regular

T-14279

Name Scott a Jose Tobiasson Address PO Box 93 FF rack, oregon 97736	Name of Stream \			Date 7-14-23	FEES PAID Amount 2450-00	Receipt:
Change in APCA Date Filed TILL 10003 Initial notice date 10510003 DPD issued date PD issued date 11/8/2024 PD notice date 11/12/2024 Date of FO 12/12/2024 Vol 133 Page 544-548 C-Date COBU due date COBU Received date Certificate issued Assignments:	Use VYIQCIOO Quantity of water (CFS Name of ditch App#G7160S App#G95760 App# App# App#	Per # G 8849 Per #	 PR DatePR DatePR DatePR DatePR DatePR Date		FEES REFUNAMOUNT	NDED Receipt #
Irrigation District	apeards.com					

WATER RIGHT TRANSFER COVER SHEET

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er Specialist:	J	can

Transfer: 1-14	1279							Tran	ster Specia	list: Joan	
Transfer Type	: Regular Transf	er	Reimbu	ursement Au	thority	/? 🗌					
PO BOX 93	OTT TOBIASSON 3 K, OR 97735		SCO	Agent: SCOTT D. MONTGOMERY PO BOX 767 TERREBONNE, OR 97760			Re	ceiving L	andowner:		
Current Lan	downer if other th	an Applicant:	CWI	RE:			Irr	igation D	istrict:		
Affected Lo	cal Gov'ts: ty Planning Dep	artment	Affe	ected Tribal	Gov't:		BC	OR Notific	ed (date):		
Water Rights	Affected										
File Marked	App. File # or	Decree Name	e	Pern		Certificate		RR/CR I		RR/CR Nos.	
	9576			G705		97145 97146		Yes	✓ No ✓ No		
	3370			000-	13	37140		Yes	No		
Key Dates &	Initial Actions (Sup	port Staff)			7.5						
Rec'd: July			Propo	sed Action(s	s): AD	DITIONAL PO	INT	OF APP	ROPRIATI	ON	
Fees Pd: 24				wledgemen		Basin: 13 Goose & Summer Lake					
	c Notice: 7/25/202	3	County sent cc: of Ack Letter				County: LAKE				
WM District	: 11 Jeremy	T. Giffin		M Review request sent:				WM Review date received:			
ODFW Distr			ODFW	ODFW Review sent:				FW Revi	ew date red	ceived:	
Groundwat	er		GW R	eview sent:		GW Re			date receiv	ved:	
Caseworker A	Actions: Newspape	r & PD Notice	:		THE R	Transition of the same of the					
	notice needed:			NO ENTE	Name	e of Newspaper:	: ,	VA			
	notice sent to coo		_	Newspaper notice quote requested (NRS1):							
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Affidavit of	publication receive	ed:			Last	day of publication	n:				
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Document	Drafted	Peer Revi	ew	Coordina	tor	Changes Mad	ie	Signat	ure Bin	Signature Date	
DPD	Date: 4/29/24 Initials: Joan	Date: 4/30 Initials: 51	124	Date: Cor Initials: 5	. 0	Date: 5/1/	24	WM She	The second second second	N/A	
PD	Date: 10/9/24 Initials: Jour	Date: 10 9		Marine Committee of the		Date: Initials: Data Review Date:		Date: [0	, , .	Date: 11/8/2	
FO	Date: 11/25/24 Initials: Jon	Date: 11/2	1/24	Date: Initials:		Date: 124 2		No. of d	ocs for	Date: 12/12/	
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Special Order Volume: Vol. 133 Pages 544-548

OF THE STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING
T-14279, Lake County)	AN ADDITIONAL POINT OF
)	APPROPRIATION

Authority

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

Applicant

SCOTT AND JOSE TOBIASSON PO BOX 93 FORT ROCK, OR 97735

Findings of Fact

- On July 14, 2023, Scott and Jose Tobiasson filed an application for an additional point of appropriation under Certificates 97145 and 97146. The Department assigned the application number T-14279.
- 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 May 1, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14279 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of June 3, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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 November 8, 2024, the Department issued a Preliminary Determination proposing to approve Transfer T-14279 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on November 12, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
- 5. The first right to be transferred is as follows:

Certificate: 97145 in the name of JOSE TOBIASSON, SCOTT TOBIASSON (perfected

under Permit G-7054)

Use: IRRIGATION OF 23.04 ACRES

Priority Date: DECEMBER 14, 1976

Rate: 0.288 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, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of

each year.

Source: POA 3 in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	15 E	WM	33	SW NE	POA 3 - 1120 FEET NORTH AND 1350 FEET WEST FROM THE E1/4 CORNER OF SECTION 33

Authorized Place of Use:

Twp ·	Rng	Mer	Sec	Q-Q	Acres
25 S	15 E	WM	33	NE NE	10.30
25 S	15 E	WM	33	NW NE	2.80
25 S	15 E	WM	33	SW NE	2.50
25 S	15 E	WM	33	SE NE	7.44
				Total	23.04

6. Transfer Application T-14279 proposes an additional point of appropriation approximately 14 feet south from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	15 E	WM	33	SW NE	POA 4- 1106 FEET NORTH AND 1350 FEET WEST FROM THE E1/4 CORNER OF SECTION 33

- 12. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
- 13. The proposed change, as conditioned, would not result in enlargement of the rights.
- 14. The proposed change, as conditioned, would not result in injury to other existing water rights.
- All other application requirements are met.

Conclusions of Law

The additional point of appropriation proposed in Transfer Application T-14279 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore it is ORDERED:

- 1. The additional point of diversion proposed in application T-14279 is approved.
- The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 97145 and 97146, and any related decree.
- Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.
- 4. Water right Certificates 97145 and 97146 are cancelled.
- The quantity of water diverted at the new additional point of appropriation (POA 4), together with that diverted at the original point of appropriation (POA 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 3).
- Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
- 7. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2026. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
- After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on

DEC 1 2 2024

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for

IVAN GALL, DIRECTOR

Oregon Water Resources Department

Mailing date: DEC 1 3 2024



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

October 8 , 2024

VIA CERTIFIED MAIL AND E-MAIL

SCOTT AND JOSE TOBIASSON PO BOX 93 FORT ROCK, OR 97735

SUBJECT: Water Right Transfer Application T-14279

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14279. 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 503-986-0892 or Joan.M.Smith@water.oregon.gov, if I may be of assistance.

Sincerely,

Joan Smith
Transfer Specialist
Transfer and Conservation Section

DEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14279, Lake County)	PROPOSING APPROVAL OF AN
)	ADDITIONAL POINT OF APPROPRIATION

Authority

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

Applicant

SCOTT AND JOSE TOBIASSON PO BOX 93 FORT ROCK, OR 97735

Findings of Fact

- On July 14, 2023, Scott and Jose Tobiasson filed an application for an additional point of appropriation under Certificates 97145 and 97146. The Department assigned the application number T-14279.
- 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 May 1, 2024, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14279 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of June 3, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

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

Certificate: 97145 in the name of JOSE TOBIASSON, SCOTT TOBIASSON (perfected

under Permit G-7054)

Use:

IRRIGATION OF 23.04 ACRES

Priority Date: DECEMBER 14, 1976

Rate:

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

each year.

