

Historic

Name Klynnne Johnson Dewald

Address 99499 Winchuck River Rd
Brookings Oregon 97415

Change in POD

Date Filed 12/02/2019

Initial notice date 12/10/2019

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 10/25/2019 Vol 171 Page 870

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Winchuck River

Trib. of Pacific Ocean

Use irrigation County Curry

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

Name of ditch _____

App# 5211040 Per # 517001 Cert # 80415 PR Date 5/13/1940

App# 5211040 Per # 517001 Cert # 94724 PR Date 5/13/1940

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

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

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

FEES PAID		
Date	Amount	Receipt #
<u>12-2-19</u>	<u>\$1,680.00</u>	<u>131452</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent Mark Van Camp

vancampconsulting@gmail.com

CWRE _____

CC's list Curry County

- Oversized map - Location _____

SCANNED



Oregon
Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

October 25, 2021

K LYNNE JOHNSON DEWALD
99499 WINCHUCK RIVER RD
BROOKINGS OREGON 97415

REFERENCE: Transfer Application T-13296

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

Also enclosed is a certificate issued to confirm the historic change in point of diversion approved by the final order contained herein. Please read this document carefully and abide by the requirements.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Corey Courchane by telephone at (503) 979-3917 or by e-mail at Corey.A.Courchane@oregon.gov.

Sincerely,

Julie C. Baustian
Water Right Services Support
Transfers and Conservation Section

cc: Scott C. Ceciliani, Watermaster Dist. # 14 (via email)
Curry County Planning Department
Marc Van Camp, Agent

Enclosures

for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet for each acre irrigated during the irrigation season, APRIL 2 TO OCTOBER 31, of each year.

Period of Use: APRIL 2 TO OCTOBER 31

Source: WINCHUCK RIVER, a tributary of PACIFIC OCEAN

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	POD
41 S	13 W	WM	23	SE SE	1
41 S	13 W	WM	25	SE NW	2 - IN DEL NORTE COUNTY, STATE OF CALIFORNIA
41 S	13 W	WM	25	NW NW	3

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	13 W	WM	25	NE NW		15.6
41 S	13 W	WM	25	NW NW		15.4
41 S	13 W	WM	25	SW NW	4	1.6
41 S	13 W	WM	25	SE NW	3	21.8
					Total	54.4

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

Certificate: 94224 in the name of K LYNNE JOHNSON DEWALD (perfected under Permit S-17001)

Use: IRRIGATION of 17.0 ACRES

Priority Date: MAY 13, 1946

Rate: 0.21 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to 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 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2, to October 31, of each year.

Period of Use: APRIL 2 TO OCTOBER 31

Source: WINCHUCK RIVER, A TRIBUTARY OF PACIFIC OCEAN

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	County, State
41 S	13 W	WM	23	SE SE	POD 1 - IN CURRY COUNTY, OREGON
41 S	13 W	WM	25	SE NW	POD 2 - IN DEL NORTE COUNTY, CALIFORNIA
41 S	13 W	WM	25	NW NW	POD 3 - IN CURRY COUNTY, OREGON

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
41 S	13 W	WM	24	SE SW	3.8
41 S	13 W	WM	24	SW SE	5.6
41 S	13 W	WM	25	NW NE	3.6
41 S	13 W	WM	25	NE NW	4.0
Total					17.0

5. Transfer Application T-13296 proposes to move the authorized points of diversion to reflect historical use, as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance upstream from original points of diversion in miles (mi.)		
						POD 1	POD 2	POD 3
41 S	12 W	WM	25	NW NE	POD 4 - 157 FEET SOUTH AND 667 EAST FROM THE N1/4 CORNER OF SECTION 25	1.5 mi.	0.5 mi.	1.0 mi.

6. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Transfer Review Criteria (ORS 540.532 and OAR 690-380-2120)

7. Pursuant to OAR 690-380-2120(2)(a), evidence has been submitted that the actual, current points of diversion for the water rights in question, as described in Finding Nos. 3 and 4, have been in use for more than 10 years.
8. Pursuant to OAR 690-380-2120(2)(c), the Watermaster provided a statement that to his knowledge there has been no complaint of injury due to the use of water at the actual, current point of diversion, prior to the transfer request.
9. The Department did not identify any affected water rights pursuant to OAR 690-380-2120(3).
10. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.

12. The proposed change would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.

Conclusions of Law

The proposed change in points of diversion to reflect historical use in application T-13296 is consistent with the requirements of ORS 540.532, and OAR 690-380-2120.

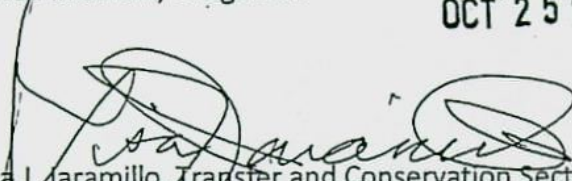
Now, therefore, it is ORDERED:

1. The change proposed in T-13296 is approved and effective immediately.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 80415 and 94224, and any related decree.
3. Water right certificates 80415 and 94224 are cancelled. Certificates 95876 and 95877 will be issued to describe the change in points of diversion for the rights included in T-13296. The new certificates shall supersede Certificates 80415 and 94224.
4. The quantity of water diverted at the new point of diversion (POD 4), shall not exceed the quantity of water lawfully available at the original points of diversion (POD 1, 2, and 3).
5. Water use measurement conditions:
 - a. Prior to October 1, 2022, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (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.

6. Prior to October 1, 2022, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

Dated in Salem, Oregon on

OCT 25 2021



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing date:

OCT 26 2021

STATE OF OREGON
 COUNTY OF CURRY
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

K LYNNE JOHNSON DEWALD
 99499 WINCHUCK RIVER RD
 BROOKINGS, OR 97415

confirms the right to use of water perfected under the terms of Permit S-17001. 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 point of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: WINCHUCK RIVER, A TRIBUTARY OF PACIFIC OCEAN

PURPOSE OR USE: IRRIGATION OF 17.0 ACRES.

MAXIMUM RATE: 0.21 CUBIC FOOT PER SECOND

DATE OF PRIORITY: MAY 13, 1946

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	12 W	WM	25	NW NE	POD 4 - 157 FEET SOUTH AND 667 EAST FROM THE N1/4 CORNER OF SECTION 25

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to 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 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2, to October 31, of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
41 S	13 W	WM	24	SE SW	3.8
41 S	13 W	WM	24	SW SE	5.6
41 S	13 W	WM	25	NW NE	3.6
41 S	13 W	WM	25	NE NW	4.0
Total					17.0

Prior to October 1, 2022, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Prior to October 1, 2022, the water user shall install and maintain a fish screen or fish by-pass device, as appropriate, at the new point of diversion. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction, and shall be installed under the supervision of the Department of Fish and Wildlife.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered OCT 25 2021, approving Transfer Application T- 13296, and supersedes Certificate 94224, State Record of Water Right Certificates.

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

WITNESS the signature of the Water Resources Director, affixed OCT 25 2021.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON
 COUNTY OF CURRY
 CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

K LYNNE JOHNSON DEWALD
 99499 WINCHUCK RIVER RD
 BROOKINGS, OR 97415

confirms the right to use the waters of WINCHUCK RIVER, a tributary of PACIFIC OCEAN, for IRRIGATION of 54.4 ACRES.

This right was perfected under Permit S-17001. The date of priority is MAY 13, 1946. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.69 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	12 W	WM	25	NW NE	POD 4 - 157 FEET SOUTH AND 667 EAST FROM THE N1/4 CORNER OF SECTION 25

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet for each acre irrigated during the irrigation season, APRIL 2 TO OCTOBER 31, 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 to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	13 W	WM	25	NE NW		15.6
41 S	13 W	WM	25	NW NW		15.4
41 S	13 W	WM	25	SW NW	4	1.6
41 S	13 W	WM	25	SE NW	3	21.8
					Total	54.4

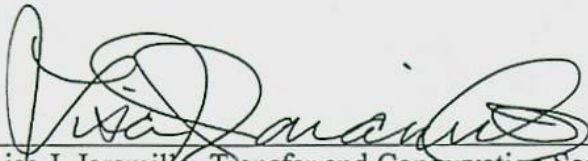
Prior to October 1, 2022, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Prior to October 1, 2022, the water user shall install and maintain a fish screen or fish by-pass device, as appropriate, at the new point of diversion. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction, and shall be installed under the supervision of the Department of Fish and Wildlife.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered OCT 25 2021, approving Transfer Application T- 13296, and supersedes Certificate 80415, State Record of Water Right Certificates.

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

WITNESS the signature of the Water Resources Director, affixed OCT 25 2021.



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13296

Transfer Specialist:

Carey

Transfer Type: Historic POD

Applicant: K LYNNE JOHNSON DEWALD 99499 WINCHUCK RIVER RD BROOKINGS, OR 97415 Email: _____ Phone: _____	Agent: <input type="checkbox"/> N/A MARC VAN CAMP PO BOX 995 COOS BAY, OR 97420 Email: _____ Phone: _____
Irrigation District: <input type="checkbox"/> N/A Email: _____	CWRE: <input type="checkbox"/> N/A Email: _____
Affected Local Gov'ts: <input type="checkbox"/> N/A Curry County Planning Department Email: _____	Affected Tribal Gov't: <input type="checkbox"/> N/A UNAVAILABLE Email: _____
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____	Receiving Landowner: <input type="checkbox"/> N/A Email: _____

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	<i>Confirming</i> RR/CR Nos.
<input type="checkbox"/>	S21640	S17001	80415	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<i>95876</i>
<input type="checkbox"/>	S21640	S17001	94224	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<i>95877</i>
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: December 2, 2019	Proposed Action(s): POINT OF DIVERSION	
Fees Pd: 1680.00	WM District: 19	ODFW District:
Initial Public Notice: December 10, 2019	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent <input checked="" type="checkbox"/>		GW Review sent: <input type="checkbox"/> N/A
County sent cc: of Ack Letter <input type="checkbox"/>	BOR notified (date): <input type="checkbox"/> N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
<i>DPD</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
<i>PD</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
<i>FO</i>	Date: <i>7/6/21</i> Initials: <i>ce</i>	Date: <i>SCOTT</i> Initials: <i>7/7/21</i>	Date: _____ Initials: _____	Date: <i>7/6/21</i> Initials: <i>PKS</i>	Date: <i>8/11/21</i> Initials: <i>ce</i>	Date: <i>10/1/21</i>	Date: <i>10/21/2021</i>

Special Issues: _____

Special Order Volume: Vol. 121 Pages 870



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Historic Change in Point of Diversion/Appropriation

Part 1 of 5 – Minimum Requirements Checklist

This historic change in point of diversion/appropriation application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about the Transferred Water Rights: **How many water rights are to be transferred? 2** List them here: **80415 & 94224**
 Please include a separate Part 5 for each water right. (See instructions on page 5)

Attachments:

- Completed Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- Completed Evidence of Use Affidavit and supporting documentation showing that water has been used on the land for five years prior to transfer filing AND diverted at the actual, current point of diversion/appropriation for more than 10 years.
- Statement from the local Watermaster, based upon the Watermaster's knowledge and Department records, that no complaint of injury has been made due to the use of water at the actual, current point of diversion/appropriation.
- Land Use Information Form with approval and signature (or signed land use form receipt stub).
- N/A Affidavit(s) of Consent from Landowner (if the applicant does not own the land the water right is on.)
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503-986-0____ Date: ____/____/____

Part 2 of 5 – Historic Change in Point of Diversion/Appropriation Application Map Checklist

Your historic change in point of diversion/appropriation application will be returned if any of the map requirements listed below are not met.

Please be sure that the historic change in point of diversion/appropriation application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If more than three water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on white or clear paper or film.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) and county tax lot numbers are required.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Authorized 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.
- Actual, current point of diversion/appropriation. Show the location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).
- 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 If for more than one actual, current point of diversion/appropriation, separate hachuring is needed for each place of use served by each point of diversion/appropriation, including the 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.

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Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

At this time, are the lands in this 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:

<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

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

Describe any special ownership circumstances here: _____

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

ENTITY NAME	ADDRESS	RECEIVED	
CITY	STATE	ZIP	DEC 02 2019

OWRD



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

ENTITY NAME CURRY COUNTY	ADDRESS 94234		
CITY GOLD BEACH	STATE OR	ZIP 94235	

Explain in your own words what you propose to accomplish with this transfer application, and why: **This historic change application is meant to accurately represent the historic point of diversion used for irrigation on the Dewald Ranch under Certificates 80415 and 94224, formerly Certificate 17325. The historic P.O.D. was used prior to T-8377, which the transfer application failed to show. This created the need to divert from the certified P.O.D. in California to put T-8377 to full beneficial use, though it had historically never been used. The historic P.O.D. has long been used as the sole P.O.D. for both certificates.**

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 1" **10896 -**

Part 5 of 5 – Water Right Information

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

CERTIFICATE # **80415**

Description of Water Delivery System

System capacity: 0.9 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.

