

Regular

Name Delbert E BlanchardAddress 6639 South Myrtle Rd
Myrtle Creek Oregon
del@myrtlecreekfarm.com 97457Change in POWDate Filed 7/12/2023Initial notice date 7/25/2023

DPD issued date

PD issued date 1/22/2025PD notice date 1/28/2025Date of FO 3/26/2025 Vol 134 Page 154-157

C-Date

COBU due date

COBU Received date

Certificate issued

Assignments:

Irrigation District

Agent Nathan Reed nreed68@hotmail.com

CWRE

CC's list Douglas County☐ - Oversized map - Location

DESCRIPTION OF WATER RIGHT(S)

Name of Stream S Myrtle CreekTrib. of Myrtle CreekUse Irrigation County Douglas

Quantity of water (CFS) No. of Acres

Name of ditch

App# S24506 Per # S19302 Cert # 50481 PR Date 3/14/1950

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

FEES PAID		
Date	Amount	Receipt #
<u>7-12-23</u>	<u>\$1,360.00</u>	<u>141132</u>

FEES REFUNDED		
Date	Amount	Receipt #

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14276

Transfer Specialist: Dan L

Transfer Type: Regular Transfer

Reimbursement Authority? ☐

Applicant: DELBERT B BLANCHARD 6639 SOUTH MYRTLE ROAD MYRTLE CREEK, OR 97457	Agent: NATHAN R. REED 157 W BODIE ST ROSEBURG, OR 97471	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Douglas County Planning Department/Land Use	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"/>	524506	519302	50481	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions (Support Staff)

Rec'd: July 12, 2023	Proposed Action(s): PLACE OF USE	
Fees Pd: 1360.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 16 Umpqua
Initial Public Notice: 07/25/2023	County sent cc: of Ack Letter <input checked="" type="checkbox"/>	County: DOUGLAS
WM District: 15 Susan M. Douthit	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: 11-8-23 Initials: <u>AL</u>	Date: 11-9-23 Initials: <u>SE</u>	Date: 9-9-24 Initials: <u>CC</u>	Date: 9-10-24 Initials: <u>AL</u>	CW Sent: 9-13-24 WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: 12-8-24 Initials: <u>AL</u>	Date: 12-10-24 Initials: <u>SE</u>	Date: 12-26-24 Initials: <u>SH</u>	Date: 1-2-25 Initials: _____ Data Review Date: 1-2-25	Date: 1-4-25	Date: 1/27/2025
FO	Date: 3-10-25 Initials: <u>AL</u>	Date: 3-11-25 Initials: <u>AD</u>	Date: 3-19-25 Initials: <u>CC</u>	Date: 3-20-25 Initials: <u>AL</u>	Date: 2 No. of docs for sig: 3-20-25	Date: 3/26/2025

Special Issues: _____

Special Order Volume: Vol. 134 Pages 154-157

TRANSFER APPLICATION MAP

FOR: DELBERT E. BLANCHARD
BY: NATHAN REED, PE, CWRE
T29S, R4W, W.M. SECTION 21, DLC 39
CERTIFICATE NO. 50481

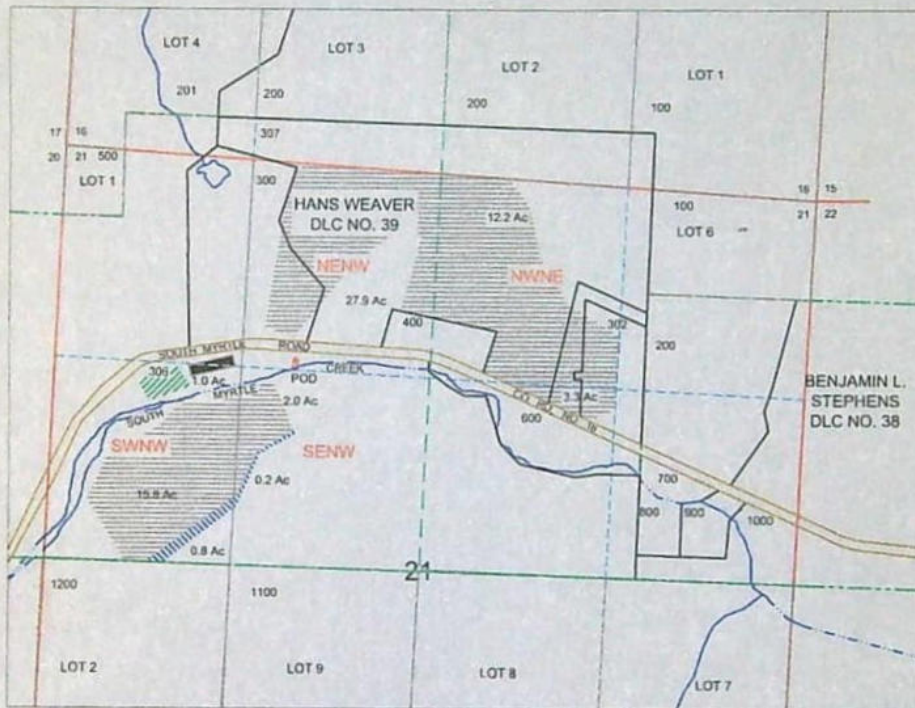


RECEIVED

SCALE: 1" = 1320'