Source:

POA 3 in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	15 E	WM	33	SW NE	POA 3 - 1120 FEET NORTH AND 1350 FEET WEST FROM THE E1/4 CORNER OF SECTION 33

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	15 E	WM	33	NENE	10.30
25 S	15 E	WM	33	NW NE	2.80
25 S	15 E	WM	33	SW NE	2.50
25 S	15 E	WM	33	SE NE	7.44
				Total	23.04

5. Transfer Application T-14279 proposes an additional point of appropriation approximately 14 feet south from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	15 E	WM	33	SW NE	POA 4- 1106 FEET NORTH AND 1350 FEET WEST FROM THE E1/4 CORNER OF SECTION 33

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

Certificate:

97146 in the name of JOSE TOBIASSON, SCOTT TOBIASSON (perfected

under Permit G-8849)

Use:

IRRIGATION OF 6.96 ACRES

Priority Date: FEBRUARY 27, 1980

Rate:

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

each year.

Source: POA WITHIN THE FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	15 E	WM	33	SW NE	POA 3 - 1120 FEET NORTH AND 1350 FEET WEST FROM THE E1/4 CORNER OF SECTION 33

Authorized Place of Use:

		IRRIGA	NOITA		
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	15 E	WM	33	SE NE	6.96

7. Transfer Application T-14279 proposes an additional point of appropriation approximately 14 feet south from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	15 E	WM	33	SW NE	POA 4 - 1106 FEET NORTH AND 1350 FEET WEST FROM THE E1/4 CORNER OF SECTION 33

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

- Water has been used within the last five years T-14279 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- A water delivery system sufficient to use the full amount of water allowed under the
 existing rights was present within the five-year period prior to submittal of Transfer
 Application T-14279.
- The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
- 11. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
- 12. The proposed change, as conditioned, would not result in enlargement of the rights.
- 13. The proposed change, as conditioned, would not result in injury to other existing water rights.
- 14. All other application requirements are met.

Determination and Proposed Action

The additional point of appropriation proposed in Transfer Application T-14279 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14279 is approved, the final order will include the following:

- 1. The additional point of appropriation proposed in Transfer Application T-14279 is approved.
- The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 97145, 97146 and any related decree.
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.
- 4. Water right Certificates 97145 and 97146 are cancelled.
- 5. The quantity of water diverted at the new additional point of appropriation (POA 4), together with that diverted at the original point of appropriation (POA 3), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 3).
- Water shall be acquired from the same aquifer (water source) as the original point of appropriation.
- 7. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2026. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

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

Dated in Salem, Oregon on

NOV 8 - 2024

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for

IVAN GALL, DIRECTOR

Oregon Water Resources Department

This Preliminary Determination was prepared by Joan Smith. If you have questions about the information in this document, you may reach me at 503-986-0892 or Joan.M.Smith@water.oregon.gov.

Protests

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

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

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

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

Requests for Standing

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

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

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

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

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

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department

provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

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

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

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

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

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

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

Notice of Preliminary Determination for Water Right Transfer T-14279

T-14279 filed by Scott and Jose Tobiasson, PO Box 93, Fort Rock, OR 97735, proposes an additional point of appropriation under Certificates 97145 and 97146. Certificate 97145 allows the use of 0.288 cubic foot per second from a well in Sec. 33, T25S, R15E, WM for irrigation in Sec. 33, T25S, R15E, WM. The applicant proposes an additional point of appropriation within Sec. 33, T25S, R15E, WM. Certificate 97146 allows the use of 0.09 cubic foot per second from a well in Sec. 33, T25S, R15E, WM for irrigation in Sec. 33, T25S, R15E, WM. The applicant proposes an additional point of appropriation within Sec. 33, T25S, R15E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may protest the preliminary determination or may file a standing statement. Pursuant to OAR 690-380-4030(3) and OAR 690-382-9000, protests must raise all reasonably ascertainable issues and include all reasonably available arguments supporting the person's position. In addition, protests must be accompanied by an \$950 protest fee for non-applicant, or \$480 protest fee for applicant. Call (503) 986-0935 to obtain additional information. Protests must be received by the Department on or before [30 days after WRD notice], or within 30 days of the last date of publication in a newspaper, whichever is later. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14279
GW Reviewer Darrick E. Boschmann Date Review Completed: 12/29/2023
Summary of Same Source Review:
☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).
Summary of Injury Review:
☐ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as pe 690-380-0100(3).
Summary of GW-SW Transfer Similarity Review:
☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.
This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.

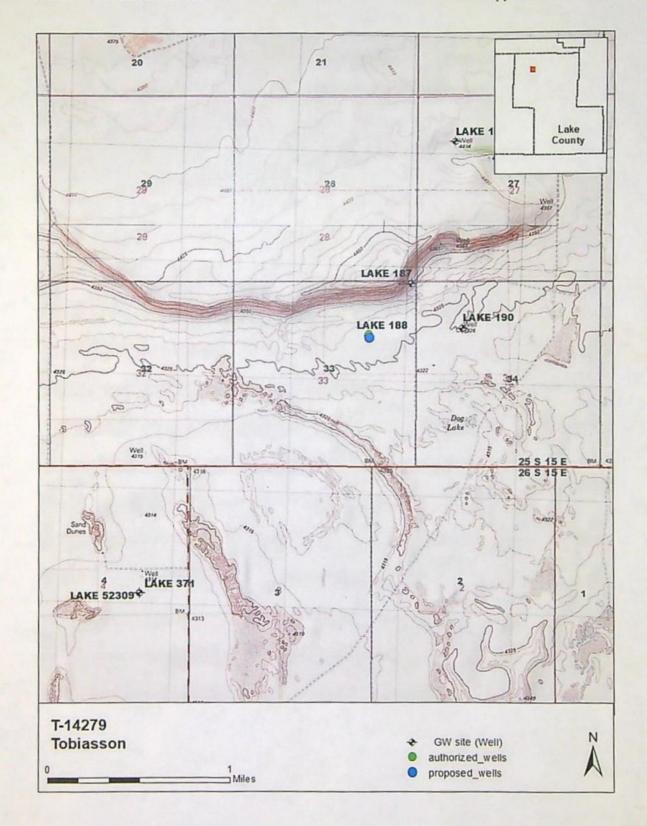


(OREGON	Ore	gon Water Resou	rces Department	Ground Wa	ter Review Form:
T. V.	VATER RESOURCES DEPARTMENT	725 Sale (503	Summer Street NE em, Oregon 97301- 3) 986-0900	, Suite A	☐ Permit An	nendment
		ww	w.wrd.state.or.us		☐ Other	ication
App	olication: T- <u>1</u>	4279	9		A	pplicant Name: Tobiasson
Pro	posed Change	es:	□ POA □ USE	⊠ APOA □ POU	□ SW→GW □ OTHER	□ RA
Rev	viewer(s): D	arric	ck E. Boschma	nn		Date of Review:
			Date	Reviewed by G	W Mgr. and Retur	ned to WRSD: 12/29/2023
			vided in the ap oved because:	plication is insu	afficient to evaluate	e whether the proposed
	The water waffected by			ed with the appl	ication do not corre	espond to the water rights
						ion of the well construction r proposed to be developed.
	Other	-				
1.	Basic descri	ption	n of the change	es proposed in t	his transfer:	
	This appl	icati	ion is related to	certificate 971	45 and certificate	97146.
	for primary	irrig	ation of 23.04		ose and Summer L	well (POD 1 = LAKE 188) akes Basin (Fort Rock
	1. Add or	ne A	POA (not cons	structed).		
	for primary Classified A	irrig rea)	ation of 6.96 a	cres in the Goo g changes are p	se and Summer La	well (POD 1 = LAKE 188) kes Basin (Fort Rock