25 HP Pump and handline mainline and laterals.

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Table 1. Location of Authorized and Current 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 the Current POD/POA that has been used for more than 10 years?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current	<i>1.5mi.</i>	41 S	13 W	23	SE	SE		NOT PROVIDED IN CERTIFICATE
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current	<i>0.5mi.</i>	41 S	13 W	25	SE	NW	GL3	NOT PROVIDED IN CERTIFICATE
POD 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current	<i>1.0mi.</i>	41 S	13 W	25	NW	NW		NOT PROVIDED IN CERTIFICATE
POD 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current		41 S	12 W	25	NW	NE		667' E. & 157' S. OF P.O.B.

all downstream from pods 1-3

Upstream move

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

- Point of Diversion (POD) Additional Point of Diversion (APOD)
- Point of Appropriation/Well (POA) Additional Point of Appropriation (APOA)

Will the historic change in point of diversion/appropriation **affect the entire water right?**

- Yes Complete only the proposed section of Table 2 on the next page.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

13296 -

Please use and attach additional pages of Table 2 as needed. Do you have questions about how to fill-out the tables? See page 5 for instructions, or contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 80415

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one actual, current POD/POA, specify the acreage associated with each actual, current POD/POA.

Authorized ("from" lands) as they appear before the changes										Proposed Change (POD, POA, APOD, or APOA)	Current (in use for more than ten years) POD(s)/POA(s) to be used (from Table 1)	Priority Date	
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acreage (if applicable)	POD(s) or POA(s) (name or number from Table 1)					
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2	POD	POD #5	1897
"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	"

Entirety of 80415

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OWRO

13296 -

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

M.L. DEMARTIN
HARBOR, OREGON 97415*Entirety of
Cert*confirms the right to use the waters of WINCHUCK RIVER, a tributary of
PACIFIC OCEAN, for IRRIGATION OF 54.4 ACRES.This right was perfected under Permit 17001. The date of priority is
MAY 13, 1946. The amount of water to which this right is entitled is
limited to an amount actually beneficially used and shall not exceed
0.69 CUBIC FOOT PER SECOND or its equivalent in case of rotation,
measured at the point of diversion from the source.

The point of diversion is located as follows:

SE¼ SE¼, SECTION 23, SE¼ NW¼, SECTION 25, IN DEL NORTE
COUNTY, STATE OF CALIFORNIA, AND NW¼ NW¼, SECTION 25, T 41 S, R 13 W,
W.M..The amount of water used for irrigation, together with the amount
secured under any other right existing for the same lands, is limited
to ONE-EIGHTIETH of one cubic foot per second per acre, or its
equivalent for each acre irrigated and shall be further limited to a
diversion of not to exceed 4½ acre-feet for each acre irrigated during
the irrigation season, APRIL 2 TO OCTOBER 31, 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 to which this right is appurtenant is as follows:

	NE $\frac{1}{4}$ NW $\frac{1}{4}$	15.6 ACRES
	NW $\frac{1}{4}$ NW $\frac{1}{4}$	15.4 ACRES
LOT 4	(SW $\frac{1}{4}$ NW $\frac{1}{4}$)	1.6 ACRES
LOT 3	(SE $\frac{1}{4}$ NW $\frac{1}{4}$)	21.8 ACRES

SECTION 25


TOWNSHIP 41 SOUTH, RANGE 13 WEST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 17325, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 18 2003, approving Transfer Application 8377.

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

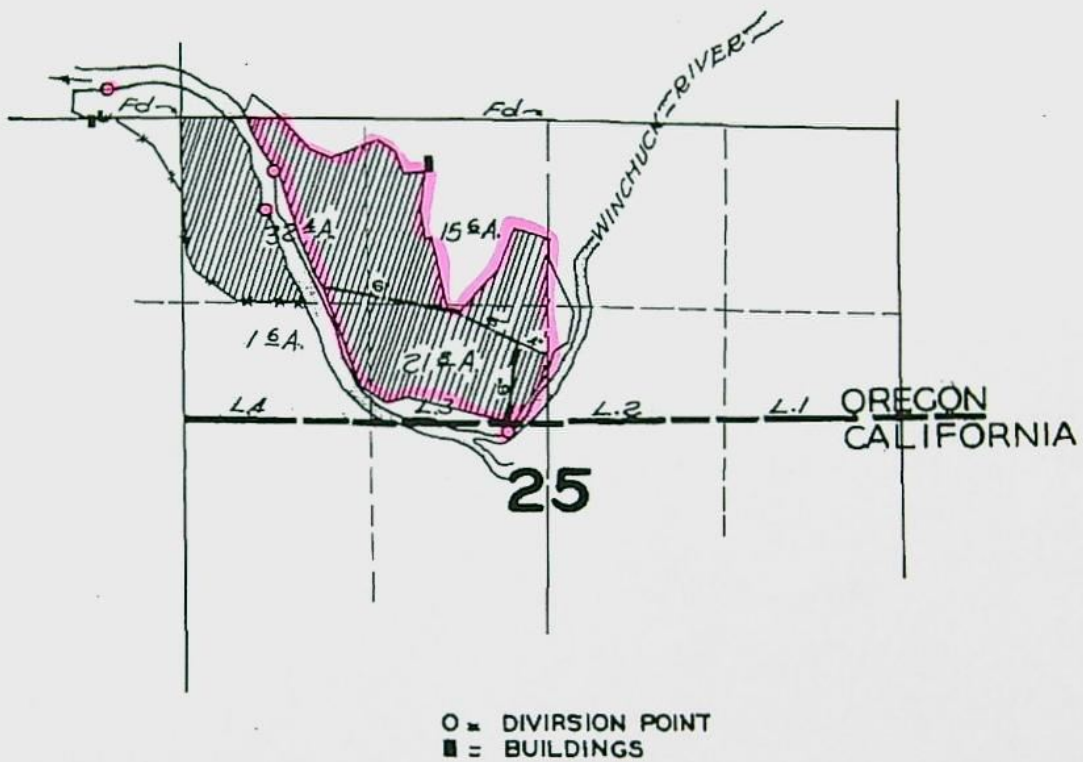
The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources
Director, affixed AUG 18 2003.


Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80415.

T.4|S.R.13W.W.M.



FINAL PROOF SURVEY

UNDER

Application No. 21640.... Permit No. 17001....
IN NAME OF

M.L. DEMARTIN

Surveyed AUG. 9. 1949., by H.L. COFFMAN.

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

- Well log(s) are attached for each authorized and current 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/)

OR

- Describe the construction of the authorized and current well(s) in Table 3 for any wells that do not have a well log.

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 adequate information is likely to delay the processing of your transfer application.

Current or Authorized POA Name or Number	OWRD Well ID Tag No. L-____ (if available)	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 94224

Description of Water Delivery System

System capacity: 0.9 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. _____

25 HP Pump and handline mainline and laterals.

Table 1. Location of Authorized and Current 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 the Current POD/POA that has been used for more than 10 years?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current	1.5mi	41 S	13 W	23	SE	SE		NOT PROVIDED IN CERTIFICATE
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current	0.5mi	41 S	13 W	25	SE	NW	GL3	NOT PROVIDED IN CERTIFICATE
POD 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current	1.0mi	41 S	13 W	25	NW	NW		NOT PROVIDED IN CERTIFICATE
POD 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current		41 S	12 W	25	NW	NE		667' E. & 157' S. OF P.O.B.

all down stream from POD 4

upstream move

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

- Point of Diversion (POD) Additional Point of Diversion (APOD)
- Point of Appropriation/Well (POA) Additional Point of Appropriation (APOA)

Will the historic change in point of diversion/appropriation affect the entire water right?

- Yes Complete only the proposed section of Table 2 on the next page.
- No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed. Do you have questions about how to fill-out the tables? See page 5 for instructions, or contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 94224

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one actual, current POD/POA, specify the acreage associated with each actual, current POD/POA.

Authorized ("from" lands) as they appear before the changes										Proposed Change (POD, POA, APOD, or APOA)	Current (in use for more than ten years) POD(s)/POA(s) to be used (from Table 1)	Priority Date	
Twp	Rng	Sec	1/4	1/4	Tax Lot	Gvt Lot or DLC	Acreage (if applicable)	POD(s) or POA(s) (name or number from Table 1)					
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2	POD	POD #5	1897
"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	"

Entirety of 94224

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OWRD

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

K LYNNE JOHNSON DEWALD
99499 WINCHUCK RIVER RD
BROOKINGS OR 97415

confirms the right to the use of water perfected under the terms of Permit S-17001. 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 point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

SOURCE OF WATER: WINCHUCK RIVER, A TRIBUTARY OF PACIFIC OCEAN

PURPOSE OR USE: IRRIGATION OF 17.0 ACRES

MAXIMUM RATE: 0.21 CUBIC FOOT PER SECOND

DATE OF PRIORITY: MAY 13, 1946

*Entirety of
cert*

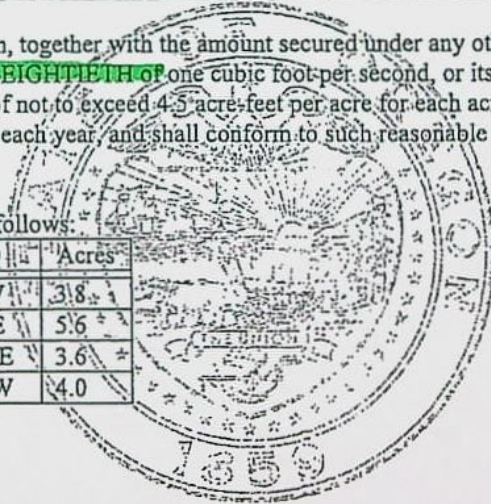
The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	County, State
41 S	13 W	WM	23	SE SE	IN CURRY COUNTY, OREGON
41 S	13 W	WM	25	SE NW	IN DEL NORTE COUNTY, CALIFORNIA
41 S	13 W	WM	25	NW NW	IN CURRY COUNTY, OREGON

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to 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 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2, to October 31, of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
41 S	13 W	WM	24	SE SW	3.8
41 S	13 W	WM	24	SW SE	5.6
41 S	13 W	WM	25	NW NE	3.6
41 S	13 W	WM	25	NE NW	4.0



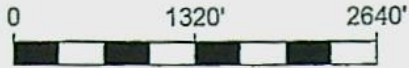
NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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.

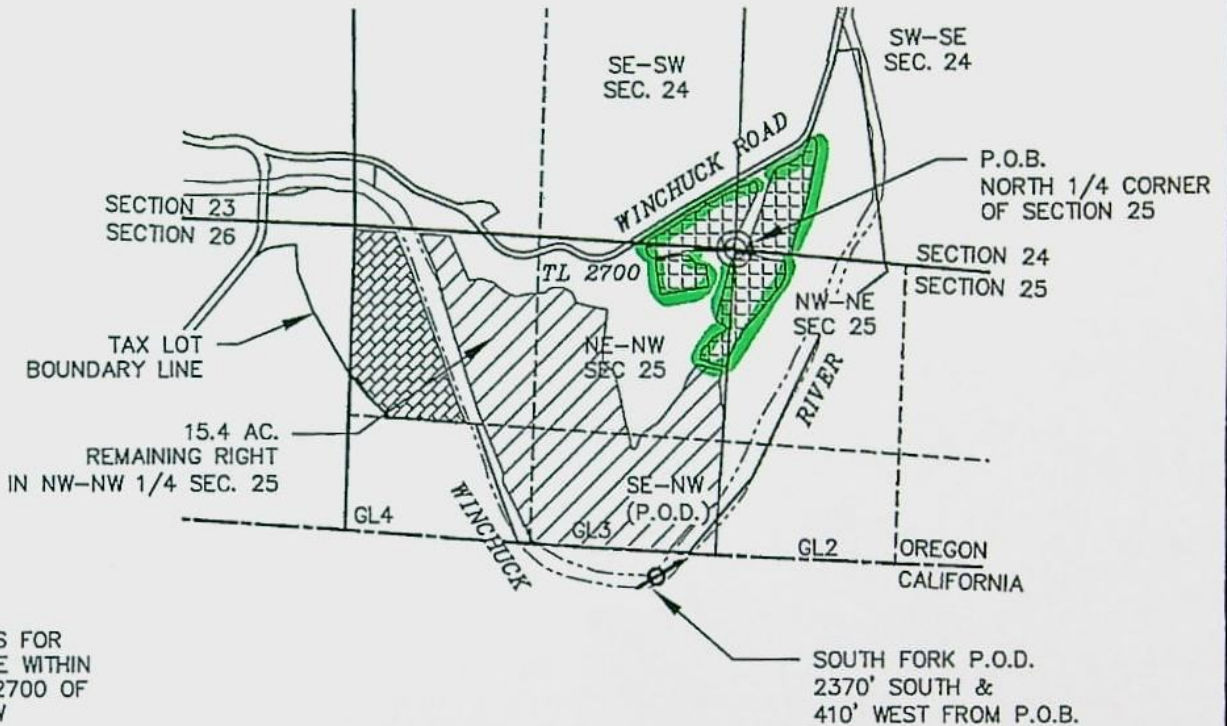
CLAIM OF BENEFICIAL USE MAP

TRANSFER T-8377

LOCATED IN SECTIONS 24 & 25,
TOWNSHIP 41 SOUTH, RANGE 13 WEST, W.M.
CURRY COUNTY, OREGON APPLICATION



TRANSFERRED ACRES PER Q.Q. & SECTION	
Q.Q. & SECTION	ACRES
SE-SW SEC 24	3.8
SW-SE SEC 24	5.6
NW-NE SEC 25	3.6
NE-NW SEC 25	4.0
TOTAL	17.0