JUL 12 2023

OWRD



POD IS LOCATED 1400 FEET NORTH & 3200 FEET WEST OF E1/4 CORNER OF SECTION 21,
AS PROJECTED WITHIN DLC NO. 39.



LEGEND

---	WATER	---	SIXTEENTH
○	POD	---	DLC
---	PIPE	---	GLOT
---	SECTION	---	PARCEL
---	QUARTER	---	IRRIGATION REMAIN
---	IRRIGATION FR.	---	IRRIGATION TO.
		---	PRIORITY 3-14-1950

MAP PREPARED FOR:
DELBERT E BLANCHARD
6639 S. MYRTLE RD
MYRTLE CREEK, OR 97457

MAP PREPARED BY:
NATHAN REED PE, CWRE
157 WEST BODIE STREET
ROSEBURG, OR 97471

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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

March 26, 2025

Delbert E. Blanchard
6639 South Myrtle Rd
Myrtle Creek, OR 97457

REFERENCE: Transfer Application T-14276

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, Dante Luongo, by telephone at (971) 304-5006 or by e-mail at Dante.j.luong@water.oregon.gov.

Sincerely,

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

cc: Susan M. Douthit, Watermaster Dist. # 15 (via email)
Nathan R. Reed, Agent
Douglas County Planning Department/Land Use, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER
T-14276, Douglas County)	APPROVING A CHANGE IN PLACE OF USE

Authority

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

Applicant

DELBERT E. BLANCHARD
6639 SOUTH MYRTLE ROAD
MYRTLE CREEK, OR 97457

Findings of Fact

1. On July 12, 2023, Delbert E. Blanchard filed an application to change the place of use under Certificate 50481. The Department assigned the application number T-14276.
2. Notice of the application for transfer was published on July 25, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 13, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14276 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of October 13, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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 January 22, 2025, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14276 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on January 28, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 50481 in the name of HOWARD L. BROWNSON (perfected under Permit S-19302)

Use: IRRIGATION OF 1.0 ACRE

Priority Date: MARCH 14, 1950

Rate: 0.012 CUBIC FOOT PER SECOND, if available at the original point of diversion, NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within H. Weaver DLC 39, Section 21, T29S, R4W, WM; 1400 feet West from the East $\frac{1}{4}$ corner, Section 21.

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: SOUTH MYRTLE CREEK, a tributary of SOUTH UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
29 S	4 W	WM	21	NE NW	39	1400 FEET NORTH AND 3200 FEET WEST FROM THE E1/4 CORNER OF SECTION 21

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
29 S	4 W	WM	21	SW NW	39	0.8
29 S	4 W	WM	21	SE NW	39	0.2
TOTAL						1.0

6. Transfer Application T-14276 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
29 S	4 W	WM	21	SW NW	39	1.0

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

7. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14276.
9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed change, as conditioned, would not result in enlargement of the right.
11. The proposed change, as conditioned, would not result in injury to other existing water right.
12. All other application requirements are met.

Conclusions of Law

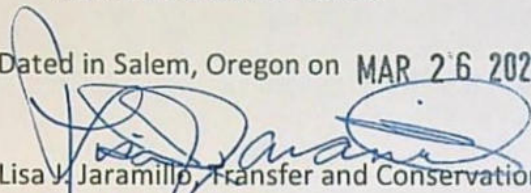
The change in place of use proposed in Transfer Application T-14276 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in Transfer Application T-14276 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 Certificate 50481 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 place of use.
4. Water right Certificate 50481 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
5. The former place of use of the transferred right shall no longer receive water under the right.
6. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.
 - 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.

7. 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 change and full beneficial use of the water.
8. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **MAR 26 2025**


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

Mailing Date: **MAR 27 2025**

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

HOWARD L. BROWNSON
MYRTLE CREEK, OR 97457

confirms the right to use the waters of the SOUTH MYRTLE CREEK, a tributary of SOUTH UMPQUA RIVER for IRRIGATION of 61.2 ACRES.