Certificate 97145 authorizes groundwater pumping from one well (POD 1 = LAKE 188
for primary irrigation of 23.04 acres in the Goose and Summer Lakes Basin (Fort Rock
Classified Area. The following changes are proposed:
1. Add one APOA (not constructed).
Certificate 97146 authorizes groundwater pumping from one well (POD 1 = LAKE 188
for primary irrigation of 6.96 acres in the Goose and Summer Lakes Basin (Fort Rock
Classified Area). The following changes are proposed:
1. Add one APOA (not constructed).
Page 1 of 4 Version: 2021

2.	Will the proposed POA develop the same aquifer (source) as the existing authorized POA? ✓ Yes ☐ No Comments:
	Groundwater in the Fort Rock Valley-Christmas Valley area (Fort Rock Classified Area) is identified as a single groundwater system. Groundwater is found in both a shallower predominantly basin-fill sediment unit and a deeper predominantly volcanic rocks and sediments unit below. The predominantly basin fill sediment unit and the predominantly volcanic rocks and sediment unit both readily yield groundwater, and the two units are hydraulically connected.
	Miller (1986) describes the groundwater source as the main groundwater reservoir. That reservoir includes groundwater in different geologic units. The reservoir has three characteristics. First, the "natural" groundwater level changes less than 1.5 feet annually, indicating the system is highly modulated. Second, the 1980s potentiometric surface was approximately 4292 feet elevation amsl basin-wide with Silver Lake an exception. Third, the reservoir consists of numerous water producing zones in several formations, all having an essentially common potentiometric level, and all being very transmissive in general.
	The authorized well produces groundwater from water bearing zones within the predominantly volcanic rocks and sediment unit of the main groundwater reservoir. The proposed well will also produce groundwater from water bearing zones within the predominantly volcanic rocks and sediment unit of the main groundwater reservoir.
3.	a) Is there more than one source developed under the right (e.g., basalt and alluvium)? Yes No
	b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.):
4.	 a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another ground water right? Yes No Comments:
	The proposed APOA well is proposed to be constructed 14 feet to the south of the currently authorized well.
	b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled? Yes No If yes, explain:
5.	 a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another surface water source? Yes No Comments:
	The proposed ADOA well is proposed to be constructed 14 fact to the south of the
	The proposed APOA well is proposed to be constructed 14 feet to the south of the currently authorized well.

	b) If yes, at its maximum allowed interference with any surface wa		the expected change in degree of g from the proposed change?
	Stream:	☐ Minimal	☐ Significant
	Stream:	☐ Minimal	☐ Significant
	Provide context for minimal/sign	ificant impact:	
6.	For SW-GW transfers, will the provided water source similarly (as per OAI specified in the water use subject Yes No Comments:	R 690-380-2130) to the to transfer?	int of diversion affect the surface authorized point of diversion
7.	What conditions or other changes issues identified above: none.	s in the application ar	re necessary to address any potential
8.	Any additional comments: none.		



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-14279

Review Due Date: 08/18/2023

Applic	ant Name: Jose Tobiasson
Propo	sed Changes: POU POD POA USE OTHER
Review	ver(s): Giffin Date of Review: 07/20/2023
1.	Do you have <u>evidence</u> that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2.	Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? Yes No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
3.	Have headgate notices been issued for the source that serves the transferred right(s)? Yes No Records not available.
4.	In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? Yes No If "Yes", explain:
5.	In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? Yes No If "Yes", describe how the rights would be affected and list the rights most affected:

Wat	termaster Review Form	Transfer Application
6.	Check here if it appears that downstream water rights benefit from return flows rescurrent use of the transferred right(s)? If you check the box, generally characterize the later return flows likely occur and list the water rights that benefit most:	
	N/A For POD changes and instream transfers, check here if there are channel losses between and new PODs or within the proposed instream reach? If you check the box, describe an estimate the losses:	
8.	N/A For instream transfers that propose protection of a reach beyond the mouth of the sour N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? Yes No N/A Is it likely the original place of use would continue to receive the same source? Yes No If "Yes", explain:	h
10.	For POU or USE changes: N/A In your best judgment, would use of the existing r face value," result in the diversion of more water than can be used beneficially and with 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 with place of use boundary of the water right proposed for transfer, and previously demonstrated through monitoring and site inspections by the Watermaster that the part will not result in injury or enlargement?	onstrated to the

No If "Yes", explain:

Watermaster Review Form Transfer Application

	ns 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	e 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:

Watermaster Review Form

Transfer Application

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14279

Salem, OR 97301-1266

In order to avoid enlargement of the right or injury to other rights, a Totalizing flowmeter will
be required to be installed <u>prior to diversion of water</u> , as a condition of this transfer:
at each point of diversion/appropriation (new and existing) OR
at each new point of diversion/appropriation.
For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:
Watermaster name: Jeremy Giffin
District: 11
Address: 231 Scalehouse Lp, STE 103
City/State/Zip: Bend, Oregon 97702
Phone: 541-306-6885
Email: Jeremy.T.Giffin@water.oregon.gov
Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device T- (to be filled out after consultation with the applicant, or after a site visit)
On behalf of the Director, I authorize use of the following suitable alternate measurement device:
Watermaster signature District Date
If this form is used for approval of an alternative measurement device, it must be mailed to:
Oregon Water Resources Department
725 Summer Street NE, Suite A

TACS Page 5 of 5 Last revised May 2019



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

JOSE & SCOTT TOBIASSON PO BOX 93 FORT ROCK, OR 97735

Reference: Application T-14279

On July 14, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$2450.00. Receipt number 141159 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well or as the original POD.

This application <u>may</u> 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 from the new point of appropriation until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

If the land is sold before the application is approved, the buyer's consent to the application will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

Refer to the following page for a chart showing the steps and expected timelines for the processing of your application.

If you have any questions, please contact the Transfer Section at (503) 986-0935.