NOTE:
ALL LANDS FOR
T8377 ARE WITHIN
TAX LOT 2700 OF
T41S R13W

LEGEND

- POINT OF DIVERSION (P.O.D.)
- POINT OF BEGINNING (P.O.B.)
- AREA TRANSFERRED TO (17 AC.)
- AREA TRANSFERRED FROM (17 AC.)
- AREA UNCHANGED (CERTIFICATE 80415)
- Q-Q SECTION LINES
- GL# GOVERNMENT LOT

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OWRD



EXPIRES 12/31/19

DISCLAIMER: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DESCRIPTIONS OR LOCATIONS OF PROPERTY LINES

Stuntzner

Engineering & Forestry, LLC



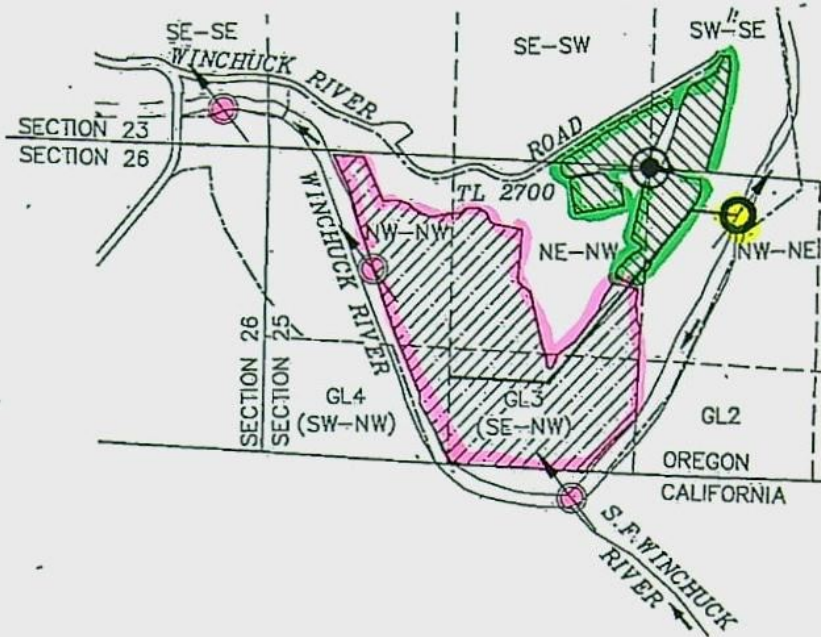
705 S. 4TH ST.
P.O. BOX 118
COOS BAY, OREGON 97420


PHONE: (541) 267-2872
FAX: (541) 267-0588
www.stuntzner.com





Engineering - Land Surveying - Forestry - Land Planning - Water Rights




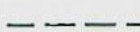
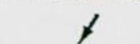
JOB #: 118-179	PREPARED FOR:	Lynne Dewald
DATE: Sep 27, 2018		99499 Winchuck River Rd
DRAWN BY: ABM		Brookings, OR 97415
CHECKED BY: RED	FILE NAME: Water Right_Dewald.dwg	SHEET 1 OF 1

HISTORIC CHANGE IN POINT OF DIVERSION
CERTIFICATES 80415 & 94224
LOCATED IN SECTIONS 24 & 25,
TOWNSHIP 41 SOUTH, RANGE 13 WEST, W.M.
CURRY COUNTY, OREGON




NORTH
 1"=1320'
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-  POINT OF BEGINNING (P.O.B.)
N1/4 COR. SEC.25, T41S., R13W., W.M..
-  POINTS OF DIVERSION. (P.O.D.)
-  -CERTIFICATE 80415 & 94224
AUTHORIZED P.O.D. (NO LOCATION DESCRIPTION PROVIDED IN CERTIFICATE)
-  -CERTIFICATE 80415 & 94224
CURRENT P.O.D., 667' EAST AND 157' SOUTH OF P.O.B.

-  -APPROX. MAINLINE LOCATION
-  -TAXLOT BOUNDARY
-  -SECTION LINES
-  -1/16 SECTION LINES
-  -DIRECTION OF FLOW



CERTIFICATE 80415 P.O.U.	
Q-Q, SECTION	ACRES
NE-NW, SEC.25	15.6 ✓
NW-NW, SEC.25	15.4 ✓
GL 4 (SW-NW), SEC.25	1.6 ✓
GL 3 (SE-NW), SEC.25	21.8 ✓

CERTIFICATE 94224 P.O.U.	
Q-Q, SECTION	ACRES
NE-NW, SEC.25	4.0 ✓
NW-NE, SEC.25	3.6 ✓
SE-SW, SEC.24	3.8 ✓
SW-SE, SEC.24	5.6 ✓

DISCLAIMER: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DESCRIPTIONS OR LOCATIONS OF PROPERTY LINES.


 Certified Water Right Examiner
 89189CWRE
 Marc J. Van Camp
 May 16, 2019
 STATE OF OREGON
 EXPIRES 06/30/2020

VCC
VAN CAMP
CONSULTING
 P.O. Box 995
 Coos Bay, OR 97420
 (541) 297-1880
 vancampconsulting@gmail.com

Prepared For:
 K LYNNE JOHNSON DEWALD
 99499 WINCHUCK RIVER RD
 BROOKINGS, OR 97415
 Project:
 HISTORIC CHANGE IN POINT
 OF DIVERSION APPLICATION
 MAP
 Date: **13296**
 September 8, 2019

for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet for each acre irrigated during the irrigation season, APRIL 2 TO OCTOBER 31, of each year.

Period of Use: APRIL 2 TO OCTOBER 31

Source: WINCHUCK RIVER, a tributary of PACIFIC OCEAN

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	POD
41 S	13 W	WM	23	SE SE	1
41 S	13 W	WM	25	SE NW	2 - IN DEL NORTE COUNTY, STATE OF CALIFORNIA
41 S	13 W	WM	25	NW NW	3

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	13 W	WM	25	NE NW		15.6
41 S	13 W	WM	25	NW NW		15.4
41 S	13 W	WM	25	SW NW	4	1.6
41 S	13 W	WM	25	SE NW	3	21.8
					Total	54.4

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

Certificate: 94224 in the name of K LYNNE JOHNSON DEWALD (perfected under Permit S-17001)

Use: IRRIGATION of 17.0 ACRES

Priority Date: MAY 13, 1946

Rate: 0.21 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to 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 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2, to October 31, of each year.

Period of Use: APRIL 2 TO OCTOBER 31

Source: WINCHUCK RIVER, A TRIBUTARY OF PACIFIC OCEAN

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	County, State
41 S	13 W	WM	23	SE SE	POD 1 - IN CURRY COUNTY, OREGON
41 S	13 W	WM	25	SE NW	POD 2 - IN DEL NORTE COUNTY, CALIFORNIA
41 S	13 W	WM	25	NW NW	POD 3 - IN CURRY COUNTY, OREGON

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
41 S	13 W	WM	24	SE SW	3.8
41 S	13 W	WM	24	SW SE	5.6

not page

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
41 S	13 W	WM	25	NW NE	3.6
41 S	13 W	WM	25	NE NW	4.0
Total					17.0

5. Transfer Application T-13296 proposes to move the authorized points of diversion to reflect historical use, as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance upstream from original points of diversion in miles (mi.)		
41 S	12 W	WM	25	NW NE	POD 4 - 157 FEET SOUTH AND 667 EAST FROM THE N1/4 CORNER OF SECTION 25	POD 1	POD 2	POD 3
						1.5 mi.	0.5 mi.	1.0 mi.

6. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Transfer Review Criteria (ORS 540.532 and OAR 690-380-2120)

7. Pursuant to OAR 690-380-2120(2)(a), evidence has been submitted that the actual, current points of diversion for the water rights in question, as described in Finding Nos. 3 and 4, have been in use for more than 10 years.
8. Pursuant to OAR 690-380-2120(2)(c), the Watermaster provided a statement that to his knowledge there has been no complaint of injury due to the use of water at the actual, current point of diversion, prior to the transfer request.
9. The Department did not identify any affected water rights pursuant to OAR 690-380-2120(3).
10. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right(s) are present.
12. The proposed change would not result in enlargement of the rights.
13. The proposed change would not result in injury to other water rights.

Conclusions of Law

The proposed change in points of diversion to reflect historical use in application T-1329613296 is consistent with the requirements of ORS 540.532, and OAR 690-380-2120.

Now, therefore, it is ORDERED:

1. The change proposed in T-1329613296 is approved and effective immediately.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 80415 and 94224,80415 and any related decree.
3. Water right certificates 80415 and 9422480415 are cancelled. Certificates XXXXX and XXXXX80415 will be issued to describe the change in points of diversion for the rights included in T-1329613296. The new certificates shall supersede Certificates 80415 and 9422480415.
4. The quantity of water diverted at the new point of diversion (POD 4), shall not exceed the quantity of water lawfully available at the original points of diversion (POD 1, 2, and 3).
5. Water use measurement conditions:
 - a. Prior to October 1, 2022, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (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.

6. Prior to October 1, 2022, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

Dated in Salem, Oregon on

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

Mailing date:



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

August , 2021

K LYNNE JOHNSON DEWALD
99499 WINCHUCK RIVER RD
BROOKINGS, OR 97415

SUBJECT: Water Right Transfer Application T-13296

Your water right transfer change in point of diversion to reflect historical use is in the first phase of processing.

Submittal of the following required item is needed at this time:

1. You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must be:
 - i. Prepared within 3 months of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Prepared within 3 months of recording of a water right conveyance agreement; **OR**
 - iii. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; **AND**
- e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).

Enclosed is a copy of Oregon Department of Fish and Wildlife (ODFW) Additional Fish Screening and Passage Information for the Applicant. You will note that ODFW requires a fish screening and/or by-pass device to be installed. We will establish a deadline for compliance with this condition. Please contact the ODF&W personnel listed on the document for assistance.

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The Watermaster has determined that a water measurement device is necessary at the diversion point. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

too many spaces
≤ 2

Issuance of the Final Order will occur shortly after we receive the report of ownership. The order may be issued denying the application as incomplete if I do not receive the report of ownership by September, 2021.

match font size with above

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 979-3917, if I may be of assistance.

Sincerely,

- size?

Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-13296
Scott C. Ceciliani, District 14 Watermaster (via e-mail)
Marc Van Camp, Agent for the applicant (via e-mail)

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TnewR font

Enclosures:
ODFW Contact Sheet
Watermaster Contact Sheet

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

K LYNNE JOHNSON DEWALD
 99499 WINCHUCK RIVER RD
 BROOKINGS, OR 97415

confirms the right to use the waters of WINCHUCK RIVER, a tributary of PACIFIC OCEAN, for IRRIGATION of 54.4 ACRES.

This right was perfected under Permit S-17001. The date of priority is MAY 13, 1946. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.69 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	12 W	WM	25	NW NE	POD 4 - 157 FEET SOUTH AND 667 EAST FROM THE N1/4 CORNER OF SECTION 25

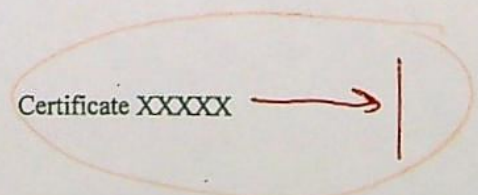
The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 4.5 acre-feet for each acre irrigated during the irrigation season, APRIL 2 TO OCTOBER 31, 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 to which this right is appurtenant is as follows:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
41 S	13 W	WM	25	NE NW		15.6
41 S	13 W	WM	25	NW NW		15.4
41 S	13 W	WM	25	SW NW	4	1.6
41 S	13 W	WM	25	SE NW	3	21.8
Total						54.4

Prior to October 1, 2022, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.



Prior to October 1, 2022, the water user shall install and maintain a fish screen or fish by-pass device, as appropriate, at the new point of diversion. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction, and shall be installed under the supervision of the Department of Fish and Wildlife.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered _____, approving Transfer Application T- 13296, and supersedes Certificate 80415, State Record of Water Right Certificates.

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

WITNESS the signature of the Water Resources Director, affixed _____.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

STATE OF OREGON

COUNTY OF CURRY

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

K LYNNE JOHNSON DEWALD
99499 WINCHUCK RIVER RD
BROOKINGS, OR 97415

confirms the right to use of water perfected under the terms of Permit S-17001. 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 point(s) of diversion from the source. The specific limits and conditions of the use are listed below.

NO NEED

SOURCE OF WATER: WINCHUCK RIVER, A TRIBUTARY OF PACIFIC OCEAN

align

PURPOSE OR USE: IRRIGATION OF 17.0 ACRES.

0.21

MAXIMUM RATE: 0.69 CUBIC FOOT PER SECOND

DATE OF PRIORITY: MAY 13, 1946

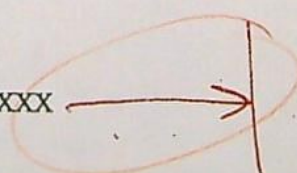
The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
41 S	12 W	WM	25	NW NE	POD 4 - 157 FEET SOUTH AND 667 EAST FROM THE N1/4 CORNER OF SECTION 25

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to 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 4.5 acre-feet per acre for each acre irrigated during the irrigation season from April 2, to October 31, of each year, and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
41 S	13 W	WM	24	SE SW	3.8
41 S	13 W	WM	24	SW SE	5.6
41 S	13 W	WM	25	NW NE	3.6
41 S	13 W	WM	25	NE NW	4.0
Total					17.0



Prior to October 1, 2022, the water user shall install and maintain a headgate, an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

Prior to October 1, 2022, the water user shall install and maintain a fish screen or fish by-pass device, as appropriate, at the new point of diversion. The type and plans of the screen or by-pass device must be approved by the Oregon Department of Fish and Wildlife prior to beginning of construction, and shall be installed under the supervision of the Department of Fish and Wildlife.

