T. 3N R. 24E 34E W.M.

Bearing and distance from section or subdivision corner

(12) WELL LOG:

Diameter of well below casing

Depth drilled 1680 ft. Depth of completed well

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 as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Top soil	0	7	
Hard brown clay	7	43	
Broken brown basalt, hard clay	43	90	
Black basalt	90	99	
Red Clay & broken rock	99	112	
Black basalt	112	136	
Gray basalt	136	155	145
Gray & blue clay/broken rock	155	170	
Gray basalt	170	200	
Black basalt	200	240	
Broken black/blue clay	240	290	
Gray basalt	290	302	
Broken black basalt	302	351	
Gray basalt	351	366	
Broken black basalt	366	370	
Gray basalt/gray clay, cavey	370	532	
Black basalt	532	542	
Brown basalt	542	583	123
Porous black basalt	583	605	
Brown basalt	605	640	
Black basalt/porous blue clay	640	652	
Gray basalt	652	695	

Work started 10/26/67 Completed 10/2/68

Date well drilling machine moved off of well 10/17/68

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) [Signature] Date 10/25/68
(Drilling Machine Operator)

Drilling Machine Operator's License No. 545

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 D. K. "Don" Smith
(Person, firm or corporation) (Type or print)

Address P. O. Box 179 Walla Walla, Wash.

(Signed) [Signature] (Water Well Contractor)

Contractor's License No. 204 Date 10/28/68

(USE ADDITIONAL SHEETS IF NECESSARY)

14267-

NOTICE TO WATER WELL CONTRACTOR

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

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

RECEIVED

JUN 23 2023

State Well No. 3N/34-4E
SALEM, OREGON

State Permit No. _____

(1) OWNER:

Name _____

Address _____

(2) TYPE OF WORK (check):

New Well ☐ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

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

(4) PROPOSED USE (check):

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

CASING INSTALLED:

Threaded ☐ Welded ☐

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

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

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

PERFORATIONS:

Perforated? ☒ Yes ☐ No.

Type of perforator used _____

Size of perforations _____ in. by _____ in.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

_____ 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) WATER LEVEL: Completed well.

Static level _____ ft. below land surface Date _____

Artesian pressure _____ lbs. per square inch Date _____

(9) WELL TESTS:

Drawdown is amount water level is lowered below static level

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

Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.

" " " " " "

" " " " " "

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

Artesian flow _____ g.p.m. Date _____

Temperature of water _____ Was a chemical analysis made? ☐ Yes ☐ No

(10) CONSTRUCTION:

Well seal—Material used _____

Depth of seal _____ ft.

Diameter of well bore to bottom of seal _____ in.

Were any loose strata cemented off? ☐ Yes ☐ No Depth _____Was a drive shoe used? ☐ Yes ☐ NoDid 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.

(11) LOCATION OF WELL:

County _____

Driller's well number _____

1/4

1/4 Section

T.

R.

W.M.

Bearing and distance from section or subdivision corner _____

(12) WELL LOG:

Diameter of well below casing _____

Depth drilled _____ ft. Depth of completed well _____ ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change
in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Broken gray basalt	695	725	
Brownish green, dry clay & cavey	764	775	
Broken dark gray basalt	775	786	
Broken black basalt	786	815	116
(Reduced to 12" hole at 815ft.)			
Gray basalt Med. hard	815	888	
Broken black basalt/blue clay	888	891	
Gray basalt Med. Hard	891	913	
Gray basalt, hard	913	923	
Broken brown/black-blue clay	923	927	
Gray basalt, med. hard	927	940	
Broken black basalt (lost cuttings)	940-960	127	
Broken gray basalt	960	980	131
Broken brown/black-blue clay	980	1000	
Gray basalt	1000	1014	
Red, black, brown rock/blue clay	1014	1031	
Gray basalt	1031	1070	175
Black basalt gray & blue clay	1070	1080	163
Gray basalt / green clay	1090	1110	
Porous brown/black clay	1110	1120	
Dark gray basalt	1120	1135	152
Gray basalt/green clay	1135	1145	