This right was perfected under Permit S-19302. The date of priority is MARCH 14, 1950. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.738 CUBIC FOOT PER SECOND, if available at the original point of diversion, NE $\frac{1}{4}$ NW $\frac{1}{4}$, as projected within H. Weaver DLC 39, Section 21, T29S, R4W, WM: 1,400 feet North and 3,200 feet West from E $\frac{1}{4}$ Corner, Section 21, or its equivalent in case of rotation, measured at the point of diversion from the stream.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
29 S	4 W	WM	21	SW NE	39	NUMBER 3 - 1300 FEET NORTH AND 2040 FEET WEST FROM THE E1/4 CORNER OF SECTION 21
29 S	4 W	WM	21	NE NW	39	NUMBER 1 - 1400 FEET NORTH AND 3200 FEET WEST FROM THE E1/4 CORNER OF SECTION 21

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year 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:

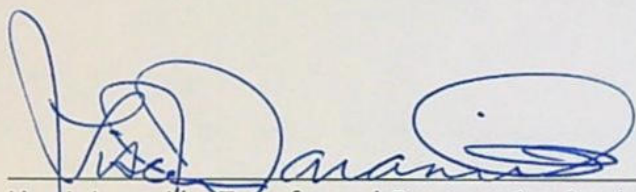
IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
29 S	4 W	WM	21	NW NE	39	12.2
29 S	4 W	WM	21	SW NE	39	3.3
29 S	4 W	WM	21	NE NW	39	27.9
29 S	4 W	WM	21	SW NW	39	15.8
29 S	4 W	WM	21	SE NW	39	2.0
TOTAL						61.2

This certificate describes that portion of water right Certificate 50481, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAR 26 2025, approving Transfer Application T-14276.

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, and is subject to the existing minimum flow policies established by the Water Policy Review Board.

WITNESS the signature of the Water Resources Director, affixed MAR 26 2025.



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

January 23, 2025

VIA CERTIFIED MAIL AND E-MAIL

DELBERT B BLANCHARD
6639 SOUTH MYRTLE ROAD
MYRTLE CREEK, OR 97457

SUBJECT: Water Right Transfer Application T-14276

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14276. 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, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the Department's notice.

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

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

Please don't hesitate to contact me at 971 304-5006 or Dante.J.Luongo@water.oregon.gov, if I may be of assistance.

Sincerely,

Dante Luongo
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14276
Susan M. Douthit, District 15 Watermaster (*via e-mail*)
Nathan R. Reed, Agent for the applicant (*via e-mail*)

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14276, Douglas County)	PROPOSING APPROVAL OF A CHANGE IN
)	PLACE OF USE

Authority

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

Applicant

DELBERT E. BLANCHARD
6639 SOUTH MYRTLE ROAD
MYRTLE CREEK, OR 97457

Findings of Fact

1. On July 12, 2023, Delbert E. Blanchard filed an application to change the place of use under Certificate 50481. The Department assigned the application number T-14276.
2. Notice of the application for transfer was published on July 25, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On September 17, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14276 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of October 17, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. The portion of the right to be transferred is as follows:

Certificate:	50481 in the name of HOWARD L. BROWNSON (perfected under Permit S-19302)
Use:	IRRIGATION OF 1.0 ACRE
Priority Date:	MARCH 14, 1950

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.

Rate: 0.012 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: SOUTH MYRTLE CREEK, a tributary of SOUTH UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
29 S	4 W	WM	21	NE NW	39	1400 FEET NORTH AND 3200 FEET WEST FROM THE E1/4 CORNER OF SECTION 21

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
29 S	4 W	WM	21	SW NW	39	0.8
29 S	4 W	WM	21	SE NW	39	0.2
TOTAL						1.0

5. Transfer Application T-14276 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	DLC	Acres
29 S	4 W	WM	21	SW NW	39	1.0

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

6. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14276.
8. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
9. The proposed change, as conditioned, would not result in enlargement of the right.
10. The proposed change, as conditioned, would not result in injury to other existing water right.
11. All other application requirements are met.

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-14276 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

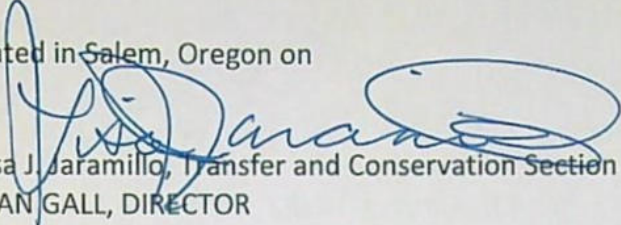
If Transfer Application T-14276 is approved, the final order will include the following:

- 1. The change in place of use proposed in Transfer Application T-14276 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 Certificate 50481 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 place of use.*
- 4. Water right Certificate 50481 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
- 5. The former place of use of the transferred right shall no longer receive water under the right.*
- 6. Water use measurement conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.*
 - 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.*
- 7. 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 change and full beneficial use of the water.*

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

Dated in Salem, Oregon on

JAN 22 2025


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

This Preliminary Determination was prepared by Dante Luongo. If you have questions about the information in this document, you may reach me at 971-304-5006 or Dante.J.Luongo@water.oregon.gov.