This certificate is issued to confirm an HISTORIC CHANGE IN POINT OF DIVERSION approved by an order of the Water Resources Director entered _____, approving Transfer Application T- 13296, and supersedes Certificate 94224, State Record of Water Right Certificates.

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

WITNESS the signature of the Water Resources Director, affixed _____.

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

GDPS OK

COURCHANE Corey A * WRD

From: Dewald Family <dewald_fam@charter.net>
Sent: Tuesday, September 21, 2021 1:35 PM
To: COURCHANE Corey A * WRD
Subject: FW: SORT report
Attachments: SORT Dewald.pdf

Corey;

I hope this is what you are looking for and that I'm not too late.

Thank you.

Lynne

From: Christina Turner <Christina.Turner@amerititle.com>
Sent: Tuesday, September 21, 2021 1:19 PM
To: 'dewald_fam@charter.net' <dewald_fam@charter.net>
Subject: SORT report

Here you are 😊

Thank you,



Christina Turner | Escrow Officer

16271 S Highway 101 (no mail delivery)

P O Box 7468 | Brookings, OR | 97415

(541) 412-5281 | 541-412-5287 Fax

Christina.turner@amerititle.com brookings@amerititle.com

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AmeriTitle offices are open by APPOINTMENT ONLY M-F 8AM-5PM



15 Oregon Ave., Bend, OR 97703
PHONE (541)389-7711 FAX (541)389-0506

Date: September 1, 2021
Order No. 490214AM
Reference: 99625 Winchuck River Rd
Brookings, OR 97415

We have enclosed our SORT Report pertaining to order number 490214AM.

Thank you for the opportunity to serve you. Your business is appreciated!

If you have any questions or need further assistance, please do not hesitate to contact your Title Officer listed below.

Sincerely,

A handwritten signature in black ink, appearing to read "TV", written over a light blue grid background.

Tonya Vejar, tonya.vejar@amerititle.com
Title Officer

Received by OWRD
SEP 21 2021
Salem, OR

NOTICE: Please be aware that, due to the conflict between federal and state laws concerning the legality of the cultivation, distribution, manufacture or sale of marijuana, the Company is not able to close or insure any transaction involving land that is associated with these activities.



15 Oregon Ave., Bend, OR 97703
PHONE (541)389-7711 FAX (541)389-0506

STATUS OF RECORD TITLE

September 1, 2021
Title Number: 490214AM
Title Officer: Tonya Vejar
Fee: \$200.00

We have searched the status of record title as to the following described property:

See attached Exhibit 'A'

Vestee:

K. Lynne Dewald, Successor Trustee of the Carol K. Johnson Revocable Living Trust, u/t/d May 4, 2006, as to an undivided one-half interest and Lynne Dewald, trustee of the Robert W. Johnson Revocable Living Trust, u/t/d May 4, 2006, as to an undivided one-half interest

and dated as of August 5, 2021 at 7:30 a.m.

Said property is subject to the following on record matters:

Tax Information:

Taxes assessed under Code No. 17-3 Account No. R13356 Map No. 4113-00-02700-00

NOTE: The 2020-2021 Taxes: \$1,329.57, are Paid (Includes \$922.81 in Fire Patrol)

Taxes assessed under Code No. 27-3 Account No. R25956 Map No. 4113-00-02700-00

NOTE: The 2020-2021 Taxes: \$3,518.04, are Paid

1. City liens, if any, of the City of Brookings.
(No inquiry has been made. If no search is requested, this exception will remain in the policy. A charge of \$30.00 per account will be added if a search is requested)
2. The 2021-2022 Taxes: A lien not yet due or payable.
3. Taxes deferred, as disclosed by the tax roll, the premises herein described have been zoned or classified for farm use. At any time that said Land is disqualified for such use the property will be subject to additional taxes or penalties and interest.
4. The assessment roll and the tax roll disclose that the premises herein described were specially assessed as Forest Land. If the Land becomes disqualified for the special assessment under the statute, an additional tax may be levied for the last five (5) or lesser number of years in which the land was subject to the special land use assessment.

5. Mobile Home Taxes assessed under Account No. M29307.

The 2012 Taxes: \$37.27, plus interest, unpaid.
The 2013 Taxes: \$37.51, plus interest, unpaid
The 2014 Taxes: \$43.09, plus interest, unpaid
The 2015 Taxes: \$43.85, plus interest, unpaid
The 2016 Taxes: \$48.82, plus interest, unpaid
The 2017 Taxes: \$48.49, plus interest, unpaid
The 2018 Taxes: \$59.58, plus interest, unpaid
The 2019 Taxes: \$56.93, plus interest, unpaid
The 2020 Taxes: \$65.67, plus interest, unpaid
(X-00069634)

6. Mobile Home Taxes assessed under Account No. M29621.

The 2012 Taxes: \$63.06, plus interest, unpaid.
The 2013 Taxes: \$63.18, plus interest, unpaid
The 2014 Taxes: \$72.25, plus interest, unpaid
The 2015 Taxes: \$73.18, plus interest, unpaid
The 2016 Taxes: \$78.15, plus interest, unpaid
The 2018 Taxes: \$39.62, plus interest, unpaid
The 2019 Taxes: \$38.09, plus interest, unpaid
The 2020 Taxes: \$43.76, plus interest, unpaid
(X-00092770)

Received by OWRD

SEP 21 2021

Salem, OR

7. The interest of Phillippe C. Gastonguay purported owners of a mobile home situated on the subject property as disclosed by the Curry County tax rolls, identified as M29307
8. The interest of Patrice Marie Meadows purported owners of a mobile home situated on the subject property as disclosed by the Curry County tax rolls, identified as M29621
9. Rights of the public and governmental bodies in and to that portion of said premises now or at any time lying below the high water line of Winchuck River, including any ownership rights which may be claimed by the State of Oregon as to any portion now or at any time lying below the ordinary high water line.

Such rights and easements for navigation and fishing as may exist over that portion of the property now or at any time lying beneath the waters of Winchuck River.

All matters arising from any shifting in the course of Winchuck River including but not limited to accretion, reliction and avulsion.

10. Right, title and interest of the public in and to those portions of the Land lying within roads, streets or highways.
11. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Recorded: October 9, 1959
Instrument No.: 57-101
12. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Recorded: December 6, 1965
Instrument No.: 1965-001127
13. Release, including the terms and provisions thereof,
Recorded: December 6, 1965
Instrument No.: 1965-1128

14. Agreement including the terms and provisions thereof,
Recorded: December 6, 1965
Instrument No.: 1965-1129
15. Agreement, including the terms and provisions thereof,
Recorded: December 2, 1968
Instrument No.: 9-340
16. Right-of-Way Easement, including the terms and provisions thereof,
Recorded: May 23, 1975
Instrument No.: 39-214
17. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Recorded: June 25, 1975
Instrument No.: 39-863
18. Road Easement, including the terms and provisions thereof,
Recorded: December 4, 1978
Instrument No.: 65-269
19. Easements and reservations in deed from David Lamar Demartin Recovable Living Trust, u/t/d April 6, 1996 and David Lamar Demartin,
Recorded: June 26, 1997
Instrument No.: 1997-02856
20. An easement including the terms and provisions thereof, affecting the portion of said premises and for the purposes stated therein as set forth in instrument:
Recorded: September 22, 1997
Instrument No.: 1997-04316
21. Resource Easement, including the terms and provisions thereof,
Recorded: September 17, 2001
Instrument No.: 2001-4719
22. Grant of Perpetual Easement, including the terms and provisions thereof,
Recorded: November 5, 2010
Instrument No.: 2010-4324
23. Judgment in the State Circuit Court, County of Curry, for the amount herein stated and any other amounts due.
Creditor: Midland Funding, LLC
Debtor: Robert Johnson
Amount: \$4,946.54
Case No.: 12CV0766
Entered: December 11, 2012
24. Limited Judgment Granting Petition for Instructions and Distribution of Estate Assets into Irrevocable Trust, including the terms and provisions thereof,
Case No.: 17PB07889
Filed: November 8, 2017

NOTE: Any map or sketch enclosed as an attachment herewith is furnished for information purposes only to assist in property location with reference to streets and other parcels. No representation is made as to accuracy and the company assumes no liability for any loss occurring by reason of reliance thereon.

Order No. 490214AM

Page 4

NOTE: The Manufactured Structure located on the subject property has been detitled as evidenced by Application to Exempt a Manufactured Structure from Registration and Titling, including the terms and provisions thereof,
Recorded: May 3, 2011
Instrument No.: 2011-1555

THIS IS NOT A TITLE REPORT, A COMMITMENT TO ISSUE TITLE INSURANCE OR A GUARANTEE OF ANY KIND. No liability is assumed with this report. The fee charged for this service does not include supplemental reports or other services. Further dissemination of the information in this report in a form purporting to insure title to the herein described land is prohibited by law.

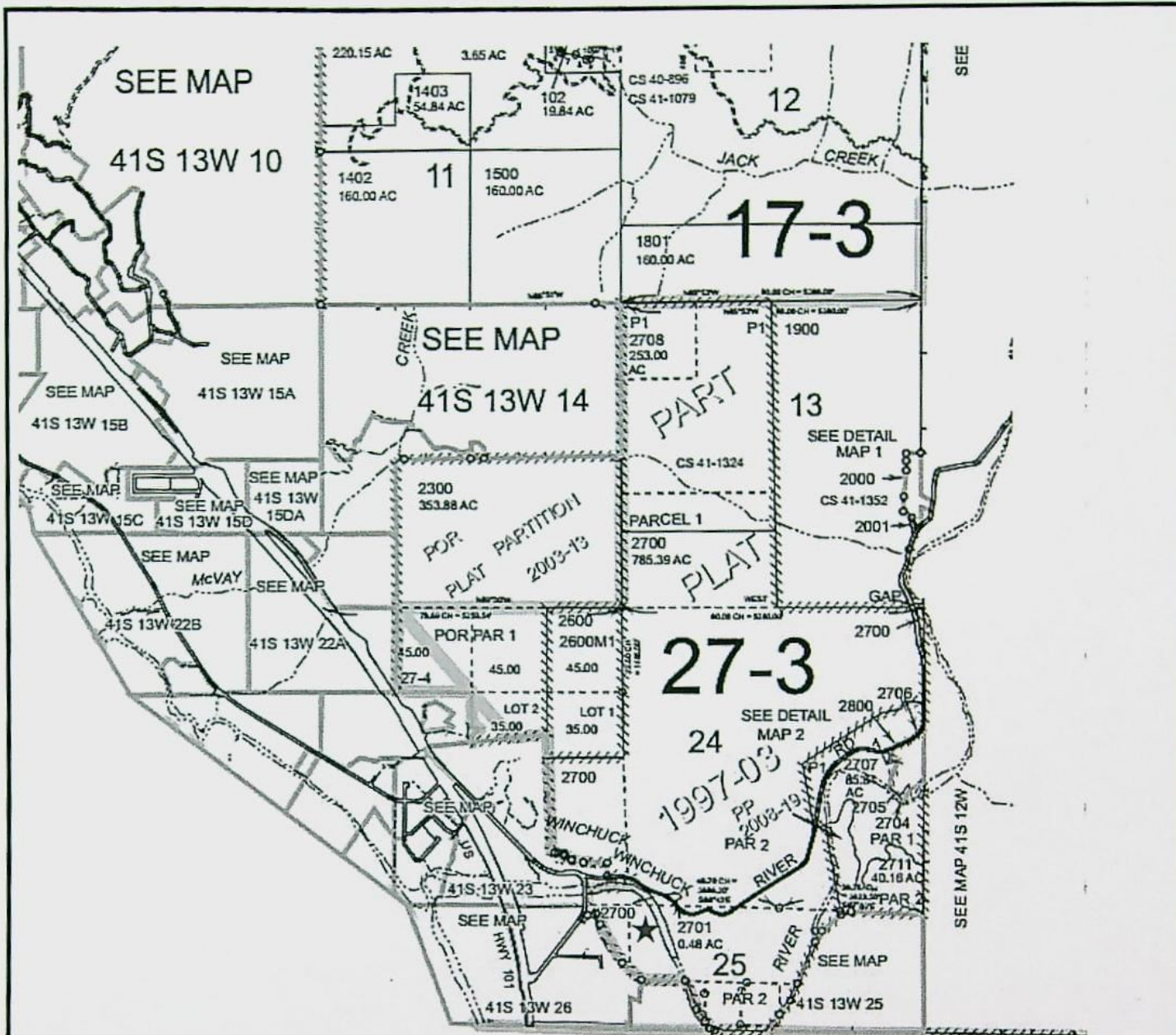
"Superior Service with Commitment and Respect for Customers and Employees"

Received by OWRD
SEP 21 2021
Salem, OR

EXHIBIT 'A'

File No. 490214AM

Parcel 2, of Partition Plat filed March 17, 1997, as Plat Number 1997-03, Drawer Number 1, and Instrument Number 97-01106 of the Official Records of Curry County, Oregon



CALIFORNIA

Received by OWRD
 SEP 21 2021
 Salem, OR



99625 Winchuck River Rd
 Brookings, OR 97415

THIS MAP IS FURNISHED AS AN ACCOMMODATION STRICTLY FOR THE PURPOSES OF GENERALLY LOCATING THE LAND. IT DOES NOT REPRESENT A SURVEY OF THE LAND OR IMPLY ANY REPRESENTATIONS AS TO THE SIZE, AREA OR ANY OTHER FACTS RELATED TO THE LAND SHOWN THEREOF



Oregon

Kate Brown, Governor

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

August 11, 2021

K LYNNE JOHNSON DEWALD
99499 WINCHUCK RIVER RD
BROOKINGS, OR 97415

SUBJECT: Water Right Transfer Application T-13296

Your water right transfer change in point of diversion to reflect historical use is in the first phase of processing.