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

Enclosure

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 141159

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

INVOICE #

100								
REC	EIVED FRO	M: Tobiasson	1 ta	(m)		AP	PLICATION	
BY:		Scott # To			SSon		PERMIT	
					CARD.	TF	RANSFER	F 14279
CASI	H: CI	HECK:# OT	HER: (IDE	ENTIFY)				. 7 (~ 00
		X 2709				тот	AL REC'D	\$ 2,450,0
	1083	TREASURY	4170	WRDM	SC CASH A	CCT		
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		OTHER: (ID	1.0					
	0243 I/S Le	ease 0244 N	Muni Water	r Mgmt. Pla	n 024	5 Cons	, Water	
			4270	WRD O	PERATING A	CCT		
		MISCELLANEOUS		110				
	0407	MISCELLANEOUS COPY & TAPE FEES	4	6110				\$
	0410	RESEARCH FEES						\$
	0408	MISC REVENUE: (I	DENTIFY)				\$
	TC162	DEPOSIT LIAB. (ID	ENTIFY)					S
	0240	EXTENSION OF TIM	IE.					\$
		WATER RIGHTS:			EXAM FEE			RECORD FEE
	0201	SURFACE WATER			S		0202	S
	0203	GROUND WATER			S		0204	S
	0205	TRANSFER			\$ 8,450.0	Ŏ		
		WELL CONSTRUCT	ION		EXAM FEE			LICENSE FEE
	0218	WELL DRILL CONST	RUCTOR	1	S		0219	S
		LANDOWNER'S PE	RMIT				0220	S
		OTHER	(IDENTIF	Y)				
	0536	TREASURY	0437	WELLC	ONST. STAF	RTFE	E	
	0211	WELL CONST STAR	TFEE		\$		CARD#	
	0210	MONITORING WELL	S		\$		CARD#	
		OTHER	(IDENTIF	Y)				
	0607	TREASURY	0467	HYDRO	ACTIVITY	LICA	NUMBER	
		POWER LICENSE F	William Co.	BIOLOGICA				\$
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	OBJ. COD	E	VENDOF	3 #				
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-								

RECEIPT: 141159 DATED:7/14/2003 BY: M Cales

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. RECEIVED Check all items included with this application. (N/A = Not Applicable) JUL 14 2023 X Part 1 - Completed Minimum Requirements Checklist. OWRD: \times Part 2 - Completed Transfer Application Map Checklist. X Part 3 - Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. X Part 4 - Completed Applicant Information and Signature. Part 5 - Information about Water Rights to be Transferred: How many water rights are to be transferred? 2 List them here: 97145 & 97146 Please include a separate Part 5 for each water right. (See instructions on page 6) NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met. Attachments: X 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. 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. Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. 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): ___ Map not included or incomplete Application fee not enclosed/insufficient Land Use Form not enclosed or incomplete Evidence of Use Form not enclosed or incomplete Additional signature(s) required is incomplete Part

Revised 7/7/2022

Staff:

Other/Explanation _

Date:

503-

Part 2 of 5 - Transfer Application Map

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

Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply. N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre license view/. CWRE stamp and signature are not required for substitutions. N/A If more than three water rights are involved, separate maps are needed for each water right. X Permanent quality printed with dark ink on good quality paper. X 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. X A north arrow, a legend, and scale. X 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. X Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines. X Tax lot boundaries (property lines) are required. Tax lot numbers are recommended. X Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads. X Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches. X 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. X 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 X and label it clearly with distance and bearing or coordinates. If GPS coordinates are used. latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example - 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example - 42.53764°).

Part 3 of 5 - Fee Worksheet

	FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)								
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360						
	Types of change proposed: Place of Use Character of Use Point of Diversion/Appropriation								
	Place of Use Character of Use Point of Diversion/Appropriation Number of above boxes checked = 1 (2a)								
	Subtract 1 from the number in line 2a = 0 (2b) If only one change, this will be 0								
2	Multiply line 2b by \$1090 and enter » » » » » » » » » » » » » » » » » » »	2	\$0						
	Number of water rights included in transfer 2 (3a)								
	Subtract 1 from the number in 3a above: 1 (3b) If only one water right this will be 0		4-10						
3	Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » » » » »	3	\$610						
	Do you propose to add or change a well, or change from a surface water POD to a well? No: enter 0 Yes: enter \$480 for the 1 st well to be added or changed \$480 (4a)								
	Do you propose to add or change additional wells?								
4	No: enter 0 Yes: multiply the number of additional wells by \$410 (4b) Add line 4a to line 4b and enter >>> >>> >>> >>>>>>>>>>>>>>>>>>>>>>>>	1	\$480						
4	Do you propose to change the place of use or character of use?	4	3400						
	No: enter 0 on line 5								
	Yes: enter the cfs for the portions of the rights to be transferred (see below*): (5a)								
	Subtract 1.0 from the number in 5a above: (5b)								
	If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » »								
5	5c by \$410, then enter on line 5 » » » » » » » » » » » » » » » » » »	5	\$0						
6	Add entries on lines 1 through 5 above » » » » » » » » » Subtotal:		\$2,450						
	Is this transfer:		<i>\$2,130</i>						
	necessary to complete a project funded by the Oregon Watershed Enhancement Board								
	(OWEB) under ORS 541.932?								
	endorsed in writing by ODFW as a change that will result in a net benefit to fish and								
	wildlife habitat?								
_	If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »								
7	If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » » »	7	62.450						
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » » »		\$2,450						

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

1. For irrigation calculate cfs for each water right involved as follows:

a. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac= 0.56 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 ac x 0.0125 cfs/ac = 0.56 cfs

2. Add cfs for the portions of water rights on all the land included in the transfer; however do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

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

Part 4 of 5 - Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Scott & Jose Tobiasson		PHONE NO. 541-420-9355	ADDITIONAL CONTACT NO.		
ADDRESS PO Box 93				FAX NO.	
CITY Ft Rock	STATE OR	ZIP 97735	E-MAIL		

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

AGENT/BUSINESS NAME Scott D Montgomery			PHONE NO. 541-548-5833	ADDITIONAL CONTACT NO. 541-420-0401		
ADDRESS PO Box 767				FAX NO.		
CITY Terrebonne	STATE OR	ZIP 97760	E-MAIL scott@apeands.co	m		

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

Add additional well to increase flexibility in use of the existing irrigation system.

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

Check One Box

\boxtimes	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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14279 -

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: Lake County Observer.
- 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.

of the Department.