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and

- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.

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-14276

Review Due Date: 08/18/2023

Applicant Name: Blanchard

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

Reviewer(s): Mary Burleson, Jake Johnstone Date of Review: 09/20/2023

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:
ISWR Certificate 59953 (p- date 3/26/1974) ; South Myrtle Creek is regulated annually.
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

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

☒ N/A

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

☒ N/A

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

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

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

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

☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

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

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

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

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

☐ Yes ☐ No If "Yes", describe:

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

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

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

☐ Yes ☒ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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- 14276



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



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



at each new point of diversion/appropriation.

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

Watermaster name:

District: 15

Address: 1036 Se Douglas Room 306

City/State/Zip: Roseburg OR, 97470

Phone:

Email:

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



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

July 19, 2023

DELBERT B BLANCHARD
6639 SOUTH MYRTLE ROAD
MYRTLE CREEK, OR 97457

Reference: Application T-14276

On July 12, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1360.00. Receipt number 141132 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.

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

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use 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. #15, Susan M. Douthit (*via email*)
Douglas County Planning Department
Nathan R. Reed, Agent

Enclosure

7/7/2023

1,360.00

4671

Umpqua Bank

Transfer Fees

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OWRD

1,360.00

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **141132**
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: D. Blanchard Associates, LLC
BY: _____

APPLICATION _____
PERMIT _____
TRANSFER T-14276

CASH: ☐ CHECK: # 4671 OTHER: (IDENTIFY) _____

TOTAL REC'D \$1360.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 1,360.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____

LANDOWNER'S PERMIT

0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____

0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

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

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE **RECEIVED**OBJ. CODE _____ **OVER THE COUNTER**

DESCRIPTION \$ _____

RECEIPT: **141132** DATED: 7-12-2023 BY: [Signature]

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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:

- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 50481**

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

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

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JUL 12 2023

Attachments:

OWRD

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

Part 2 of 5 – Transfer Application Map

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

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

- ☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see '...'. 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°).

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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» » » 4 0
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01 (5a)

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).

14276- TACS

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Delbert E. Blanchard		PHONE NO. 503-423-7512	ADDITIONAL CONTACT NO. NA
ADDRESS 6639 South Myrtle Road		FAX NO. NA	
CITY Myrtle Creek	STATE OR	ZIP 97457	E-MAIL del@myrtlecreekfarm.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 Nathan Reed		PHONE NO. 541-784-7191	ADDITIONAL CONTACT NO. NA
ADDRESS 157 West Bodie Street		FAX NO. NA	
CITY Roseburg	STATE OR	ZIP 97471	E-MAIL nreed68@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.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
Transfer an acre of Certificate 50481 from the south boundary of the SWNW and SENW place of use, and place on the North side of South Myrtle Creek. Will be using the same POD.

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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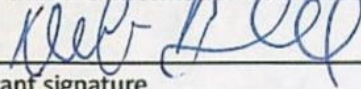
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JUL 12 2023

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: News Review.
- 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

Delbert Blanchard
Print Name (and Title if applicable)

6/17/2023
Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

Check the following boxes that apply:

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

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

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

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

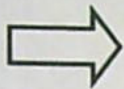
RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Douglas County	ADDRESS 1036 SE Douglas Ave	
CITY Roseburg	STATE OR	ZIP 97470

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # **50481**

Description of Water Delivery System

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System capacity: **0.75** cubic feet per second (cfs) OR

JUL 12 2023

_____ gallons per minute (gpm)

OWRD

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **A 25 Hp Centrifugal pump delivers water from fish screen intake and pumps water to buried main line. Lateral are 3-inch diameter Aluminum pipe with efficiency sprinler heads.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		29 S	4 W	21	SW NW	39	1400 ft N & 3200 ft W of E1/4 COR of SEC 21.
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<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 checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input 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 # 50481

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.

14276

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901				
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901				
29	S	4	W 21 SW NW	306	39	0.8	Irrigation	POD	1950	POU	29	S	4	W 21 SW NW	306	39	1.0	Irrigation	POD	1950				
29	S	4	W 21 SE NW	306	39	0.2	Irrigation	POD	1950	POU														
TOTAL ACRES:						1.0					TOTAL ACRES:						1.0							

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: **S-45605**.