Submittal of the following required item is needed at this time:

1. You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must be:
 - i. Prepared within 3 months of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Prepared within 3 months of recording of a water right conveyance agreement; **OR**
 - iii. Have a prepared date showing ownership at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; **AND**
- e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).

Enclosed is a copy of Oregon Department of Fish and Wildlife (ODFW) Additional Fish Screening and Passage Information for the Applicant. You will note that ODFW requires a fish screening and/or by-pass device to be installed. We will establish a deadline for compliance with this condition. Please contact the ODF&W personnel listed on the document for assistance.

The Watermaster has determined that a water measurement device is necessary at the diversion point. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

Issuance of the Final Order will occur shortly after we receive the report of ownership. The order may be issued denying the application as incomplete if I do not receive the report of ownership by **September 10, 2021**.

Please do not hesitate to contact me, at corey.a.courchane@oregon.gov or (503) 979-3917, if I may be of assistance.

Sincerely,

A handwritten signature in black ink, appearing to read "Corey Courchane". The signature is fluid and cursive, with a long horizontal stroke at the end.

Corey Courchane
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-13296
Scott C. Ceciliani, District 14 Watermaster (*via e-mail*)
Marc Van Camp, Agent for the applicant (*via e-mail*)

Enclosures:
ODFW Contact Sheet
Watermaster Contact Sheet

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-13296

Review Due Date:

Applicant Name: Klynne Johnson Dewald

Proposed Changes: POU POD POA USE OTHER

Reviewer(s): Scott Ceciliani

Date of Review: 05/05/2020

- Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? Yes No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
- 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:
My knowledge of this system is limited. The Surface Water Summary application suggests that regulation has occurred on the Winchuck River for WRs with priority dates junior to 5/22/1964, but does not identify the specific WRs.
- Have headgate notices been issued for the source that serves the transferred right(s)?
 Yes No Records not available.
- 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:
- In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? Yes No If "Yes", describe how the rights would be affected and list the rights most affected:



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

N/A

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

unknown.

N/A

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

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

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

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

Yes No If "Yes", explain:

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

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

Yes No If "Yes", explain:

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

Yes No If "Yes", answer the following:

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

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

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

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

Yes No If "Yes", describe:

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

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

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

Yes No If "Yes", explain:

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

Yes No If "Yes", explain:

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

Yes No If "Yes", explain:

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

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

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

A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

- Weir
- Parshall Flume
- Other: _____
- Submerged Orifice
- Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant
(To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 23384

[X] In order to avoid enlargement of the right or injury to other rights, a totalizing flow meter will be required to be installed prior to diversion of water, as a condition of this transfer:

[X] 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: Scott Ceciliani

District: 14

Address: 700 NW Dimmick Street

City/State/Zip: Grants Pass, Oregon 97526

Phone: Office: 541-476-1288

Email: scott.c.ceciliani@oregon.gov

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

Approval of an Alternate Measurement Device T-
(to be filled out after consultation with the applicant, or after a site visit)

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

Watermaster signature District Date

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

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

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form

(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: T-13296

Date of review: 2/10/20

A. Please check box if you believe there is a potential for injury to an instream water right.

The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on _____ [stream], tributary to _____, because _____.

(Please attach any available supporting information.)

Note: This will prompt WRD to make a determination whether the transfer will injure an instream water right. *(OWRD makes the determination of injury to a water right, while ODFW's role is to raise concerns, and to evaluate proposed mitigation and net benefit to the resource if OWRD consents to injury of an instream water right.)*

B. Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.525 or 540.532:

1. Screen Maintain

[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

Condition: The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

2. Screen Now

[Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Condition: Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

*Please return all 3 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1266*

3. Screen 2 Year

[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: _____

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost-share funds become available to assist in the construction of a fish screen. If cost-share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost-share funding.

Condition: By October 1, 20__ [Within two years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user may withdraw water at the new point of diversion without a screen until October 1, 20__. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

4. Screen Future

[Use this option if fish are not currently present, but might possibly be at some future time.]

Note: This option will yield the following:

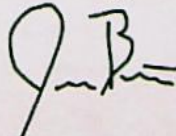
Finding of Fact: The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

Condition: The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

5. No Screen Needed

[Check this box if fish are not currently present, and are not expected in the future.]

Signature



Jason Brandt
Printed Name

(541) 464-2182

Phone

SW Hydro Coordinator

Title

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer #: T-13296

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. **Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.**

ODFW staff name: Rich Kilbane

Address: 1495 E. Gregory Road

City/State/Zip: Central Point, OR 97502

Phone: (541) 826-8774

- This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: Jason Brandt

Address: 4192 North Umpqua Highway

City/State/Zip: Roseburg, OR 97470

Phone: (541) 464-2182



Oregon
Kate Brown, Governor

file T13296

Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
(503) 986-0900
Fax (503) 986-0904

December 9, 2019

K LYNNE JOHNSON DEWALD
99499 WINCHUCK RIVER RD
BROOKINGS, OR 97415

Reference: Application T- 13296

On December 2, 2019, we received your water right Transfer application. The application was accompanied by \$1680.00. Our receipt number 131452 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, and a review form is also being sent to Oregon Department of Fish and Wildlife, to see whether a fish screen may be required.

If the land is sold before the transfer is approved, the buyer's consent to the transfer 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) 986-0815.

Cc: Watermaster Dist. #19 (via email)
Marc Van Camp, Agent
Curry County Planning Department

Enclosure



State of Oregon
 Water Resources Department
 725 Summer Street NE, Suite A
 Salem, Oregon 97301-1266
 (503) 986-0900

Application for Historic Change in Point of Diversion/Appropriation

Part 1 of 5 – Minimum Requirements Checklist

This historic change in point of diversion/appropriation application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
 For questions, please call (503) 986-0900, and ask for Transfer Section.

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

- Part 1 – Completed Minimum Requirements Checklist.
- Part 2 – Completed Application Map Checklist.
- Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.
- Part 4 – Completed Applicant Information and Signature.
- Part 5 – Information about the Transferred Water Rights: **How many water rights are to be transferred? 2 List them here: 80415 & 94224**
 Please include a separate Part 5 for each water right. (See instructions on page 5)

Attachments:

- Completed Application Map (Does not have to be prepared by a Certified Water Right Examiner).
- Completed Evidence of Use Affidavit and supporting documentation showing that water has been used on the land for five years prior to transfer filing AND diverted at the actual, current point of diversion/appropriation for more than 10 years.
- Statement from the local Watermaster, based upon the Watermaster's knowledge and Department records, that no complaint of injury has been made due to the use of water at the actual, current point of diversion/appropriation.
- Land Use Information Form with approval and signature (or signed land use form receipt stub).
- N/A Affidavit(s) of Consent from Landowner (if the applicant does not own the land the water right is on.)
- N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

(For Staff Use Only)

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

___ Application fee not enclosed/insufficient	___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete	___ Part ___ is incomplete
___ Additional signature(s) required	Other/Explanation _____
Staff: _____ 503-986-0_____	Date: ___/___/___

Part 2 of 5 – Historic Change in Point of Diversion/Appropriation Application Map Checklist

Your historic change in point of diversion/appropriation application will be returned if any of the map requirements listed below are not met.

Please be sure that the historic change in point of diversion/appropriation application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- N/A If more than three water rights are involved, separate maps are needed for each water right.
- Permanent quality printed with dark ink on white or clear paper or film.
- The size of the map can be 8½ x 11 inches, 8½ x 14 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, three (3) paper copies and an electronic copy in a .pdf, .tiff or .jpg format are required.
- A north arrow, a legend, and scale.
- The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- Tax lot boundaries (property lines) and county tax lot numbers are required.
- Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- Authorized 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.
- Actual, current point of diversion/appropriation. Show the location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).
- 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 If for more than one actual, current point of diversion/appropriation. separate hachuring is needed for each place of use served by each point of diversion/appropriation, including the 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.

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Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? Yes No *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.*

At this time, are the lands in this 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:

<http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf>

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

Describe any special ownership circumstances here: _____

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

ENTITY NAME	ADDRESS			RECEIVED
CITY	STATE	ZIP	DEC 02 2019	

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

ENTITY NAME CURRY COUNTY	ADDRESS 94234		
CITY GOLD BEACH	STATE OR	ZIP 94235	

Explain in your own words what you propose to accomplish with this transfer application; and why: This historic change application is meant to accurately represent the historic point of diversion used for irrigation on the Dewald Ranch under Certificates 80415 and 94224, formerly Certificate 17325. The historic P.O.D. was used prior to T-8377, which the transfer application failed to show. This created the need to divert from the certified P.O.D. in California to put T-8377 to full beneficial use, though it had historically never been used. The historic P.O.D. has long been used as the sole P.O.D. for both certificates.

If you need additional space, continue on a separate piece of paper and attach to the application as "Attachment 16" - 19296

INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document**;
- OR**
- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

- Unlock the document by clicking the **Review** tab; toggle the **Restrict Editing** icon at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "Allow only this type of editing in the document: **Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page 5 of 9 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 80415

Description of Water Delivery System

System capacity: 0.9 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.

25 HP Pump and handline mainline and laterals.

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Table 1. Location of Authorized and Current 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 the Current POD/POA that has been used for more than 10 years?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current		41	S	13	W	23	SE	SE		NOT PROVIDED IN CERTIFICATE
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current		41	S	13	W	25	SE	NW	GL3	NOT PROVIDED IN CERTIFICATE
POD 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current		41	S	13	W	25	NW	NW		NOT PROVIDED IN CERTIFICATE
POD 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current		41	S	12	W	25	NW	NE		667' E. & 157' S. OF P.O.B.

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

- Point of Diversion (POD) Additional Point of Diversion (APOD)
 Point of Appropriation/Well (POA) Additional Point of Appropriation (APOA)

Will the historic change in point of diversion/appropriation affect the entire water right?

- Yes** Complete only the proposed section of Table 2 on the next page.
 No Complete all of Table 2 to describe the portion of the water right to be changed.

13296 -

Please use and attach additional pages of Table 2 as needed. Do you have questions about how to fill-out the tables? See page 5 for instructions, or contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 80415

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one actual, current POD/POA, specify the acreage associated with each actual, current POD/POA.

Authorized ("from" lands) as they appear before the changes										Proposed Change (POD, POA, APOD, or APOA)	Current (in use for more than ten years) POD(s)/POA(s) to be used (from Table 1)	Priority Date	
Twp	Rng		Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acreage (if applicable)	POD(s) or POA(s) (name or number from Table 1)				
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2	POD	POD #5	1897
"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	"

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

- Well log(s) are attached for each authorized and current 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/)

OR

- Describe the construction of the authorized and current well(s) in Table 3 for any wells that do not have a well log.

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 adequate information is likely to delay the processing of your transfer application.

Current or Authorized POA Name or Number	OWRD Well ID Tag No. L-____ (if available)	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 94224

Description of Water Delivery System

System capacity: 0.9 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. _____

25 HP Pump and handline mainline and laterals.

Table 1. Location of Authorized and Current 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 the Current POD/POA that has been used for more than 10 years?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current		41	S	13	W	23	SE	SE		NOT PROVIDED IN CERTIFICATE
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current		41	S	13	W	25	SE	NW	GL3	NOT PROVIDED IN CERTIFICATE
POD 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Current		41	S	13	W	25	NW	NW		NOT PROVIDED IN CERTIFICATE
POD 4	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Current		41	S	12	W	25	NW	NE		667' E. & 157' S. OF P.O.B.

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

- Point of Diversion (POD) Additional Point of Diversion (APOD)
 Point of Appropriation/Well (POA) Additional Point of Appropriation (APOA)

Will the historic change in point of diversion/appropriation affect the entire water right?

- Yes Complete only the proposed section of Table 2 on the next page.
 No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed. Do you have questions about how to fill-out the tables? See page 5 for instructions, or contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 94224

List only the part of the right that will be changed. For the acreage in each 1/4 1/4, list the change proposed. If more than one actual, current POD/POA, specify the acreage associated with each actual, current POD/POA.

Authorized ("from" lands) as they appear before the changes										Proposed Change (POD, POA, APOD, or APOA)	Current (in use for more than ten years) POD(s)/POA(s) to be used (from Table 1)	Priority Date	
Twp	Rng	Sec	1/4 1/4		Tax Lot	Gvt Lot or DLC	Acreage (if applicable)	POD(s) or POA(s) (name or number from Table 1)					
2	S	9	E	15	NE	NW	100		15.0	POD #1 POD #2	POD	POD #5	1897
"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	"

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 OWRD

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

- Well log(s) are attached for each authorized and current 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/)

OR

- Describe the construction of the authorized and current well(s) in Table 3 for any wells that do not have a well log.

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 adequate information is likely to delay the processing of your transfer application.