Work started _____ 19 _____ Completed _____ 19 _____

Date well drilling machine moved off of well _____ 19 _____

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] _____ Date _____, 19 _____

(Drilling Machine Operator)

Drilling Machine Operator's License No. _____

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 _____ (Person, firm or corporation) (Type or print)

Address _____

[Signed] _____ (Water Well Contractor)

Contractor's License No. _____ Date _____, 19 _____

(USE ADDITIONAL SHEETS IF NECESSARY)

14267-

RECEIVED

JUN 23 2023

OWHD 3N/34-4 E
SALEM, OREGON

State Permit No. _____

NOTICE TO WATER WELL CONTRACTOR

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

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

STATE ENGINEER, SALEM, OREGON

within 30 days from the date
of well completion.RECEIVED
OCT 30 1968
STATE ENGINEER
SALEM, OREGON

(1) OWNER:

Name _____

Address _____

(2) TYPE OF WORK (check):

New Well ☐ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in item 12.

(3) TYPE OF WELL:

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

(4) PROPOSED USE (check):

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

CASING INSTALLED:

Threaded ☐ Welded ☐

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

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

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

PERFORATIONS:

Perforated? ☐ Yes ☐ No.

Type of perforator used _____

Size of perforations _____ in. by _____ in.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

_____ 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) WATER LEVEL: Completed well.

Static level _____ ft. below land surface Date _____

Artesian pressure _____ lbs. per square inch Date _____

(9) WELL TESTS:

Drawdown is amount water level is
lowered below static level.Was a pump test made? ☐ Yes ☐ No If yes, by whom? _____

Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.

" " " " " "

" " " " " "

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

Artesian flow _____ g.p.m. Date _____

Temperature of water _____ Was a chemical analysis made? ☐ Yes ☐ No

(10) CONSTRUCTION:

Well seal—Material used _____

Depth of seal _____ ft.

Diameter of well bore to bottom of seal _____ in.

Were any loose strata cemented off? ☐ Yes ☐ No Depth _____Was a drive shoe used? ☐ Yes ☐ NoDid 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.

(11) LOCATION OF WELL:

County _____

Driller's well number _____

1/4 1/4 Section T. R. W.M.

Bearing and distance from section or subdivision corner _____

(12) WELL LOG:

Diameter of well below casing _____

Depth drilled _____ ft. Depth of completed well _____ ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change
in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Gray basalt	1145	1180	
Porous black basalt	1180	1200	147
Dark gray basalt	1200	1298	145
Porous black rock/clay	1298	1310	143
Dark gray basalt/some clay	1310	1345	
Porous black basalt (losing cuttings)	1345	1395	142
Gray basalt	1395	1515	140
Broken porous black rock	1515	1580	
Gray basalt, Med hard	1580	1690	

N. B. Well was tested from depth of 500'

Pumped 500GPM/ Test pump was

Then pulled and well was drilled to depth
of 1680 feet

Work started 10/26 1967 Completed 10/2/68 19

Date well drilling machine moved off of well 10/7/68 19

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Mate-
rials used and information reported above are true to my best
knowledge and belief.[Signed] _____ Date _____, 19____
(Drilling Machine Operator)

Drilling Machine Operator's License No. _____

Water Well Contractor's Certification:

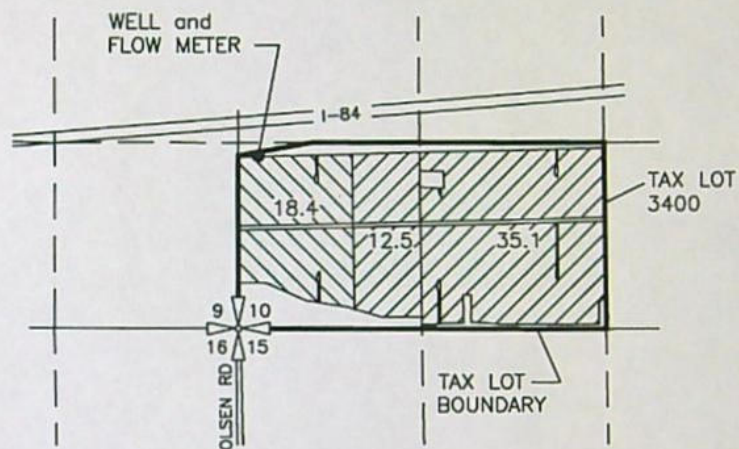
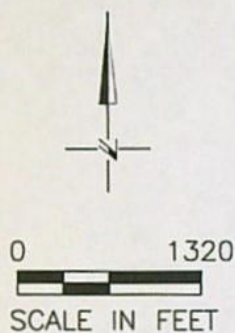
This well was drilled under my jurisdiction and this report is
true to the best of my knowledge and belief.NAME _____
(Person, firm or corporation) (Type or print)

Address _____



[Signed] _____
(Water Well Contractor)

Contractor's License No. _____ Date _____, 19____

CLAIM OF BENEFICIAL USE MAP
FOR TRANSFER T-11755
IN THE NAME OF STIFFLER LLC c/o CRAIG COLEMAN
T4N, R25E, W.M., MORROW COUNTY



LEGEND

-  ORIGINATING CERTIFICATE 56159
-  ORIGINATING CERTIFICATE 56160

POINT OF APPROPRIATION

WELL
LOCATED 1310'N AND 140'E FROM
THE SW CORNER OF SEC 10

RECEIVED

JUN 23 2023

OWHD
SALEM, OREGON

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION
OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION
RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

DGV Consulting, PLLC
PHONE (509) 627-8717
dalevconsulting@gmail.com
Date: June 16, 2023

14267-

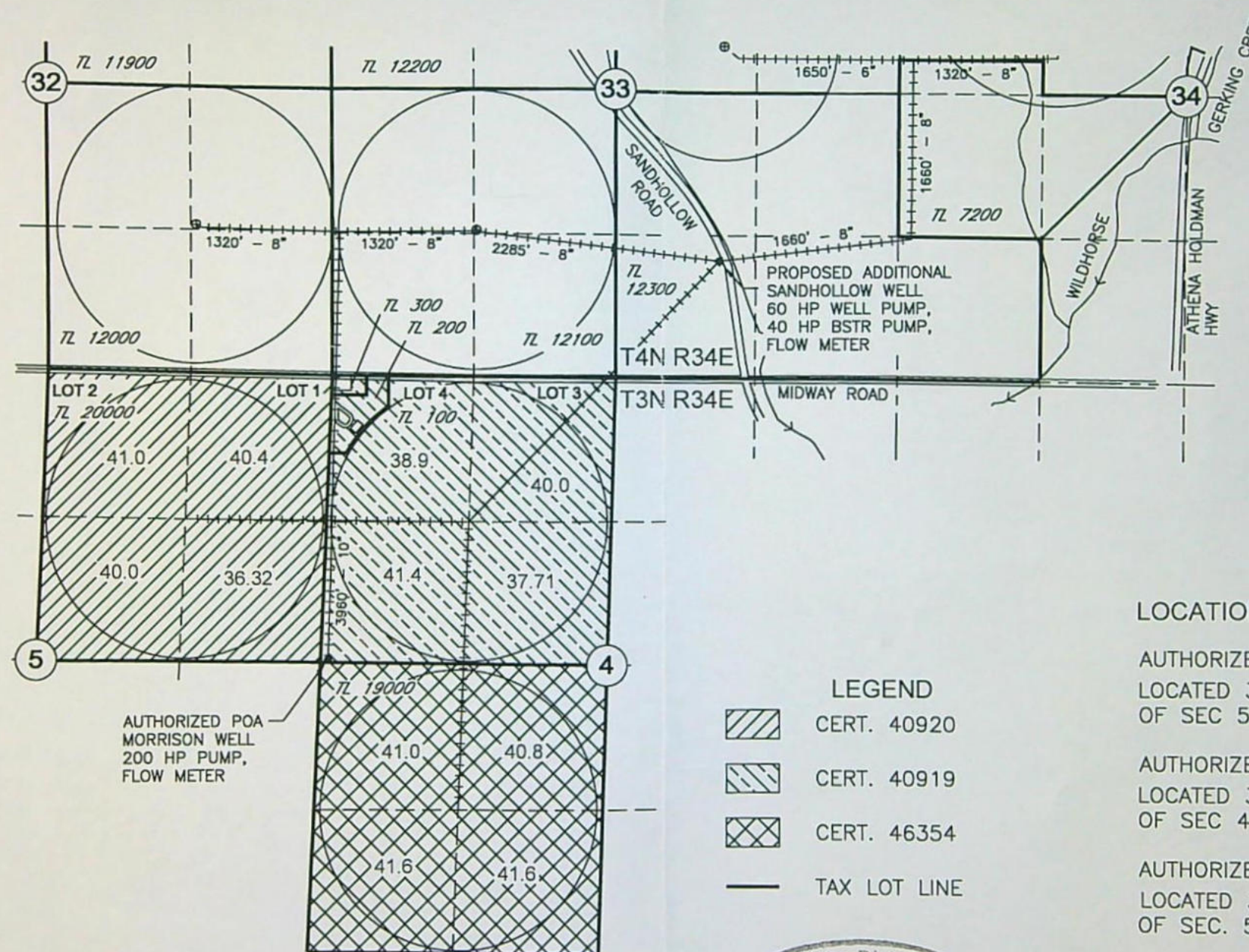
TRANSFER APPLICATION MAP ADDING THE SANDHOLLOW WELL
AS AN ADDITIONAL POA TO
CERTIFICATES 40920, 40919, AND 46354
IN THE NAME OF B.L. DAVIS
T3N & T4N, R34E, W.M.
UMATILLA COUNTY

