



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

Application for  
District Permanent  
Water Right

# Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to the application is available at [www.wrd.state.or.us/OWRD/PUBS/forms.shtml#app\\_criteria\\_review](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#app_criteria_review).

Change in Place of Use Only

## 1A. APPLICANT INFORMATION

IRRIGATION DISTRICT <b>Harper Southside Irrigation District</b>			PHONE NO. <b>(541) 358-2372</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>PO Box 770</b>			COUNTY	
CITY <b>Harper</b>	STATE <b>OR</b>	ZIP <b>97406</b>	E-MAIL	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

## 1B. AGENT INFORMATION

AGENT/BUSINESS NAME <b>Paul Garvin/Garvin HydroGeo LLC</b>			PHONE NO. <b>503-347-7188</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>1705 Main St. Ste. 101</b>			FAX NO.	
CITY <b>Baker City</b>	STATE <b>OR</b>	ZIP <b>97814</b>	E-MAIL <b>garvin.hydrogeo@gamil.com</b>	
<b>BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.</b>				

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## 2. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Certificate	Permit / Previous Transfer	Decree
1.	96019	T -13745	Malheur River
2.		-	
3.		-	
4.		-	
5.		-	
6.		-	

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## 3. ATTACHMENTS

*Check each of the following **attachments** included with this application. The application will be returned if all required attachments are not included.*

### Supplemental Form A –

#### Description of Proposed Change(s) to a Water Right

- ☒ A **separate** Supplemental Form A is enclosed for **each** water right to be affected by this transfer.

#### Map

- ☒ Permanent Transfer  
A map meeting the requirements of OAR 690-385-3300 must be included but need not be prepared by a Certified Water Right Examiner (CWRE).

#### Fees:

- ☒ Amount enclosed: \$ 4,020  
See the Department's Fee Schedule at [www.wrd.state.or.us](http://www.wrd.state.or.us) or call (503) 986-0900.

#### Land Use Compatibility Statement

- ☐ The Land Use Information Form is **not** required if water is to be diverted, conveyed and/or used only on federal lands or if **ALL** of the following apply: a) a change in place of use only, b) a change that does not involve the placement or modification of structures, c) the use of water is for irrigation **only** and d) the use is located within an irrigation district or an exclusive farm use zone. **(a, b, c, and d apply)**

## 4. SIGNATURES

The district certifies the following:

- (1) The water rights proposed for transfer are water rights subject to transfer and are not subject to forfeiture for nonuse under ORS 540.610;
- (2) Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district;
- (3) For lands which are no longer irrigated or susceptible of irrigation that are included in this transfer under the authority of ORS 540.572 and OAR 690-385-5000, notices as required under ORS.572 and OAR 690-385-5100 have been given to the user and any security interest holder of record of intent to transfer the right and the user was provided an

opportunity to resolve the matter in the manner described by ORS 540.572 and OAR 690-385-5400 and 690-385-5600.

- (4) On behalf of the district, I affirm to the best of my knowledge the information contained in this application is true and accurate.

Michael Col  
District Manager signature

Michael Colman  
name (print)

6-2-25  
date

OR

Kerry J. Marchek  
Authorized District Representative signature

Kerry L. Marchek 05/28/2025  
name (print) date

**Before submitting your application to the Department, be sure you have:**

- Answered each question completely.
- Included all the required attachments.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

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## District Permanent Water Right Transfer Application

### Supplemental Form A

#### DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A **separate Supplemental Form A must be completed for each** certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

#### 1. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certificated Right	96019	
	Certificate Number	
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____	_____
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	-	_____
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	-	_____
	Previous Transfer Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Permit for Supplemental Irrigation	-	_____
	Permit Number	

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- Name on Permit, Certificate, or Decree: Pacific Livestock Co.
- Priority Date(s): 5/10/1884

If there are **multiple Priority Dates** identified on the water right, any information provided in Supplemental Form A of this application must identify which priority date is associated with each of the authorized points of diversion or appropriation and places of use.

Source(s) of Water to be Affected by Transfer: Malheur River

Tributary to: \_\_\_\_\_

- Are there **other water rights**, Permits or Ground Water Registrations associated with this land?  
☒ Yes    ☐ No

If "Yes", what are the Permit, Registration or Certificate Numbers? **61647**

Any "layered" water use or a right that is supplemental to a primary right proposed for transfer **must be included in the transfer or be cancelled.**

- Certificate Number or other identifying number: 96019

The following information must be provided only for those points of diversion or appropriation that are involved in the transfer.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Tables I and II. Note: Permanent district transfers do not allow for a change in point of diversion or appropriation to serve the proposed place of use.

Government lot and donation land claim numbers must be included in the table below **only** if the information is reflected on the existing water right.