Current or Authorized POA Name or Number	OWRD Well ID Tag No. L-____ (if available)	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - specific rate (cfs or gpm). If less than full rate of water right

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Attachments:

- 1) Application Map
- 2) Watermaster Statement
- 3) Land Use Information Form
- 4) Evidence of Use Affidavit and supporting docs

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Application for Water Right Historic POD/POA Transfer Watermaster Statement



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

I, Gregory J. Wacker, Watermaster of District 19,

state that to my knowledge, there has been no claim of injury due to use of an historic point of diversion/appropriation for Certificate 80415, 94224

from Winchuck R., located as follows:
(source)

By Township, Range Section and distances from a Survey Corner:

Twp	Rng	Mer	Sec	Q-Q	DLC	GLot	Measured Distances
		W.M.					

OR

by GPS coordinates: Latitude _____ Longitude _____

OR

as shown on the attached map.

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Signature

11-08-2019
Date

13296 -

Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss
 County of CURRY)

I, K LYNNE JOHNSON DEWALD, in my capacity as OWNER,
 mailing address 99499 WINCHUCK RIVER RD
BROOKINGS, OR 97415

telephone number (541)269-2682, being first duly sworn depose and say:

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

- Personal observation Professional expertise

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2. I attest that:

Water was used during the previous five years on the **entire** place of use for Certificate # 80415 & 94224; **OR**

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

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

OR

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

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(continues on reverse side)

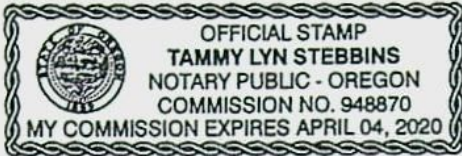
3. The water right was used for: (e.g., crops, pasture, etc.): _____

4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

K. Lynn Johnson DeWard
Signature of Affiant

25 Nov 2019
Date

Signed and sworn to (or affirmed) before me this 25 day of Nov, 2019.



Tammy Lyn Stebbins
Notary Public for Oregon

My Commission Expires: April 4 2020

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

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Stanhurst Bulb Farms

ROBERT STANHURST INC.

P.O. Box 540 • Smith River, Ca. 95567
Phone (707) 487-5355 or 487-3635

December 6, 1999

To whom it may concern:

Our business has raised easter lilies on the Johnson / De Martin ranch for the last 5 years. We raise the lilies on a 1 year out of 4 year rotation. We rent from 5 acres to 10 acres each year.

Lilies can not be grown on these fields without irrigation and we irrigate once every 10-14 days from May thru October depending on the season. We have all the irrigation electric bills to substantiate this.

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Sincerely,
Gary M Derr
Field manager



13296 -

Irrigation

Coos-Curry Electric Cooperative, Inc.

PO BOX 1268 43050 HWY. 101
ORT ORFORD, OREGON 97465

Name/Address:

MERLYN B CLARKE
1/2 STANHURST BULBS
PO BOX 1776
BROOKINGS OR 97415-0046

ACCOUNT NUMBER

53565003

STATEMENT DATE

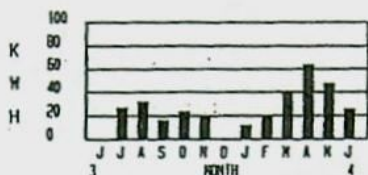
06/25/2004

**DELINQUENT IF NOT PAID
ON OR BEFORE THIS DATE**

07/20/2004

SERVICE DESCRIPTION	METER NO.	RATE	METER READINGS		BILLING DAYS	METER MULTIPLIER	KILOWATT HOURS USED	CODE	AMOUNT
			PREVIOUS	PRESENT					
Balance Forward									0.00
99529 WINCHUCK-15 HP	100297	25	0	591	23	1	591	N	35.46
			May24	Jun16					
Meter Charge									6.00
Horsepower Charge									42.30
	591 KWH @	.060000	=	35.46			35.46		
KW DEMAND				12.902		1	12.902		0.00
	12.902 KW @	.000000	=	0.00			0.00		
Connect Fee									20.00

Average KWH per Day: 26
This Month Last Year: 12



NO PAYMENT RECEIVED SINCE LAST BILL

BEGINNING BALANCE	CHARGES	PAYMENTS	ADJUSTMENTS	TOTAL DUE
.00	83.76	.00	20.00	103.76

"DIG SAFELY -- 1-800-332-2344"

The sun is shining, the beginning of warmth is in the air, the feeling to be outside doing yard work is here! Whether you are digging holes for plants, putting in fences or using a backhoe for construction, please be safe and call the "OREGON UTILITY NOTIFICATION CENTER" at 1-800-332-2344. Call 48 hours before you dig. Requests accepted 24 hours a day, 7 days a week.

Account # 53565003
CURRENT BILL 103.76
31 - 60 DAYS .00
61 - 90 DAYS .00
OVER 90 DAYS .00

TOTAL DUE 103.76
=====

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Coos-Curry Electric Cooperative, Inc.
 1268 43050 HWY. 101
 AT ORF OREGON 97465

Name/Address:
 ITZEN BULB FARM INC
 PO BOX 1124
 BROOKINGS OR 97415-0029

ACCOUNT NUMBER 55365011	STATEMENT DATE 09/06/2006
----------------------------	------------------------------

DELINQUENT IF NOT PAID
 ON OR BEFORE THIS DATE 10/02/2006

SERVICE DESCRIPTION	METER NO.	RATE	METER READINGS		BILLING DAYS	METER MULTIPLIER	KILOWATT HOURS USED	CODE	AMOUNT
			PREVIOUS	PRESENT					
Last Month's Bill									100.84
No Payments Received									100.84
Balance Forward									100.84
99529 WINCHUCK-15 HP	100297	25	8999	8999	0	1	0	F	0.00
			Aug14	Aug14					
Meter Charge									14.00
KW DEMAND									0.00
10.456 KW @		.000000	=	10.456		1	10.456		0.00
				0.00			0.00		

Average KWH per Day:	0
This Month Last Year	31

NO PAYMENT RECEIVED SINCE LAST BILL

BEGINNING BALANCE	CHARGES	PAYMENTS	ADJUSTMENTS	TOTAL DUE
100.84	14.00	.00	.00	114.84

PAID
 SEP 11 2006
 Coos-Curry Electric Co-op, Inc.
 Brookings, Oregon

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Safety around electric lines is very important. Teach your children to keep kites and other flying objects away from power lines and poles. Never play on or around electrical boxes or transformers. Make sure your children know that electrical equipment can be very dangerous and to be extra cautious when they are around it at bus stops, playgrounds, and even in your own backyard.

All of us at Coos-Curry Electric wish our members and their families a safe and wonderful school year!

Account #	55365011
CURRENT BILL	14.00
31 - 60 DAYS	100.84
61 - 90 DAYS	.00
OVER 90 DAYS	.00
TOTAL DUE	114.84

SEE REVERSE SIDE FOR MORE INFORMATION

Johnson-DeMartin Ranch, LLC

1/16/2014 3:11 PM

Register: LLC 2012

From 01/01/2013 through 01/16/2014

Sorted by: Date, Type, Number/Ref

Date	Number	Payee	Account	Memo	Payment	C	Deposit	Balance
08/06/2013	auto	Coos Curry Electric	Utilities	6409	15.20	X		28,691.49
08/06/2013	592	Del Cur Coop	General Livestock Expe...		804.54	X		27,886.95
08/06/2013	593	Oregon Dept of Ag (O...	brand inspection	48 & 28 to Red...	30.00	X		27,856.95
08/07/2013	594	Crescent City Hay & F...	Repairs and Maintenance	cattle panels	152.50	X		27,704.45
08/10/2013	595	Paul/Ed Bair	Hay	alfalfa - 2013-14	12,024.42	X		15,680.03
08/15/2013	596	Colvin Oil	Gasoline, Fuel and Oil	diesel	797.32	X		14,882.71
08/26/2013		Redwood Meat Co.	Cattle Sale	Deposit #28 & 4...			3,476.40	18,359.11
08/28/2013	600	Lynne Johnson Dewald	General Livestock Expe...	valley vet/grang...	1,361.64	X		16,997.47
08/30/2013	online	Musser Acctg.	Payroll Expenses	july	72.80	X		16,924.67
08/31/2013		Evergreen Bank	Interest income	Deposit x6409			0.01	16,924.68
08/31/2013		Evergreen Bank	Bank Service Charges	6409	10.00	X		16,914.68
09/03/2013	online	Moss-Adams	Tax Prep		1,570.00	X		15,344.68
09/03/2013	online	Evergreen Bank	Bank Service Charges	statement copies	35.00	X		15,309.68
09/04/2013	598	Bruce Griffith	Payroll Expenses	aug 2013	1,980.34	X		13,329.34
09/05/2013		Evergreen Bank	Interest income	Deposit x2801		X	0.15	13,329.49
09/06/2013	auto	Coos Curry Electric	Utilities	6409	495.27	X		12,834.22
09/11/2013	online	Gold Beach Lumber	Fencing		323.84	X		12,510.38
09/13/2013	585	Bruce Griffith Expenses	Unknown	reim expenses	200.00			12,310.38
09/17/2013	601	Lynne Johnson Dewald	reimbursement	pgs 11-13 reimb	1,495.87	X		10,814.51
09/18/2013		Del Cur Coop	General Livestock Expe...		276.12	X		10,538.39
09/18/2013	online	Hastings Natural Beef	Hay	35 balage @ \$4...	1,400.00	X		9,138.39
09/18/2013	online	Musser Acctg.	Payroll Expenses	ck 9002254	27.30	X		9,111.09
09/19/2013	online	Town & Country Ani...	Vet/Meds/Medical	hereford bull ck ...	171.00	X		8,940.09
09/23/2013	597	Paul/Ed Bair	Hay	owed 200 inv 429	200.00			8,740.09
09/26/2013		Evergreen Bank	Interest income	Deposit			0.16	8,740.25
09/26/2013		Mike Brown Livestock	Cattle Sale	Deposit - deposi...			55,878.50	64,618.75
09/26/2013		Mike Brown Livestock	Cattle Sale	Deposit - deposi...			18,904.75	83,523.50
09/26/2013	online	Hastings Natural Beef	Hay	35 haylage @ 4...	1,400.00			82,123.50
09/27/2013	603	Scott & Norma Ocacio	Fencing		500.00			81,623.50
09/28/2013	605	Robert W. Johnson	Member 1 Equity	not cashed	500.00			81,123.50
09/28/2013	606	Mike Johnson	Member 2 Equity	not sent	500.00			80,623.50
09/30/2013		Evergreen Bank	Interest income	Deposit x6409			0.01	80,623.51
10/01/2013	online	SAIF	Insurance Expense	SFCVOL00005...	870.86			79,752.65
10/02/2013		Redwood Meat Co.	Cattle Sale	Deposit - bulls #...			2,778.70	82,531.35
10/03/2013	599	Robert W. Johnson	reimbursement	reim of materials	246.30			82,285.05
10/07/2013	604	US Treas.	Taxes		73.52			82,211.53
10/08/2013	auto	Coos Curry Electric	Utilities	October x6409	701.92			81,509.61
10/08/2013	607	Bruce Griffith	Payroll Expenses	September	1,696.79			79,812.82
10/21/2013	609	voided	Other					79,812.82

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Coos-Curry Electric Cooperative, Inc.

P.O. BOX 1268 43050 Hwy. 101
 PORT ORFORD OREGON 97465
 PHONE 541-332-3931

See reverse side for additional information about your bill

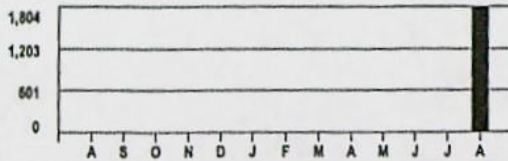
SERVICE DATE	ACCOUNT NUMBER	MEMBER NAME	SERVICE ADDRESS	STATEMENT DATE				
07/16/19 TO 08/11/19	93805001	JOHNSON-DEMARTIN RANCH LLLC	99529 WINCHUCK RIVER-15 HP	08/21/19				
SERVICE DESCRIPTION	METER NUMBER	RATE	METER READINGS	BILLING DAYS	MULT	KWH USAGE	CODE	CHARGES
B8-84R3	80826	26	PREVIOUS: 36725 PRESENT: 38529	26	1	1804	0	
ENERGY CALCULATION								152.44
BASIC CHARGE								39.29
SUBTOTAL								191.73
PREVIOUS AMOUNT DUE								39.29
THANK YOU FOR YOUR PAYMENT 08/05/19								-39.29
TOTAL AMOUNT DUE								191.73
AVERAGE KWH PER DAY: 69.38 AVERAGE KWH LAST MO: 0.00 AVERAGE THIS MO. LAST YR: 0.00 STATEMENT DATE: 08/21/19 TOTAL AMOUNT DUE: \$191.73								

Pump

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CURRENT BILL DELINQUENT IF NOT PAID ON OR BEFORE THIS DATE 09/16/19

YOUR ELECTRICITY USE OVER THE LAST 13 MONTHS



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PLEASE DETACH AND RETURN THIS PORTION WITH PAYMENT

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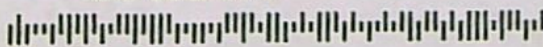
Coos-Curry Electric Cooperative, Inc.
 P.O. BOX 1268 * 43050 HWY. 101
 PORT ORFORD OREGON 97465-1268
 ADDRESS SERVICE REQUESTED

TO BE PAID BY DRAFT

CYCLE 5	
STATEMENT DATE	08/21/19
ACCOUNT NUMBER	93805001
CURRENT BILL AMOUNT	\$191.73
PAST DUE/PREVIOUS BALANCE	\$0.00
TOTAL AMOUNT DUE	\$191.73

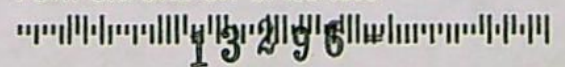
CURRENT BILL DELINQUENT IF NOT PAID ON OR BEFORE THIS DATE 09/16/19

*****AUTO**5-DIGIT 97415



JOHNSON-DEMARTIN RANCH LLLC 938 4
 C/O LYNNE JOHNSON DEWALD
 99499 WINCHUCK RIVER RD
 BROOKINGS OR 97415-9378

COOS-CURRY ELECTRIC COOPERATIVE INC
 PO BOX 1268
 PORT ORFORD OR 97465-1268




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Coos-Curry Electric Cooperative, Inc.