SUPERSEDED

RECEIVED

JUN 23 2023

OWRD
SALEM, OREGON



LOCATION OF WELLS

AUTHORIZED POA FOR CERT. 40920 (MORRISON WELL)
LOCATED 30'N AND 70'E FROM THE EAST $\frac{1}{4}$ CORNER
OF SEC 5, T3N, R34E W.M.*

AUTHORIZED POA FOR CERT 40919 (MORRISON WELL)
LOCATED 30'N AND 70'E FROM THE WEST $\frac{1}{4}$ CORNER
OF SEC 4, T3N, R34E W.M.*

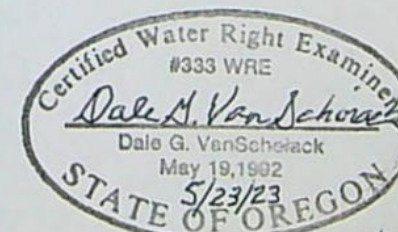
AUTHORIZED POA FOR CERT. 46534 (MORRISON WELL)
LOCATED 30'N AND 50'E FROM THE EAST $\frac{1}{4}$ CORNER
OF SEC. 5, T3N, R34E W.M.*

*ALL THREE CERTIFICATES DESCRIBE THE LOCATION OF
SAME MORRISON WELL

PROPOSED ADDITIONAL POA FOR ALL THREE
CERTIFICATES (SANDHOLLOW WELL)
LOCATED 1071'N AND 962'E FROM THE SOUTH
 $\frac{1}{4}$ COR OF SEC 33, T4N, R34E W.M.

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER
RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF
PROPERTY OWNERSHIP BOUNDARY LINES.

THE PIPE DISTRIBUTION SYSTEM IS BURIED PIPE. LOCATIONS AND SIZES ARE
APPROXIMATE. THEY ARE BASED ON FARM MAPS, FIELD OBSERVATIONS AND DESCRIPTIONS
PROVIDED BY OPERATIONS PERSONNEL.



Renews 6/30/24

14267-