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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TRANSFER APPLICATION MAP

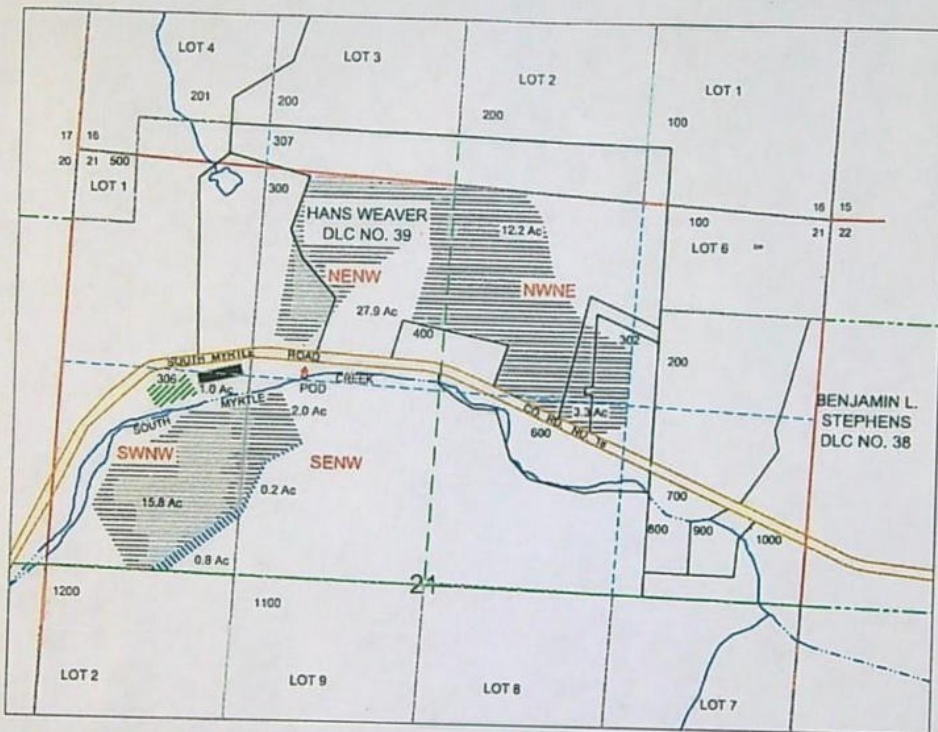
FOR: DELBERT E. BLANCHARD
BY: NATHAN REED, PE, CWRE
T29S, R4W, W.M. SECTION 21, DLC 39
CERTIFICATE NO. 50481

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SCALE: 1" = 1320'



POD IS LOCATED 1400 FEET NORTH & 3200 FEET WEST OF E1/4 CORNER OF SECTION 21, AS PROJECTED WITHIN DLC NO. 39.



LEGEND

	WATER		SIXTEENTH
	POD		DLC
	PIPE		GLOT
	SECTION		PARCEL
	QUARTER		IRRIGATION REMAIN
	IRRIGATION FR.		IRRIGATION TO
			PRIORITY 3-14-1950

14276 -

MAP PREPARED FOR:
DELBERT E BLANCHARD
6639 S. MYRTLE RD
MYRTLE CREEK, OR 97457

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

MAP PREPARED BY:
NATHAN REED PE, CWRE
157 WEST BODIE STREET
ROSEBURG, OR 97471

Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
County of DOUGLAS) ss

I, DELBERT E. BLANCHARD, in my capacity as PROPERTY OWNER,
mailing address 6639 SOUTH MYRTLE ROAD, MYRTLE CREEK, OR 97457
telephone number (503)423-7512, 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)
50481	29	S	4	W	WM	21	SW	NW	39	16.6
"	"	"	"	"	"	"	SE	NW	39	2.2

OR

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

(continues on reverse side)

14276 -

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

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.

[Signature]
Signature of Affiant

6/20/2023
Date

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



[Signature]
Notary Public for Oregon

My Commission Expires: Sept 27, 2025

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input checked="" type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none">• Power usage records for pumps associated with irrigation use• Fertilizer or seed bills related to irrigated crops• Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none">• District assessment records for water delivered• Crop reports submitted under a federal loan agreement• Beneficial use reports from district• IRS Farm Usage Deduction Report• Agricultural Stabilization Plan• CREP Report
<input type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph RECEIVED JUL 12 2023 OWRD	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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MYRTLE CREEK FARM LLC
6639 S MYRTLE RD
MYRTLE CREEK OR 97457-7367



Questions: Call
1-888-221-7070
24 hours a day,
7 days a week
pacificpower.net



BILLING DATE: Jul 13, 2022

ACCOUNT NUMBER: [REDACTED]

DUE DATE: Aug 1, 2022

AMOUNT DUE: \$166.41

Your Balance With Us

Previous Account Balance	0.00
Payments/Credits	0.00
New Charges	+166.41
Current Account Balance	\$166.41

Payments Received

No payments have been received since your last billing statement.