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

Scott Tobiasson
Applicant signature

Print Name (and Title if applicable)

Jose Tobiasson
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 \(\sumsymbol{N} \) Yes \(\sumsymbol{N} \) 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:

\boxtimes	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.
	the and the lead in this transfer and limited in the

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: https://www.oregon.gov/owrd/WRDFormsPDF/Transfer Property Transactions.pdf

RE	CE	IVE
JUL	14	200

RECEIVING LANDOWNE	R NAME		PHONE NO.	ADDITIONAL CONTACT NO.	ow
ADDRESS				FAX NO.	
CITY	STATE	ZIP	E-MAIL		
Describe any specia	al ownership circumsta	ances:			
The confirming Cer	tificate shall be issued	in the name	of: Applicant R	eceiving Landowner	

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP
	f the rights supplied under a wa h a federal agency or other ent	ater service agreement or other ity.
ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP
To meet State Land Use Consiste		st all county, city, municipal ater will be diverted, conveyed or
corporation, or tribar governmen		
ENTITY NAME	ADDRESS	
	ADDRESS 513 Center St	
ENTITY NAME		ZIP 97630

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14279 -

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 # 97145

Description of Water Delivery System System capacity: 0.2888 cubic feet per second (cfs) OR gallons per minute (gpm) Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the authorized well & conveyed by buried conduit to a center pivot sprinkler & mainline for wheel line sprinklers.

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)	Tv	vp	R	ng	Sec	1/4	%	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
#3	Authorized Proposed	LAKE 188	25	s	15	E	33	sw	NE	`1800	`1120' N & 1350' W from E ¼ cor, Sec 33
#4	☐ Authorized ☐ Proposed	NOT BUILT	25	S	15	E	33	sw	NE	1800	1106' N & 1350' W from E ¼ cor, Sec 33

	Proposed						/4	coi, sec 33		
Check	all type(s) of ch	nange(s) prop	osed be	low (cha	nge "(CODES" are pr	ovided i	n parentheses):		
	Place of Use	(POU)				Supplemental	Use to P	rimary Use (S to	P)	
	Character of Use (USE)					Point of Appropriation/Well (POA)				
	Point of Dive	ersion (POD)				Additional Poi	nt of App	propriation (APO	A)	
	Additional Po	oint of Divers	ion (APC	D)		Substitution (S	SUB)			
	Surface Wate POA (SW/GV	er POD to Gro V)	ound Wa	ter		Government A	action PC	DD (GOV)		
Will all	of the propose	ed changes a	ffect the	entire w	ater r	ight?				
⊠ Yes	A STATE OF THE PARTY OF THE PAR	nly the Proposed above to d					ble 2 on	the next page. U	se the	
☐ No	Complete all	of Table 2 to	describ	the por	tion o	f the water rig	ght to be	changed.		

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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 # 97145

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.								Proposed Changes (see	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	3/4	74	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Date	"CODES" from previous page) Tw	p	Rn	ng	Sec	1/4	1/4	Tax Lo	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
											APOA	25	s	15	E	33	NE	NE	1800		10.3	IR	#3 & 4	1976
											APOA	25	s	15	E	33	NW	NE	1800		2.80	IR	#3 & 4	1976
											APOA	25	s	15	E	33	sw	NE	1800		2.50	IR	#3 & 4	1976
											АРОА	25	s	15	E	33	SE	NE	1800		7.44	IR	#3 & 4	1976
																			-					
				TOT	TAL ACE	RES:												ТО	TAL AC	RES:	23.04			

Additional remarks:_____

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? Yes No
If YES, list the certificate, water use permit, or ground water registration numbers:
Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to



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.

irrigation)	ace water primary
Ground water supplemental Permit or Certificate # ;	RECEIVED
Surface water primary Certificate #	JUL 1 4 2023
For a change from Supplemental Irrigation Use to Primary Irrigation Use	OWIDE

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

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

Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

Identify the primary certificate to be cancelled. Certificate #

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- rate gpm) than t
#3	Yes	See well log								
#4	No	NA	600'	14"	+1 to -50'	0 to -20'	No	Unk	Sand	
							142	79 -		

CERTIFICATE # 97146 Description of Water Delivery System System capacity: 0.09cubic feet per second (cfs) OR gallons per minute (gpm) Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the authorized well & conveyed by buried conduit to a mainline that feeds wheel line sprinklers 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.) Tax Is this POD/POA If POA, OWRD Lot, POD/POA Measured Distances Well Log ID# Authorized on DLC Name or (from a recognized the Certificate or (or Well ID Twp Rng Sec 1/4 1/4 or Number survey corner) is it Proposed? Tag # L-___) Gov't Lot **Authorized** '1120' N & 1350' W from 1800 #3 **LAKE 188** 25 S 15 E 33 SW NF E 1/4 cor, Sec 33 Proposed Authorized 1106' N & 1350' W from E #4 NOT BUILT 15 E 33 SW NE 1800 25 5 1/4 cor, Sec 33 Proposed Check all type(s) of change(s) proposed below (change "CODES" are provided in parentheses): Place of Use (POU) Supplemental Use to Primary Use (S to P) Character of Use (USE) Point of Appropriation/Well (POA) Point of Diversion (POD) Additional Point of Appropriation (APOA) Additional Point of Diversion (APOD) Substitution (SUB) Surface Water POD to Ground Water Government Action POD (GOV) POA (SW/GW) 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.

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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 # 97146

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.

1	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 (the "to" or "on" lands Proposed Changes (see The listing as it would appear AFTER PROPOSE are made.														
Twp	Rng	Sec	% %	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Date	"CODES" from previous page)	Twp	R	ng	Sec	34	1/4	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
										APOA	25 S	15	E	33	SE	NE	1800		6.96	IR	#3 & 4	1980
										APOA												
			TC	TAL ACF	RES:											TO	TAL ACI	RES:	6.96			

Additional remarks: _____.

14279 -

JUL 14 2023 OWRD

For P	ace of Use or Character of Use Changes	
	there other water right certificates, water use permits or ground water renthe "from" or the "to" lands? \square Yes \boxtimes No	gistrations associated
If Y	ES, list the certificate, water use permit, or ground water registration numb	bers:
a p	suant to ORS 540.510, any "layered" water use such as an irrigation right to imary right proposed for transfer must be included in the transfer or be call ground water registration must be filed separately in a ground water registration.	ancelled. Any change
For S	ubstitution (ground water supplemental irrigation will be substituted for su irrigation)	urface water primary
	face water primary Certificate #;	RECEIVED
For a	change from Supplemental Irrigation Use to Primary Irrigation Use	JUL 1 4 2023
Ide	ntify the primary certificate to be cancelled. Certificate #	OWRD
For a	change in point(s) of appropriation (well(s)) or additional point(s) of app	ropriation:
	Well log(s) are attached for each authorized and proposed well(s) that an associated with the corresponding well(s) in Table 1 above and on the acmap.	
	Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx	
AN	D/OR	
	Describe the approximation of the south sized and approximation of the sized and approximat	1-25

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 rate gpm than of wa
#3	Yes	See well log								
#4	No	NA	600'	14"	+1 to -50'	0 to -20'	No	UNK	Sand	
						40 640	1	4279		

Application for Water Right **Transfer**

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

Evidence of Use Affidavit

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.

Supporting documentation must be attached.