**Location of Existing Authorized Point(s) of Diversion (POD) or Appropriation (POA):**

(i.e., the allowed point(s) of diversion or appropriation listed on the water right for the "FROM" or "OFF" lands)

AUTHORIZED POINT(S) of DIVERSION (POD) or APPROPRIATION (POA)							
POD# or POA#	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	MEASURED DISTANCES
Harper Southside Ditch (HSSD)	20 S	41 E	13	SW SE			720 ft N and 2,010' W from the SE Corner of S13

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▪ Certificate Number or other identifying number: 96019

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Map Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

TABLE I. – AUTHORIZED PLACE OF USE

POD# or POA#	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT			
HSD	5/10/1884	IR	19S	42E	33	NE NE			300	9.5	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SW NE			300	16	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SE NE			300, 400, 500	38	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SW SW			1200, 600	10.5	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SE SW			100, 300, 500, 600	28	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	NE SE			300,400	40	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	NW SE			300	40	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SW SE			100, 300, 500	40	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SE SE			300, 400, 500	40	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	SW NE			300	4.6	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	NW NW			300	4.1	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	SW NW			300	19.1	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	NW SW			400	29.7	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	SW SW			400, 500	35	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	SE SW			400	9	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	NW SE			400	22	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	3	NW NW			300,500	22	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	NE NE		1	100, 700	46.4	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	NW NE		2	100, 200, 500, 600	54.1	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	SW NE			700	3.7	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	SE NE			700	0.1	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	NE NW		3	600, 1200	54.1	Kerry Marchek	



HSD	5/10/1884	IR	20S	42E	4	NW NW		4	1200	45.5	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	SW NW			1200	10.2	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	SE NW			1200	8.2	Kerry Marchek	
TOTAL:										629.8		

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▪ Certificate Number or other identifying number: 96019

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TABLE II. – PROPOSED PLACE OF USE

POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT			
HSD	5/10/1884	IR	19S	42E	32	SW SE			1200	1.8	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	32	SE SE			1200	7.7	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SE NW			300	18.8	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	NW NE			300	10.0	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	NE SW			100, 300, 500	16.7	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	NE NE			300	30.8	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SW NE			300	35.2	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SE NE			300, 400, 500	40.0	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SW SW			1200, 600	12.7	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SE SW			100, 300, 500, 600	16.0	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	NE SE			300,400	39.6	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	NW SE			300	35.6	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SW SE			100, 300, 500	40.0	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SE SE			300, 400, 500	40.0	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	NW NW			300	4.1	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	SW NW			300	19.1	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	NW SW			400	22.1	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	SW SW			400, 500	17.6	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	SE SW			400	5.4	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	3	NW NW			300,500	22.0	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	NE NE		1	100, 700	46.1	Kerry Marchek	

HSD	5/10/1884	IR	20S	42E	4	NW NE		2	100, 200, 500, 600	46.6	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	SW NE			700	3.7	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	SE NE			700	0.1	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	NE NW		3	600, 1200	46.8	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	NW NW		4	1200	34.6	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	SW NW			1200	8.5	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	SE NW			1200	8.2	Kerry Marchek	
TOTAL:										629.8		

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▪ Certificate Number or other identifying number: 96019

**Table revised by Paul Garvin 7/10/2025**

Map Provided the district filed notice of a change in place of use pursuant to OAR 690-385-4100, reference the District Internal Notice Number (DINN) used to describe the change(s) to be made permanent by this transfer.

Government lot (GOV'T LOT) and donation land claim numbers (DLC) must be included in the tables below **only** if the information is reflected on the existing water right.

<b>TABLE I. – AUTHORIZED PLACE OF USE (FROM LANDS)</b>												
POD# or POA#	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT			
HSD	5/10/1884	IR	19S	42E	33	SW NE			300	2.1	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SW SW			1200, 600	7.3	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SE SW			300, 500, 600	12.0	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	NE SE			300	0.4	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	NW SE			300	4.4	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	SE NE			300	4.5	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	NW SW			400	7.6	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	SW SW			500	17.4	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	SE SW			400	3.6	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	34	NW SE			400	22	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	NE NE		1	100	0.3	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	NW NE		2	1200, 100, 200	7.5	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	NW NW		4	1200	10.9	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	NE NW		3	1200	7.3	Kerry Marchek	
HSD	5/10/1884	IR	20S	42E	4	SW NW			1200	1.7	Kerry Marchek	
<b>TOTAL:</b>										<b>109.0</b>		

- Certificate Number or other identifying number: 96019

Table revised by Paul Garvin 7/10/2025

TABLE II. – PROPOSED PLACE OF USE												
POD / POA #	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT			
HSD	5/10/1884	IR	19S	42E	33	SE NW			300	18.5	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	NW NE			300	10.1	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	NE SW			100, 300, 500	16.7	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	NE NE			300	21.2	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SW NE			300	21.3	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SE NE			300	2.2	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	33	SW SW			1200, 600	9.5	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	32	SW SE			1200	1.8	Kerry Marchek	
HSD	5/10/1884	IR	19S	42E	32	SE SE			1200	7.7	Kerry Marchek	
TOTAL:										109.0		