Detailed Account Activity

ITEM 2 - ELECTRIC SERVICE

6639 S Myrtle Rd # 203HP Myrtle Creek OR
3 Hp + 20 Hp Pumps Schedule 41X
Service ID: 584046925-001

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
75493256	Jun 10, 2022 Jul 12, 2022	32	914 1007	20.0	1,860 kwh
75493256	Demand Jul 12, 2022			0.756	15 kw
75493256	Reactive Jul 12, 2022			0.161	3 kvar

Next scheduled read date: 08-11. Date may vary due to scheduling or weather.

NEW CHARGES - 07/22	UNITS	COST PER UNIT	CHARGE
Delivery Charge Secondary (Season End Est Charge Sec Is \$136.80)	1,860 kwh	0.0358500	66.68
Supply Energy Secondary	1,860 kwh	0.0460800	85.71
Federal Tax Act Adjustment	1,860 kwh	-0.0007000	-1.30
Oregon Corp Activities Tax Adj		0.0054000	0.82
System Benefits Charge	1,860 kwh	0.0054500	10.14
Public Purpose		0.0150000	2.43
Low Income Assistance	1,860 kwh	0.0010400	1.93
Total New Charges			166.41

Wildfire safety & preparedness

Safety is a community effort that takes all of us working together. As we're taking steps to continue to mitigate wildfire risks

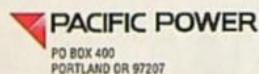
See reverse

Write account number on check & mail to: Pacific Power, PO Box 26000, Portland, OR 97256-0001

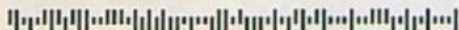
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H 67999217 002 815 000016641

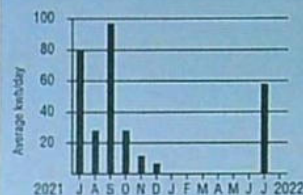
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Historical Data - ITEM 2



Your Average Daily kwh Usage by Month

PERIOD ENDING	JUL 2022	JUL 2021
Avg. Daily Temp.	67	74
Total kwh	1860	2520
Avg. kwh per Day	58	79
Cost per Day	\$5.20	\$7.03

Manage your account with ease

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Looking for other ways to pay?

Visit pacificpower.net/pay for all your options. You can choose to pay on your device using our mobile app, on our website, at a pay station in your community, or pay over the phone by calling 1-888-221-7070.

Late Payment Charge for Oregon

A late payment charge of 2.0% may be charged on any balance not paid in full each month.

☐ Change of Mailing Address or Phone?
Check here & provide information on back.

Account Number: [REDACTED]

Date Due: Aug 1, 2022

AMOUNT DUE: \$166.41

Please enter the amount enclosed.

MYRTLE CREEK FARM LLC
6639 S MYRTLE RD
MYRTLE CREEK OR 97457-7367

MYRTLE CREEK FARM LLC
6639 S MYRTLE RD
MYRTLE CREEK OR 97457-7367



Questions: Call
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7 days a week
pacificpower.net



BILLING DATE: Aug 12, 2022

ACCOUNT NUMBER: [REDACTED]

DUE DATE: Aug 30, 2022

AMOUNT DUE: \$198.62

Your Balance With Us

Previous Account Balance	166.41
Payments/Credits	-166.41
New Charges	+198.62
Current Account Balance	\$198.62

Payments Received

DATE	DESCRIPTION	AMOUNT
Aug 3, 2022	Payment Received - Thank You	166.41
Total Payments		\$166.41

Detailed Account Activity

ITEM 2 - ELECTRIC SERVICE

6639 S Myrtle Rd # 203HP Myrtle Creek OR
3 Hp + 20 Hp Pumps Schedule 41X
Service ID: 584046925-001

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
75493256	Jul 12, 2022 Aug 11, 2022	30	1007 1118	20.0	2,220 kwh
75493256	Demand Aug 11, 2022		0.674	20.0	13 kw
75493256	Reactive Aug 11, 2022		0.151	20.0	3 kvar

Next scheduled read date: 09-12. Date may vary due to scheduling or weather.

NEW CHARGES - 08/22	UNITS	COST PER UNIT	CHARGE
Delivery Charge Secondary (Season End Est Charge Sec Is \$239.40)	2,220 kwh	0.0358500	79.59
Supply Energy Secondary	2,220 kwh	0.0460800	102.30
Federal Tax Act Adjustment	2,220 kwh	-0.0007000	-1.55
Oregon Corp Activities Tax Adj		0.0054000	0.97
System Benefits Charge	2,220 kwh	0.0054500	12.10
Public Purpose		0.0150000	2.90
Low Income Assistance	2,220 kwh	0.0010400	2.31
Total New Charges			198.62

Wildfire safety & preparedness

Safety is a community effort that takes all of us working together. As we're taking steps to continue to mitigate wildfire risks

See reverse

Write account number on check & mail to: Pacific Power, PO Box 26000, Portland, OR 97256-0001