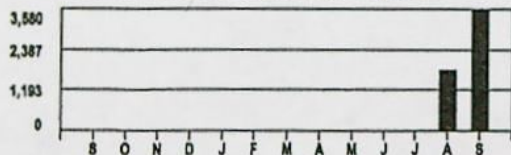
P.O. BOX 1268 43050 Hwy. 101
 PORT ORFORD OREGON 97465
 PHONE 541-332-3931

See reverse side for additional
 information about your bill

SERVICE DATE	ACCOUNT NUMBER	MEMBER NAME	SERVICE ADDRESS				STATEMENT DATE			
08/11/19 TO 09/11/19	93805001	JOHNSON-DEMARTIN RANCH LLLC	99529 WINCHUCK RIVER-15 HP				09/21/19			
SERVICE DESCRIPTION	METER NUMBER	RATE	METER READINGS		BILLING DAYS	MULT	KWH USAGE	CODE	CHARGES	
			PREVIOUS	PRESENT						
B8-84R3	80826	26	38529	42109	31	1	3580	0		
ENERGY CALCULATION									302.51	
BASIC CHARGE									39.29	
SUBTOTAL									341.80	
PREVIOUS AMOUNT DUE									191.73	
THANK YOU FOR YOUR PAYMENT 09/05/19									-191.73	
TOTAL AMOUNT DUE									341.80	
RECEIVED DEC 02 2019 OWRD 										
AVERAGE KWH PER DAY: 115.48			AVERAGE KWH LAST MO: 69.38			AVERAGE THIS MO. LAST YR: 0.00				
STATEMENT DATE						09/21/19		TOTAL AMOUNT DUE		\$341.80

CURRENT BILL DELINQUENT IF NOT PAID ON OR BEFORE THIS DATE 10/16/19

YOUR ELECTRICITY USE OVER THE LAST 13 MONTHS



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 online at www.ccec.coop
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PLEASE DETACH AND RETURN THIS PORTION WITH PAYMENT

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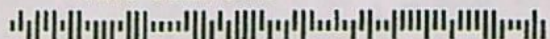
Coos-Curry Electric Cooperative, Inc.
 P.O. BOX 1268 * 43050 HWY. 101
 PORT ORFORD OREGON 97465-1268
 ADDRESS SERVICE REQUESTED

TO BE PAID BY DRAFT

CYCLE 5	
STATEMENT DATE	09/21/19
ACCOUNT NUMBER	93805001
CURRENT BILL AMOUNT	\$341.80
PAST DUE/PREVIOUS BALANCE	\$0.00
TOTAL AMOUNT DUE	\$341.80

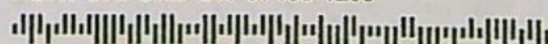
CURRENT BILL DELINQUENT IF NOT PAID ON OR BEFORE THIS DATE 10/16/19

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JOHNSON-DEMARTIN RANCH LLLC 4
 C/O LYNNE JOHNSON DEWALD 933
 99499 WINCHUCK RIVER RD
 BROOKINGS OR 97415-9378

COOS-CURRY ELECTRIC COOPERATIVE INC
 PO BOX 1268
 PORT ORFORD OR 97465-1268



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Your Teachers' Energy Cooperative

Coos-Curry Electric Cooperative, Inc.

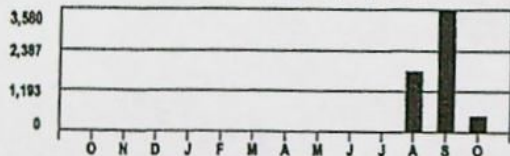
P.O. BOX 1268 43050 Hwy. 101
PORT ORFORD OREGON 97465
PHONE 541-332-3931

See reverse side for additional
information about your bill

SERVICE DATE	ACCOUNT NUMBER	MEMBER NAME	SERVICE ADDRESS				STATEMENT DATE		
09/11/19 TO 10/12/19	93805001	JOHNSON-DEMARTIN RANCH LLLC	99529 WINCHUCK RIVER-15 HP				10/21/19		
SERVICE DESCRIPTION	METER NUMBER	RATE	METER READINGS		BILLING DAYS	MULT	KWH USAGE	CODE	CHARGES
			PREVIOUS	PRESENT					
B8-84R3	80826	26	42109	42598	31	1	489	0	
ENERGY CALCULATION									41.32
BASIC CHARGE									39.29
SUBTOTAL									80.61
PREVIOUS AMOUNT DUE									341.80
THANK YOU FOR YOUR PAYMENT 10/07/19									-341.80
TOTAL AMOUNT DUE									80.61
RECEIVED									
DEC 02 2019									
OWRD									
AVERAGE KWH PER DAY: 15.77 AVERAGE KWH LAST MO: 115.48 AVERAGE THIS MO. LAST YR: 0.00									
STATEMENT DATE						10/21/19	TOTAL AMOUNT DUE		\$80.61

CURRENT BILL DELINQUENT IF NOT PAID ON OR BEFORE THIS DATE 11/15/19

YOUR ELECTRICITY USE OVER THE LAST 13 MONTHS



TO BE PAID BY DRAFT

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Please make any comments or suggestions on the reverse side of the returned section.

All charges are due upon receipt. Past due balances may result in additional fees and/or service disconnection.

PLEASE BRING ENTIRE BILL IF PAYING IN PERSON, PLEASE DETACH AND RETURN BOTTOM PORTION IF PAYING BY MAIL.

PLEASE DETACH AND RETURN THIS PORTION WITH PAYMENT

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Your Teachers' Energy Cooperative

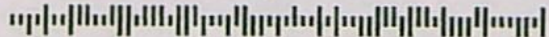
Coos-Curry Electric Cooperative, Inc.
P.O. BOX 1268 * 43050 HWY. 101
PORT ORFORD OREGON 97465-1268
ADDRESS SERVICE REQUESTED

TO BE PAID BY DRAFT

CYCLE 5	
STATEMENT DATE	10/21/19
ACCOUNT NUMBER	93805001
CURRENT BILL AMOUNT	\$80.61
PAST DUE/PREVIOUS BALANCE	\$0.00
TOTAL AMOUNT DUE	\$80.61

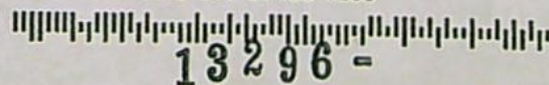
CURRENT BILL DELINQUENT IF NOT PAID ON OR BEFORE THIS DATE 11/15/19

*****AUTO**5-DIGIT 97415



JOHNSON-DEMARTIN RANCH LLLC 4
C/O LYNNE JOHNSON DEWALD 927
99499 WINCHUCK RIVER RD
BROOKINGS OR 97415-9378

COOS-CURRY ELECTRIC COOPERATIVE INC
PO BOX 1268
PORT ORFORD OR 97465-1268



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IRRIGATION EQUIPMENT RENTAL AGREEMENT

THIS AGREEMENT IS MADE AND EXECUTED BETWEEN:

RENTOR: J. W. Kerns, Inc.

and RENTEE: ROBERT W JOHNSON RLT & CAROL K JOHNSON RLT
99499 WINCHUCK RIVER RD
BROOKINGS, OR 97415

TELEPHONE:

Rentor and Rentee, the respective successors and assigns mutually and severally agree and covenant as follows:

1. EQUIPMENT: Rentor agrees to rent to Rentee and Rentee agrees to rent to Rentor the sprinkler irrigation pipe and accessory equipment more particularly described in Exhibit "A" attached hereto and made a part hereof. Said pipe and equipment is hereinafter referred to as the "equipment".
2. EQUIPMENT LOCATION: Rentee will pick up the equipment or J. W. Kerns, Inc. shall deliver the equipment described on Exhibit "A" to the following described location:, BROOKING, OR on or before AUG 15, 2016. Rentee shall deliver to Rentor a release and waiver by Rentee's secured creditors and Landlord (if land is rented or leased by Rentee) of any lien, lien rights or claimed security interest on or against the equipment described on Exhibit "A". The equipment shall not be moved from the real property described above without Rentor's prior written consent.
3. TERM: The Term of this Agreement commences upon the date Rentee executed and signs this Rental Agreement. The term ends approximately November 2016.
4. RENT: Rentee shall pay the rent in the sum of \$6935.00 to Rentor. Rentor shall have no duty to deliver the equipment to the real property described above until the later of the date set forth above or ten days after rentor receives the rent. Rentee will be responsible for the return of the rental equipment no later than NOVEMBER 1st, 2016, unless the equipment will be re-rented for the following year.

This Rental Agreement is subject to the terms and conditions on the back of this sheet and on the attached sheet.

RENTEE: WE ACKNOWLEDGE AND COVENANT THAT WE HAVE HAD FULL AND UNRESTRICTED OPPORTUNITY TO READ THIS AGREEMENT AND HEREBY AGREE AND CONSENT TO BE BOUND BY ITS TERMS.

RENTEE: *Robert W Johnson RLT & Carol K Johnson RLT*
ROBERT W JOHNSON RLT &
CAROL K JOHNSON RLT

RENTOR:

J. W. KERNS, INC.

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IRRIGATION EQUIPMENT RENTAL AGREEMENT

COPY

THIS AGREEMENT IS MADE AND EXECUTED BETWEEN:

RENTOR: J. W. Kerns, Inc.

and RENTEE: ROBERT W. JOHNSON RLT, CAROL K JOHNSON RLT
99499 WINCHUCK RIVER RD
BROOKINGS, OR 97415

TELEPHONE:

Rentor and Rentee, the respective successors and assigns mutually and severally agree and covenant as follows:

1. EQUIPMENT: Rentor agrees to rent to Rentee and Rentee agrees to rent to Rentor the sprinkler irrigation pipe and accessory equipment more particularly described in Exhibit "A" attached hereto and made a part hereof. Said pipe and equipment is hereinafter referred to as the "equipment".

2. EQUIPMENT LOCATION: Rentee will pick up the equipment or J. W. Kerns, Inc. shall deliver the equipment described on Exhibit "A" to the following described location:, BROOKINGS, OR on or before JUNE 13, 2017. Rentee shall deliver to Rentor a release and waiver by Rentee's secured creditors and Landlord (if land is rented or leased by Rentee) of any lien, lien rights or claimed security interest on or against the equipment described on Exhibit "A". The equipment shall not be moved from the real property described above without Rentor's prior written consent.

3. TERM: The Term of this Agreement commences upon the date Rentee executed and signs this Rental Agreement. The term ends approximately November 2017.

4. RENT: Rentee shall pay the rent in the sum of \$4018.50 to Rentor. Rentor shall have no duty to deliver the equipment to the real property described above until the later of the date set forth above or ten days after rentor receives the rent. Rentee will be responsible for the return of the rental equipment no later than NOVEMBER 1st, 2017, unless the equipment will be re-rented for the following year.

This Rental Agreement is subject to the terms and conditions on the back of this sheet and on the attached sheet.

RENTEE: WE ACKNOWLEDGE AND COVENANT THAT WE HAVE HAD FULL AND UNRESTRICTED OPPORTUNITY TO READ THIS AGREEMENT AND HEREBY AGREE AND CONSENT TO BE BOUND BY ITS TERMS.

RENTEE:

RENTOR:

ROBERT W. JOHNSON RLT, CAROL K JOHNSON RLT

J. W. KERNS, INC.

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RELEASE AND WAIVER OF LIEN RIGHTS
AND SECURITY INTERESTS

COPY

RENTOR: J. W. KERNS, INC.

RENTEE: ROBERT W. JOHNSON RLT, CAROL K JOHNSON RLT
99499 WINCHUCK RIVER RD
BROOKINGS, OR 97415

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TELEPHONE:
EQUIPMENT: Sprinkler irrigation pipe and accessories described on Exhibit "A" attached
hereto and made a part hereof.

2019

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RELEASE AND WAIVER: The undersigned is a landlord, Contract-Vendor, Mortgagee, Secured Creditor or of the above named Rentee. The undersigned understands that Rentor has agreed to rent to Rentee the irrigation equipment described in Exhibit "A", and that prior to delivery of said equipment by Rentor to Rentee, the Rentee must obtain this Release and Waiver from any person or organization who may claim a legal or equitable interest or lien now or in the future in the equipment described above by virtue of a lease, contract, security agreement or otherwise with the Rentee.