State o	f Oregon)							
County	of Lake)			,	SS					RECE	IVED
I, Scot	T TOBIASSON, i	n my c	apacity	y as O	WNER,					JUL 14	2023
mailin	g address PO I	30x 93,	FT ROCI	K. OR						OWF	RD
teleph	one number (541)420-	-9355, t	being	first d	uly swe	orn depo	se and say:			
1. M	y knowledge o				atus c	of the w		t is based o):	
2. I at	ttest that:										
	Water was u Certificate #				ious f	ive yea	ars on the	e entire pla	ce of use for		
	My knowled	lge is s	pecific	to the	e use	of wate	r at the f	ollowing lo	cations withi	in the last five years	
	Certificate #	Town	nship	Rar	nge	Mer	Sec	1/4 1/4	Gov't Lot or DLC	Acres (if applicable)	
						1					
OR											
\boxtimes	Confirming	Certific	cate #	97145	& 9714	6 has b	een issu	ed within th	ne past five y	ears; OR	
	instream lea	se num	ber is:		(Note	e: If the	e entire r	ight propos	ed for	t five years. The not leased instream.); OR
	The water ri								nat a presump	otion of forfeiture fo	r
	Water has be									for more than	
					(c	ontinues	s on rever	se side)			

Revised 2/5/2010

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

Scott Tobiasson	7-5-23
Signature of Affiant	Date

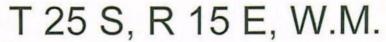
Signed and sworn to (or affirmed) before me this 5 day of July , 2023.

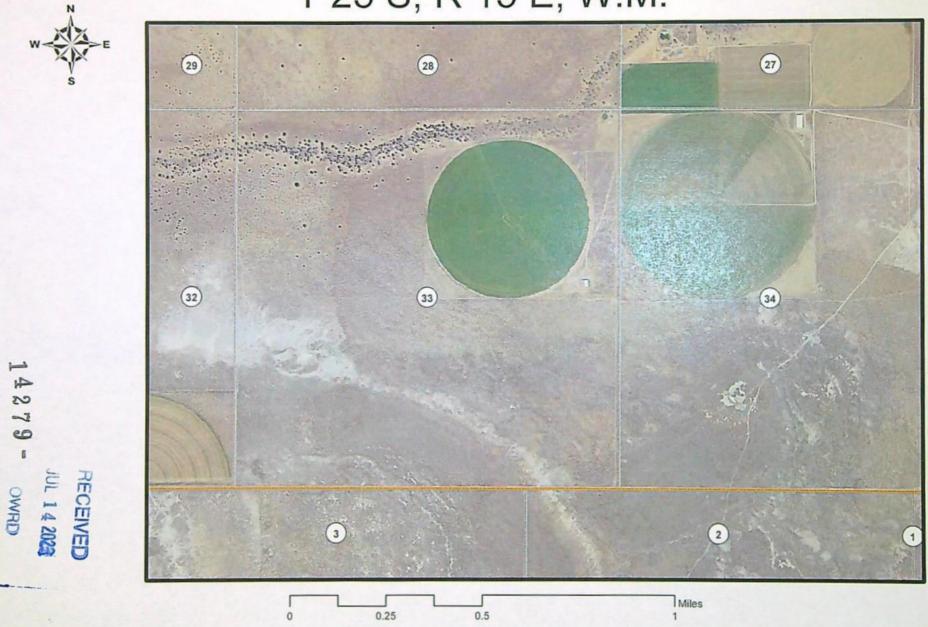
AD.	OFFICIAL OTAMO
ACTION	OFFICIAL STAMP
(Commod S	RACHEL LYNN COOPER
1	NOTARY PUBLIC - OREGON
	COMMISSION NO. 1002083
MY COMM	COMMISSION NO. 1002083
INIT COMMIN	SSION EXPIRES AUGUST 16, 2024

My Commission Expires: 08-16-2024

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

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2020 aerial imagery downloaded from NRCS Gateway website and imported into ESRI ArcMap GIS software with Oregon Statewide Lambert Projection

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

RECEIVED
JUL 14 2023

OWRD

THIS CERTIFICATE ISSUED TO

JOSE TOBIASSON SCOTT TOBIASSON PO BOX 93 FORT ROCK OR 97735

confirms the right to the use of water perfected under the tenna of Permit G-7054. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE: POA 3 IN THE FORT ROCK BASIN

USE: IRRIGATION OF 23.04 ACRES

RATE: 0.288 CUBIC FOOT PER SECOND

PRIORITY DATE: DECEMBER 14, 1976

The well is located as follows:

Twp	Twp Rng Mer Sec Q-Q			Q-Q	Measured Distances				
25 S	15 E	WM	33	SW NE	POA 3 - 1120 FEET NORTH AND 1350 FEET WEST FROM E1/4 CORNER, SECTION 33				

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

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	15 E	WM	33	NE NE	10.3
25 S	15 E	WM	33	NW NE	2.80
25 S	15 E	WM	33	SW NE	2.50
25 S	15 E	WM	33	SE NE	7.44

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

T-13246-cf-83439.bfc

Page 1 of 2

Certificate 97145

14279

The quantity of water diverted at the new point of appropriation (POA 3), shall not exceed the quantity of water lawfully available from the original point of appropriation (Well 2) described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	15 E	WM	3	NE NW	WELL 2 - 1273 FEET SOUTH AND 2645 FEET WEST FROM E1/4 CORNER, SECTION 3

Water shall be acquired from the same aquifer (water source) as the original points of appropriation.

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.

This certificate is issued to confirm a change in POTATION AND PLACE OF USE approved by an order of the Water Resources Director entered February S. 2007. as Special Order Volume 122, Page 477, approving Transfer Application T-13246, and together with Certificate 2007. supersedes Certificate 83439, State record of Water Right Certificates.

JUN 1 6 2023

Issued

Dwight French

Water Right Services Division Administrator, for

Douglas E. Woodcock, Acting Director Oregon Water Resources Department

> RECEIVED JUL 14 2023

> > OWRD.

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

RECEIVED

JUL 1 4 2023

THIS CERTIFICATE ISSUED TO

OWRD

JOSE TOBIASSON SCOTT TOBIASSON PO BOX 93 FORT ROCK OR 97735

confirms the right to the use of water perfected maker the terms of Permit G-8849. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well. The specific timits and conditions of the use are listed below.

SOURCE: POA WITHIN THE FORT ROCK BASIN

USE: IRRIGATION OF 6.96 ACRES

RATE: 0.09 CUBIC FOOT PER SECOND PRIORITY DATE: FEBRUARY 27, 1980

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
25 S	15 E	WM	33	SW NE	POA 3 - 1120 FEET NORTH AND 1350 FEET WEST FROM E1/4 CORNER, SECTION 33

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

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	15 E	WM	33	SE NE	6.96

The quantity of water diverted at the new point of appropriation (POA 3) shall not exceed the quantity of water lawfully available from the original point of appropriation (Well 2) described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
27 S	15 E	WM	3	NE NW	WELL 2 – SOUTH 63 DEGREES 40 MINUTES 1 SECOND EAST, 2923 FEET FROM NW CORNER, SECTION 3

Water shall be acquired from the same aquifer (water source) as the original point of appropriation

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

T-13246-cf-88683.bfc

Page 1 of 2

Certificate 97146

When required by the Department the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

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

This certificate is issued to confirm a change in POINT OF APPROPRIATION AND PLACE OF USE approved by an order of the Water Resources Director entered February 9, 2022, at Special Order Volume 122, Page 477, approving Transfer Application T-13246, and together with Certificate 96050, supersedes Certificate 88683, State record of Water Right Certificates.