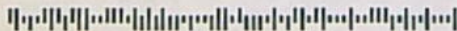
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PORTLAND OR 97256-0001



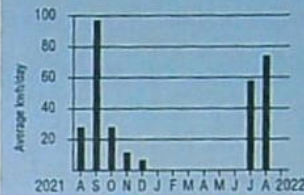
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Historical Data - ITEM 2



Your Average Daily kwh Usage by Month

PERIOD ENDING	AUG 2022	AUG 2021
Avg. Daily Temp.	75	75
Total kwh	2220	840
Avg. kwh per Day	74	28
Cost per Day	\$6.62	\$2.51

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Late Payment Charge for Oregon

A late payment charge of 2.0% may be charged on any balance not paid in full each month.

☐ Change of Mailing Address or Phone?
Check here & provide information on back.

Account Number: [REDACTED]

Date Due: Aug 30, 2022

AMOUNT DUE: \$198.62

Please enter the amount enclosed.

MYRTLE CREEK FARM LLC
6639 S MYRTLE RD
MYRTLE CREEK OR 97457-7367

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MYRTLE CREEK FARM LLC
6639 S MYRTLE RD
MYRTLE CREEK OR 97457-7367



Questions: Call
1-888-221-7070
24 hours a day,
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pacificpower.net



BILLING DATE: Oct 12, 2022

ACCOUNT NUMBER: [REDACTED]

DUE DATE: Oct 28, 2022

AMOUNT DUE: \$236.57

Your Balance With Us

Previous Account Balance	400.81
Payments/Credits	-400.81
New Charges	+236.57
Current Account Balance	\$236.57

Payments Received

DATE	DESCRIPTION	AMOUNT
Sep 22, 2022	Payment Received - Thank You	400.81
Total Payments		\$400.81

Detailed Account Activity

ITEM 2 - ELECTRIC SERVICE

6639 S Myrtle Rd # 203HP Myrtle Creek OR
3 Hp + 20 Hp Pumps Schedule 41X
Service ID: 584046925-001

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
75493256	Sep 12, 2022 Oct 11, 2022	29	1231 1363	20.0	2,640 kwh
75493256	Demand Oct 11, 2022		0.72	20.0	14 kw
75493256	Reactive Oct 11, 2022		0.16	20.0	3 kvar

Next scheduled read date: 11-09. Date may vary due to scheduling or weather.

NEW CHARGES - 10/22	UNITS	COST PER UNIT	CHARGE
Delivery Charge Secondary (Season End Est Charge Sec Is \$256.50)	2,640 kwh	0.0358500	94.64
Supply Energy Secondary	2,640 kwh	0.0460800	121.65
Federal Tax Act Adjustment	2,640 kwh	-0.0007000	-1.85
Oregon Corp Activities Tax Adj		0.0054000	1.16
System Benefits Charge	2,640 kwh	0.0054500	14.39
Public Purpose		0.0150000	3.45
Low Income Discount Recovery for 11 day(s)	1,001 kwh	0.0003800	0.38
Low Income Assistance	2,640 kwh	0.0010400	2.75
Total New Charges			236.57

Wildfire safety & preparedness

See reverse

Write account number on check & mail to: Pacific Power, PO Box 26000, Portland, OR 97256-0001

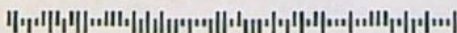
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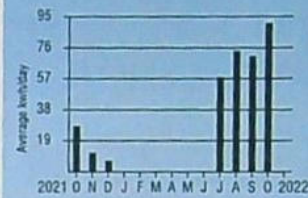


PACIFIC POWER
PO BOX 26000
PORTLAND OR 97256-0001



H 67999217 002 812 000023657

Historical Data - ITEM 2



Your Average Daily kwh Usage by Month

PERIOD ENDING	OCT 2022	OCT 2021
Avg. Daily Temp.	66	61
Total kwh	2640	880
Avg. kwh per Day	91	28
Cost per Day	\$8.16	\$2.54

Manage your account with ease

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Late Payment Charge for Oregon

A late payment charge of 2.0% may be charged on any balance not paid in full each month.

☐ Change of Mailing Address or Phone?
Check here & provide information on back.

Account Number: [REDACTED]

Date Due: Oct 28, 2022

AMOUNT DUE: \$236.57

Please enter the amount enclosed.