Therefore, the undersigned hereby waives and releases any and all interest, claims or lien right which it may now have or hereafter acquire in the equipment described on Exhibit "A". The undersigned, to the extent it has any rights or authority, hereby grants to the Rentor the right to repossess and remove the equipment described above from any real property upon which it may be located.

This waiver and Release granted hereby shall continue and be binding on the undersigned even though the equipment may now be or hereafter become in any manner affixed or attached to real property or any improvements thereon.

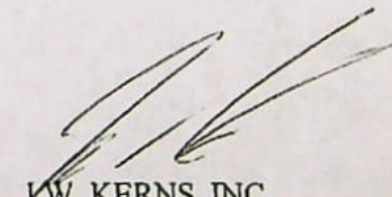
This Waiver and Release is made in consideration of the Rentor's Agreement to rent the equipment described on Exhibit "A" to Rentee.

Dated this 13 day of JUNE 2017

RENTEE:

RENTOR:

ROBERT W. JOHNSON RLT, CAROL K JOHNSON RLT


J.W. KERNS, INC.

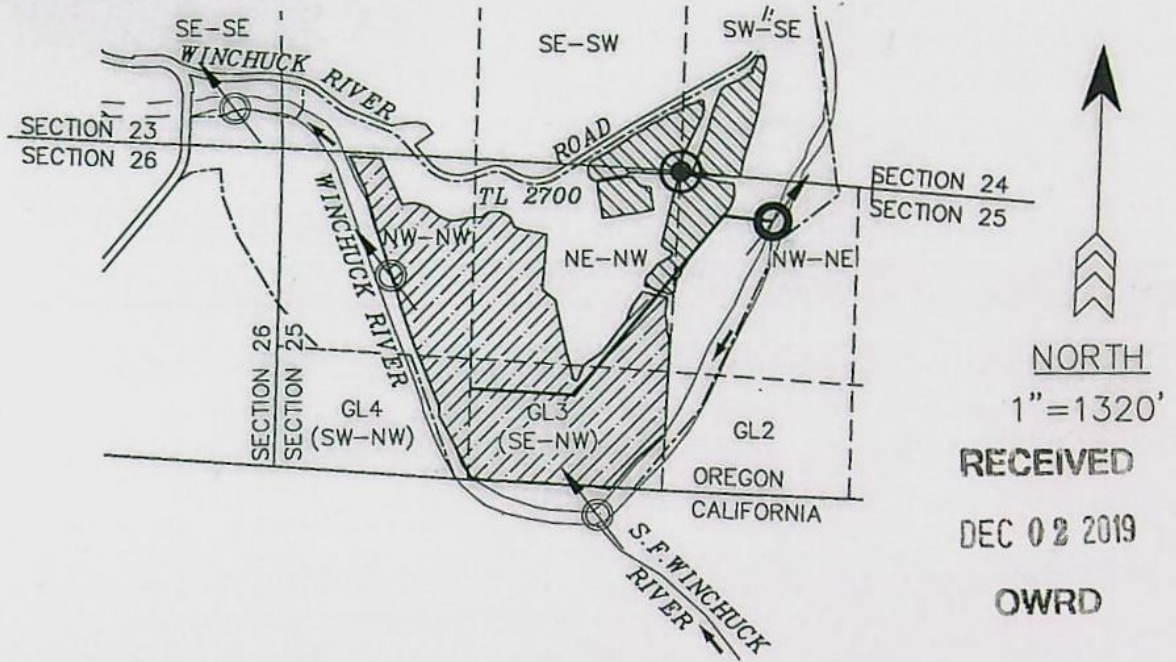
COPY

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OWRD

HISTORIC CHANGE IN POINT OF DIVERSION
CERTIFICATES 80415 & 94224
LOCATED IN SECTIONS 24 & 25,
TOWNSHIP 41 SOUTH, RANGE 13 WEST, W.M.
CURRY COUNTY, OREGON



NORTH
 1"=1320'
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POINT OF BEGINNING (P.O.B.)
 N1/4 COR. SEC.25, T41S., R13W., W.M..

POINTS OF DIVERSION. (P.O.D.)

-CERTIFICATE 80415 & 94224
 AUTHORIZED P.O.D. (NO LOCATION
 DESCRIPTION PROVIDED IN CERTIFICATE)

-CERTIFICATE 80415 & 94224
 CURRENT P.O.D., 667' EAST AND 157'
 SOUTH OF P.O.B.



CERTIFICATE 80415 P.O.U.	
Q-Q, SECTION	ACRES
NE-NW, SEC.25	15.6
NW-NW, SEC.25	15.4
GL 4 (SW-NW), SEC.25	1.6
GL 3 (SE-NW), SEC.25	21.8



CERTIFICATE 94224 P.O.U.	
Q-Q, SECTION	ACRES
NE-NW, SEC.25	4.0
NW-NE, SEC.25	3.6
SE-SW, SEC.24	3.8
SW-SE, SEC.24	5.6

- APPROX. MAINLINE LOCATION
- TAXLOT BOUNDRY
- SECTION LINES
- 1/16 SECTION LINES
- DIRECTION OF FLOW

DISCLAIMER: THIS MAP WAS PREPARED FOR THE PURPOSE OF IDENTIFYING THE LOCATION OF WATER RIGHT ONLY AND IS NOT INTENDED TO PROVIDE LEGAL DESCRIPTIONS OR LOCATIONS OF PROPERTY LINES.



EXPIRES 06/30/2020

VCC

**VAN CAMP
 CONSULTING**

P.O. Box 995
 Coos Bay, OR 97420
 (541) 297-1880
 vancampconsulting@gmail.com

Prepared For:

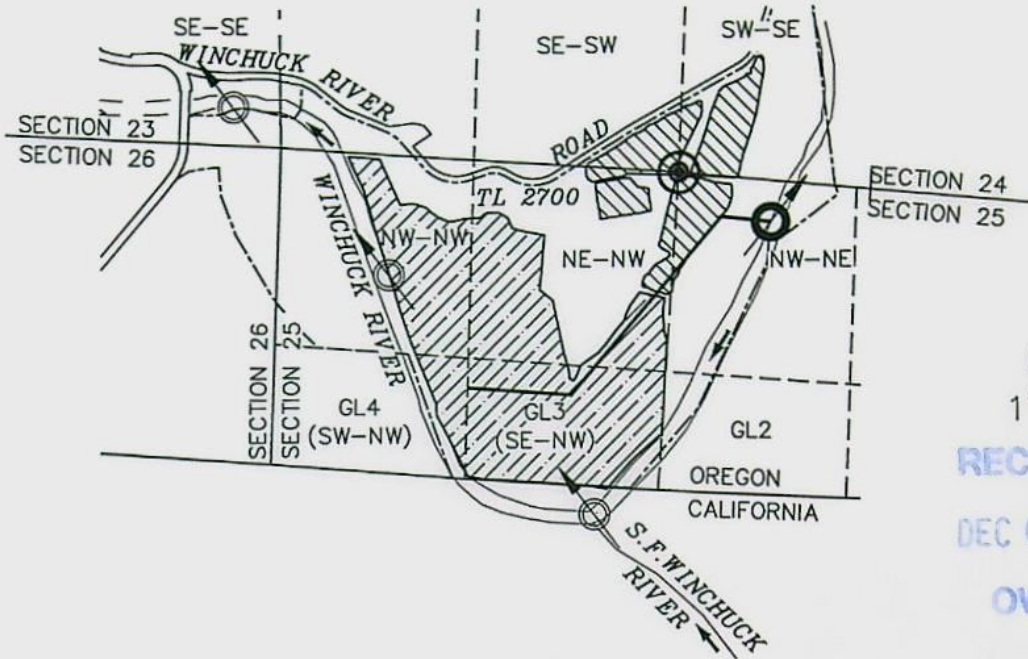
K LYNNE JOHNSON DEWALD
 99499 WINCHUCK RIVER RD
 BROOKINGS, OR 97415

Project:

HISTORIC CHANGE IN POINT
 OF DIVERSION APPLICATION
 MAP

Date: **13296**
 September 8, 2019

**HISTORIC CHANGE IN POINT OF DIVERSION
 CERTIFICATES 80415 & 94224
 LOCATED IN SECTIONS 24 & 25,
 TOWNSHIP 41 SOUTH, RANGE 13 WEST, W.M.
 CURRY COUNTY, OREGON**



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- APPROX. MAINLINE LOCATION
- - - TAXLOT BOUNDARY
- SECTION LINES
- - - 1/16 SECTION LINES
- ↗ DIRECTION OF FLOW

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EXPIRES 06/30/2020

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Prepared For:
 K LYNNE JOHNSON DEWALD
 99499 WINCHUCK RIVER RD
 BROOKINGS, OR 97415

Project:
 HISTORIC CHANGE IN POINT
 OF DIVERSION APPLICATION
 MAP

Date:
 September 8, 2019

Land Use Information Form



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

Applicant(s): K LYNNE JOHNSON DEWALD

Mailing Address: 99499 WINCHUCK RIVER RD

City: BROOKINGS

State: OR

Zip Code: 97415

Daytime Phone: 541-269-2682

A. Land and Location

Please include the following information for all tax lots where water will be diverted (taken from its source), conveyed (transported), and/or used or developed. Applicants for municipal use, or irrigation uses within irrigation districts may substitute existing and proposed service-area boundaries for the tax-lot information requested below.

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>41 S</u>	<u>13 W</u>	<u>25</u>	<u>NW-NW</u> <u>NE-NW</u> <u>NW-NE</u> <u>SW-NW</u> <u>SE-NW</u>	<u>2700</u>	<u>EFU</u>	<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>PASTURE</u>
<u>41 S</u>	<u>13 W</u>	<u>24</u>	<u>SE-SW</u> <u>SW-SE</u>	<u>2700</u>	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>PASTURE</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____

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

Curry County, Oregon

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B. Description of Proposed Use

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

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

Source of water: Reservoir/Pond Ground Water Surface Water (name) WINCHUCK RIVER

Estimated quantity of water needed: 0.9CFS cubic feet per second gallons per minute acre-feet

Intended use of water: Irrigation Commercial Industrial Domestic for _____ household(s)
 Municipal Quasi-Municipal Instream Other _____

Briefly describe:

Proposed historic change of point of diversion is to properly represent the point of diversion used to irrigate the Dewald ranch for over the past 40 years. Previous water right actions have misrepresented the actual point of diversion used under the former Certificate # 17325, which is now represented by Certificate numbers 80415 and 94224.



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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For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): Section 3.071 - Uses Permitted Outright in the EFU Zone, Curry County Zoning Ordinance
- Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

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DEC 02 2019

QWRD

Name: Becky Crockett Title: Planning Director
 Signature: Becky Crockett Phone: (541)247-3228 Date: 9/16/2019
 Government Entity: Curry County Planning Department

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

Historic Change in POD/POA Water Right Transfer Application Completeness Checklist

Checked by: Aula

Date: 12/5/19

(If OK, check box to left; if not, fill in the blank)

1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____
2. Does the attached local "Watermaster Statement" indicate that, based upon the watermaster's knowledge and Department records, no complaint of injury has been made due to use of water at the actual, current point of diversion or appropriation (*i.e., the historic POD/POA*)?
- If **NO**, a complaint of injury has NOT been made – proceed to Item #3.
 - If **YES**, a complaint of injury has been made – **STOP!**
The application does not meet the criteria for ORS 540.532 (OAR 690-380-2120).
→ Return the application/fees and direct the applicant to *instead* use the standard POD/POA change Transfer Application and process under ORS 540.520 & 540.530 (OAR 690-380-2110).
3. Is the applicant an "individual" as required by ORS 540.532 and defined in OAR 690-380-2120(7)?
- If **YES**, the applicant is an "individual" – proceed to Item #4.
 - If **NO**, the applicant is not an "individual" – **STOP!**
The application does not meet the criteria for ORS 540.532 and OAR 690-380-2120(7).
→ Return the application/fees and direct the applicant to *instead* use the standard POD/POA change Transfer Application and process under ORS 540.520 & 540.530 (OAR 690-380-2110).
4. Are fees included and correct?
If not, the correct fee would be: , so the amount missing is:
5. Page 3 of application: Have all the applicants listed at the top of the page signed at the bottom?
If not, whose signature is missing? _____
6. Are all listed certificates or permits shown by WRIS as non-cancelled?
If not, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.
7. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
 N/A Form D needed from _____ (district)
8. If all #1-#7 boxes on this checklist are checked, accept the application. Put this check sheet in the transfer folder. If #1, #2, #3, #4, #5, #6 or #7 on this checklist is deficient, the application cannot be accepted. It should be returned and the **deficiencies listed in the "staff" section at the bottom of Application Page 1**, unless the applicant or agent can resolve the deficiencies within 2-3 days.

STATE OF OREGON
WATER RESOURCES DEPARTMENT

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **131452**

INVOICE # _____

RECEIVED FROM:

BY:

Robert W Johnson
Revocable Family Trust

APPLICATION

PERMIT

TRANSFER

T-1329B

CASH:

CHECK: #

OTHER: (IDENTIFY)

996

TOTAL REC'D

\$ *1,680.00*

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

RECORD FEE

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$ *1,680.00*

WELL CONSTRUCTION

EXAM FEE

0218 WELL DRILL CONSTRUCTOR

\$

0219

LICENSE FEE

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD #

0210 MONITORING WELLS

\$

CARD #

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND

TITLE

OBJ. CODE

VENDOR #

DESCRIPTION

\$

RECEIPT: **131452**

DATED: *12-2-19*

BY: *Richard*