Issued

JUN 1 6 2023

Dwigh French

Water Right Services Division Administrator, for

Douglas E. Woodcock, Acting Director Oregon Water Resources Department

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JUL 1 4 2023

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Land Use Information Form



Applicant(s): Scott & Jose Tobiasson

Mailing Address: PO Box 93

City: Ft Rock State: OR Zip Code: 97735 Daytime Phone: 541-420-9355

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	1/4 1/4	Tax Lot#	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
25S	15E	33	NE	NE	EFU	☐ Diverted	☑ Conveyed	☑ Used	IR
25S	15E	33	NW	NE	EFU	Diverted	☐ Conveyed	☑ Used	<u>IR</u>
25S	15E	33	SW	NE	<u>EFU</u>	☑ Diverted	☑ Conveyed	☑ Used	<u>IR</u>
25S	15E	33	SE	NE	EFU	Diverted	□ Conveyed	☑ Used	IR

List all counties and cities where water is proposed to be diverted, conveyed, and/or used or developed: Lake
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 Exchange of Water Exchange of Water
Source of water: Reservoir/Pond Ground Water Surface Water (name)
Estimated quantity of water needed: 0.3788
Intended use of water:
Briefly describe: Add APOA

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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JUL 1 4 2023

JUL 1 4 2023

For Local Government Use Only

OWRD

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 be	elow and provide the requested info	rmation	
Land uses to be served by the proposed wat your comprehensive plan. Cite applicable or	er uses (including proposed construction) are a rdinance section(s): Hade County James Co	llowed outrigh	t or are not regulated by askile 3:2-2 gant.
Land uses to be served by the proposed water listed in the table below. (Please attach door	er uses (including proposed construction) invo amentation of applicable land-use approvals w ompanying findings are sufficient.) If approve	lve discretionar hich have alrea	ry land-use approvals as dy been obtained.
Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Lan	d-Use Approval
peting, etc. j		☐ Obtained ☐ Degled	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		Obtained Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
Dantia		Planering Dead	
Name: Deserve Towson Signature: 4 4	Phone: 54-947-6		
Government Entity: Lake Court, Ranny		Date:	3 /244 2023
Note to local government representative: Plesign the receipt, you will have 30 days from the Form or WRD may presume the land use associ	ease complete this form or sign the receipt belo Water Resources Department's notice date to	return the comp	oleted Land Use Information
Receipt f	for Request for Land Use Informa	ition	The state of the s
Applicant name:			
City or County:	Staff contact:		
Signature:	Phone:	Date:	

. NUITED TO WATER

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

Clata	Well No	250	(15E-3	3
State	Permit No	G-85	72 #2	

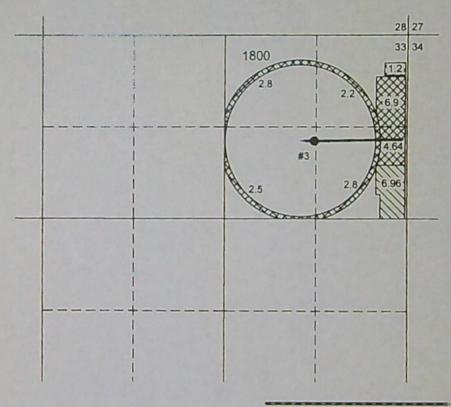
The original and first copy of this report	
are to be filed with the	
WATER RESOURCES DEPARTMENT SALEM, OREGON 97310	188
within 30 days from the date of well completion.	/

(1) OWNER:	(10) LOCATION OF WELL:
Name Alfred Roberts	County Lake Driller's well number
Address Fort Rock, Or. 97638	14 14 Section 33 T. 255 R. 15 E. W.M.
(2) TYPE (2)	Bearing and distance from section or subdivision corner
(2) TYPE OF WORK (check):	4
New Well Deepening Reconditioning Abandon	
If abandonment, describe material and procedure in Item 12.	(11) WATER LEVEL: Completed well.
(3) TYPE OF WELL: (4) PROPOSED USE (check):	Depth at which water was first found 102 ft.
Cable D Tetted Domestic D Industrial M Municipal D	Static level 39 ft. below land surface. Date 8-20-7
Dug Bored Irrigation Test Well Other	Artesian pressure libs, per square inch. Date
CASING INSTALLED: CYPURA	
CASING INSTALLED: 15 St Threaded Welded 16	(12) WELL LOG: Diameter of well below casing
"Diam from	Depth drilled 280 ft. Depth of completed well 280 ft.
"Dlam. fromft. toft. Gage	Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrafed,
	with at least one entry for each change of formation. Report each change in
PERFORATIONS: Perforated? Yes No.	position of Static Water Level and indicate principal water-bearing strata.
Type of perforator used	MATERIAL From To SWL
Size of perforations in. by in.	Brown Clay
perforations from ft. to ft.	Green stone 43 /25
perforations from	Brown Lava Rock 125 /32
perforations from ft. to ft.	Blue Zava Rock 132 250
(7) SCREENS: Well screen installed? I Ves W. No.	Witer Barring
Manufacturer's Name Well screen installed? Yes No	
Type Model No	
Diam. Slot size Set from ft. to ft.	
Diam. Slot size Set from It. to ft.	12 Em (3 Em 8 to Exert.
	AUG 2 0 1979#
(8) WELL TESTS: Drawdown is amount water level is lowered below static level	WATER RESOURCES DEPT FECEIVED
Was a pump test made? Yes No If yes, by whom?	SALEM, OREGON
Yield: gal./min. with ft. drawdown after hrs.	JUL 1 4 2023
" A A A A A A A A A A A A A A A A A A A	1 b t 7
" 10 Mo 15 11 1	OWRD
Bailer test 900 gal./min. with ft. drawdown after hrs.	1 (to 1) (
Artesian day	Western
2000	
Depth artesian flow encounteredft.	Work started 1-23 1979 Completed 8-20 1979
(9) CONSTRUCTION:	Date well drilling machine moved off of well 8-20 1979
Well seal-Material used Cercent	Drilling Machine Operator's Certification:
Well sealed from land surface to	This well was constructed under my direct supervision.
Diameter of well bore to bottom of seal in.	Materials used and information reported above are true to my best knowledge and belief.
Diam efer of well bore below seal	William X OK A/M Viction 79
Number of sacks of cement used in well seal	[Signed] Date Date Machine Operator)
How was cement grout placed?	Drilling Machine Operator's License No. 69
Diperus	Water Well Control to to Control Station
acron lows side of the easing	Water Well Contractor's Certification:
presher granted in	This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
Was a drive shoe used? Yes No Plugs Size: location ft.	
Did any strata contain unusable water? Yes X No	(Type of print)
Type Of water? depth of strata	Address (PD, 130x 133, Lebandon), ar
Method of sealing strata off	[Signed] Melin Sanch
Was well gravel packed? Yes No Size of gravel:	(Water Weil Confragor)
Grave 1 placed from	Contractor's License No. 567. Date 8-2 Ce , 19.74
(USE ADDITIONAL, SHI	EETS IF NECESSARY) SP-15050-110

CLAIM OF BENEFICIAL USE MAP

TO CHANGE POINTS OF APPROPRIATION & PLACE OF USE FOR TRANSFER, T-13246 SCOTT & JOSE TOBIASSON

TOWNSHIP 25 SOUTH, RANGE 15 EAST, SECTION 33, W.M. TAX LOT: 1800



JU. 3.5 2012

JUL 14 2023 OWRD



23.04 ACRES IR AUTHORIZED FROM #3 BY T-13359.

BURIED CONVEYANCE



E 1/4 CORNER OF SECTION 33.