MYRTLE CREEK FARM LLC
6639 S MYRTLE RD
MYRTLE CREEK OR 97457-7367

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1036 SE Douglas Avenue | Room 106 - Justice Building
Douglas County Courthouse | Roseburg, Oregon 97470
Land Use Planning | (541) 440-4289 | planning@co.douglas.or.us
Code Enforcement | (541) 440-4289 | code.enforcement@co.douglas.or.us

Planning and Sanitation Worksheet

Worksheet Number: 230663

Type: Other Action

Applicant / Owner

Applicant: Andy Mccrory
Address: 6640 South Myrtle Rd
City/State/Zip: Myrtle Creek, OR 97457
Phone: 541-530-0823
Email: oregonmetalcraft@gmail.com

Owner: Blanchard, Delbert E
Address: 6639 S Myrtle Rd
City/State/Zip: Myrtle Creek, OR 97457,
Phone:
Email:

Site Information

Site Address: 6639 South Myrtle Rd
City/State/Zip: Myrtle Creek, OR 97457,
Proposed Use: Land Use Compatibility
Statement

Property ID No: R142245
MTL: 29042100306

Improvement/Description: LUCS for OWRD
Existing Structures (Number and Type):

Planning Department Information

Zoning: FG
Overlays:
Flood Plain: No
Floor Height Above Ground: N/A
Sanitation: Septic - Existing
Water: Private
Access: County Access Permit Not Req'd

Setbacks

Front: 30'
Side: 10'
Rear: 10'
Exterior Side: NA
Height: None Established
Special: N/A
Riparian: Greater than 50'

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Sign Code: No Sign Proposed

Parking Spaces Required: N/A

Conditions of Approval:

LUCS for Oregon Water Resources Department for a transfer of an acre from SWNW and SENW and placing on the SWNW for personal garden; no structural development authorized through this LUCS; must meet all requirements and permitting from all applicable agencies.

Refer To: None

Approved By: Reese Carson
Receipt #: 1325

Approval Date: 06/27/2023
Expiration Date: 06/27/2024

Sanitation Information

Remarks:
Entity:

Signature/Date:

As, for, or on behalf of, all property owners

06/27/2023

14276 -

Applicant Signature

Date

Land Use Information Form



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

Applicant(s): Delbert E. Blanchard

Mailing Address: 6639 S. Myrtle Road

City: Myrtle Creek

State: OR

Zip Code: 97457

Daytime Phone: 503-423-7512

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>29S</u>	<u>4W</u>	<u>21</u>	<u>NENW</u>	<u>306</u>	_____	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____
<u>29S</u>	<u>4W</u>	<u>21</u>	<u>SEnw</u>	<u>306</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
<u>29S</u>	<u>4W</u>	<u>21</u>	<u>SWNW</u>	<u>306</u>	_____	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	_____

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

Douglas County

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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) South Myrtle Creek

Estimated quantity of water needed: 0.01 ☒ 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:

Transferring an acre from SWNW and SENW and placing on the SWNW for personal garden.

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

See bottom of Page 3. →

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OWRD

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): LUDO 3.4.050
- ☐ 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
DOUGLAS COUNTY PLANNING DEPARTMENT ROOM 106, JUSTICE BUILDING DOUGLAS COUNTY COURTHOUSE ROSEBURG, OR 97470		<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.

LUDO 3.4.050

Zone: F6 - Farm Use R142245

Name: Reese Carson Title: Planning Tech III

Signature: [Signature] Phone: 541-440-4289 Date: 6/27/23

Government Entity: Douglas 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: _____



1036 SE Douglas Avenue | Room 106 - Justice Building | Douglas County Courthouse | Roseburg, Oregon 97470
 (541) 440-4289 | planning@co.douglas.or.us

RECEIPT

Property Information

Blanchard, Delbert E
 6639 South Myrtle Rd
 Myrtle Creek, OR 97457,
 R142245

Receipt Number: 1325
 Receipt Date: 06/27/2023
 Accepted By: Pam Monie

Item	Amount
Worksheet - #230663	\$85.00
Total	\$85.00

Date	Paid By	Payment Type	Amount
06/27/2023	Delbert Blanchard	Check	\$85.00
		Total Paid	\$85.00

RECEIVED

JUL 12 2023

OWRD

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RECEIVED

JUL 12 2023

OWRD

Date Received (Date Stamp Here)

OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Delbert E. Blanchard 6639 South Myrtle Road
Myrtle Creek OR 97457

Transaction Type: Transfer

Fees Received: \$ 1360.00

☐ Cash

☒ Check

Check No. 4671

Name(s) on Check: D. Blanchard Associates LLC

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by: Vicki Reece
(Name of OWRD staff)

Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt Information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.

Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # T- 14276

Checked by <u>Dante</u>	Type of Change(s) Proposed: <u>NO</u> other changes allowed other than those listed	
Date <u>7/13/2023</u>		
Fee Received: \$1360	<input checked="" type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE	
Calculated Fee: \$1360		How many rights to be Transferred? 1
Deficiencies and Observations: Watch for layering with permit S-45605, Evidence of Use is only power bills		Certificate #(s) 50481

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 » If no box is applicable, enter 0 on line 7 »		
7		7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	