6.96 ACRES IR AUTHORIZED FROM #3 BY T-13246.

• #3 (LAKE 188)
LOCATED IN THE SW 1/4 NE 1/4 SECTION 33, T255 R15E,
W.M. AND 1120 FEET NORTH AND 1350 FEET WEST FROM THE

FLOW METER IS LOCATED ON THE CENTER PIVOT SPRINKLER & $200\ \text{FEET}$ WEST FROM THE WELL



RENEWAL DATE: 12/31/2022

THIS MAP IS FOR THE PURPOSE OF LOCATING A WATER RIGHT ONLY AND HAS NO INTENT TO PROVIDE LEGAL DIMENSIONS OR THE LOCATION OF PROPERTY LINES.

PREPARED FOR

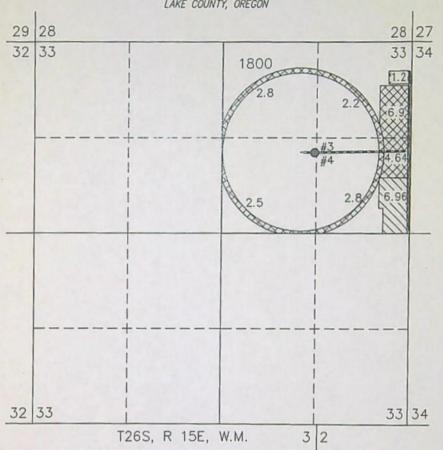
SCOTT TOBIASSON P.O. BOX 93 FT. ROCK, OR 97735 PREPARED BY.



ALL POINTS ENGINEERING AND SURVEYING, INC. P.O. BOX 767 TERREBONNE, OR 97760 (541) 548-5833 www.APEandS.com

TRANSFER MAP TO ACCOMPANY APPLICATION TO ADD A POINT OF APPROPRIATION FOR SCOTT AND JOSE TOBIASSON

TAX LOT 1800 IN SECTION 33, TOWNSHIP 25 SOUTH, RANGE 15 EAST, W.M. LAKE COUNTY, OREGON





23.04 ACRES IR FROM WELL 3 PER CERTIFICATE #97145 (G-#7054), REMAIN AS SHOWN.



6.96 ACRES IR FROM WELL 3 PER CERTIFICATE #97146 (G-#8849), REMAIN AS SHOWN. ● POA #3 (LAKE 188)

WELL IN SW 1/4 NE 1/4 OF SECTION 33, T25S R15E, W.M. LOCATED 1120 FEET NORTH AND 1350 FEET WEST FROM E 1/4 CORNER.

■ POA #4 (NOT BUILT)
WELL IN SW 1/4 NE 1/4 OF SECTION 33, T25S R15E, W.M. LOCATED 1106 FEET NORTH AND 1350 FEET WEST FROM E 1/4 CORNER.

THIS MAP IS FOR THE PURPOSE OF LOCATING A WATER RIGHT ONLY AND HAS NO INTENT TO PROVIDE LEGAL DIMENSIONS OR THE LOCATION OF PROPERTY LINES.

RECEIVED

14279 - JUL 14 2023

OWRD



RENEWAL DATE:

POINTS ENGINEERING

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

PROJECT No. 23-042

PREPARED AT THE REQUEST OF:
SCOTT AND JOSE TOBIASS(P.O. BOX 93)
FT. ROCK, OR 97735

Permanent Transfer Application Checklist

	Certificates in WRI		Transfer # T- L 2		
	red byDante	Type of Change(s) Proposed: NO other changes allowed other than tho	se listed		
Date7/18/2023 Fee Received:		POU □ POD □ APOD □ POA ☒ APOA □ USE			
\$2450		- les - les - les - les - les -	How many rights to be Transferre		
\$2450	lated Fee:		2		
Defici	encies and Observations:		Certificate #(s)		
Movir	ng to new POA for acres o	n each Cert	97145 97146		
check	box; if not, fill in.				
	1. Is the applicant inform	nation complete? Have all the applicants liste	d at the top of the page signe		
	at the bottom?	2.14			
	If not, what is missing	? Whose signature is missing?			
\boxtimes	_	ated that the place of use is in or near an irrig	gation district? Have they		
	included a Form D?	N/ACity of Klamath Falls			
	Name of the District_	City of Manath Pans			
\boxtimes		has the applicant completed the entire page a			
		of the explanation of the reasons on Part 4 coordinates of the explanation of the reasons on Part 4 coordinates of the explanation of the reasons on Part 4 coordinates of the explanation of the reasons on Part 4 coordinates of the explanation of the reasons on Part 4 coordinates of the explanation of the reasons on Part 4 coordinates of the explanation of the reasons on Part 4 coordinates of the explanation of the reasons on Part 4 coordinates of the explanation of the reasons on Part 4 coordinates of the explanation of	of the application?		
\bowtie		es, do each of the certificates listed on Applic art 5 tables 1 & 2? (compare with OAR 690-3			
		es are missing a separate Part 5, tables 1 & 2?			
	E. Has the man been cor	mpleted and signed by a CWRE? Does the ma	n most the requirements?		
	If not, what is missing		waiver included?		
	C 16 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1 1	and the second s	4-42 - 10		
\boxtimes	6. If a change in point of	appropriation, have the well logs been include	ded? N/A.		
		use within Umatilla County, have the applica	int(s) provided a Supplementa		
	Form U? N/A.				
\boxtimes		t the Minimum Requirements Checklist (Part			
	complete? If not, wha	t is missing (check Evidence of Use and Land	Use)?		
	9 If all hoves on this che	ecklist are checked (with no remaining deficie	ncies identified) accept the		
		theck sheet in the transfer folder.	need racinities,, accept the		
OR:					
	The state of the s	ient, and CANNOT be accepted.			
		nd the deficiencies listed in the "staff" section icant or agent can resolve the deficiencies wi			
	ns taken:	search of agent converse the denoterales wi	ami 2 5 days.		
ACTION	13 taken.				

Permanent Transfer Application Checklist

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