

Regular

T-14119



Oregon

Tina Kotek, Governor

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

September 24, 2024

Ricketts Family Farm
Attn: Nick Ricketts
PO Box 130
Silver Lake, OR 97638

On September 20, 2024, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

T-14119

The COBU included a report and map. In the future the Department will review your submittal. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at: <https://www.oregon.gov/owrd/programs/WaterRights/RA/Pages/default.aspx>

Customer Service phone: (503) 986-0900

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file T-14119

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer:Corie
Transfer #:T-14119	
Date Received:9/13/2024	
CWRE Name:Scott Montgomery	
Priority Date (s):1/12/1972, 3/22/1983	

Fees Required:

- ☐ YES ☐ NO ☐ A fee of \$230 must accompany this form for permits with priority dates of July 9, 1987, or later.
- ☐ YES ☐ NO ☒ A fee of \$230 must accompany this form for any transfers including a water right with a priority date of July 9, 1987, or later.
- Example – A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.
- Fill in

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))

Report Review:

- ☒ On form provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of all permittee of transfer holder (OAR 690-014-0100)

DATE:		RECEIPT #:	
APPROVED FROM _____		COPIES FOR: _____ PERMIT _____ RECEIVED _____	
CASH <input type="checkbox"/> CHECK # <input type="checkbox"/>	OTHER IDENTITY# <input type="checkbox"/>	TOTAL RECEIVED _____	
0001 TRUCK RENT _____ 0007 CORP. _____ 0008 OTHER (IDENTITY#) _____ 0003 Minimum (cost) _____ 0004 Max. Order (High) Plan _____ 0005 Cont. Value _____		0006 TRUCK RENT _____ 0007 CORP. _____ 0008 OTHER (IDENTITY#) _____	
0009 MISCELLANEOUS _____ 0010 COPY & TAP FEE _____ 0016 RESEARCH FEE _____ 0018 UNIC. REVENUE (IDENTITY#) _____ 0019 DEPOSIT UNB. (IDENTITY#) _____ 0040 EXTENSION OF TIME _____		0011 BANK FEE _____ 0012 _____ 0013 GROUND WATER _____ 0014 TRANSPORT _____	
0015 WATER RIGHTS _____ 0016 SURFACE WATER _____ 0017 GROUND WATER _____ 0018 TRANSPORT _____		0019 _____ 0020 _____ 0021 _____ 0022 _____	
0023 WELL CONSTRUCTION _____ 0024 WELL DRILL CONSTRUCTION _____ 0025 LAKESIDE/PAINT _____ 0026 OTHER (IDENTITY#) _____		0027 _____ 0028 _____ 0029 _____	
0000 TRUCK RENT _____		0001 CONTRACTOR FEE _____	
0030 POWER LICENSE FEE (PUMPED) _____ 0031 WIND LICENSE FEE (PUMPED) _____ 0032 HYDRO APPLICATION _____		0033 _____ 0034 _____ 0035 _____	
SPECIAL INSTRUCTIONS:			

Groundwater File Review:

- ☐ Pump Test not required (Priority Date prior to December 20, 1988) *If no, include pump test flyer w/acknowledgment letter
☐ Pump Test required (Priority Date on or after December 20, 1988)
☐ Pump Test submitted
☐ Pump Test not submitted

**CLAIM OF
BENEFICIAL USE
for Transfers
Place of Use Only**



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

A fee of \$230 must accompany this form for any transfer final orders including a water right with a priority date of July 9, 1987, or later.

Example - A transfer involves 5 rights and one of the rights has a priority date of July 9, 1987, or later, the fee is required.

A separate form shall be completed for each transfer.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

"Section 7" of this form is intended to aid in the completion of this form and should not be submitted.

A claim of beneficial use includes both this report and a map. If the map is being mailed separately from this form, please include a note with this form indicating such.

If you have questions regarding the completion of this form, please call 503-979-9103.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see:

<https://www.oregon.gov/OWRD/programs/WaterRights/RA/Pages/default.aspx>

SECTION 1

GENERAL INFORMATION

Type of Authorized Change

This Claim is being submitted for a transfer where the only authorized change was a change in place of use.

If additional changes were authorized, you will need to select a different form.

1. File Information

APPLICATION #

T-14119

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YES NO

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Ricketts Family Farm/Nick Ricketts		PHONE NO. 541-280-5773	ADDITIONAL CONTACT NO.
ADDRESS PO Box 130			
CITY Silver Lake	STATE OR	ZIP 97638	E-MAIL Rickettsfamilyfarm@gmail.com

If the current property owner is not the transfer holder of record, it is recommended that an assignment be filed with the Department. ***Each transfer holder of record must sign this form.***

3. Transfer holder of record (this may, or may not, be the current property owner)

TRANSFER HOLDER OF RECORD Same as above		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection:

8/16/2024

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Nick Ricketts	8/16/2024	Owner/Applicant

6. County:

Lake

7. If any property described in the place of use of the transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(5)):

OWNER OF RECORD Same as above		
ADDRESS		
CITY	STATE	ZIP

Add additional tables for owners of record as needed

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SECTION 2
SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.

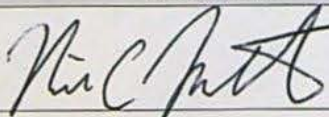


CWRE NAME Scott D Montgomery		PHONE NO. 541-548-5833	ADDITIONAL CONTACT NO. 541-420-0401
ADDRESS PO Box 767			
CITY Terrebonne	STATE OR	ZIP 97760	E-MAIL swcott@apeands.com

Transfer Holder of Record Signature or Acknowledgement

Each transfer holder of record must sign this form in the space provided below.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	TITLE	DATE
	Nick Ricketts	Owner	9-5-2024

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SECTION 3

EXTENT OF CHANGE COMPLETED

1. Claim Summary:

If Irrigation or Nursery Use:

THE # OF ACRES ALLOWED	THE # OF ACRES DEVELOPED
45.5	45.5

If the use(s) was not irrigation or nursery:

WAS THE NEW PLACE OF USE DEVELOPED TO THE FULL EXTENT AUTHORIZED UNDER THE ORDER? (INCLUDE THE LOCATION OF THE DEVELOPED PLACE USE ON THE CLAIM MAP)
NA

2. Variations:

Was the use developed differently from what was authorized by the transfer final order? **NO**

If yes, describe below.

(e.g. "The order authorized a change in place of use for 40 acres. The water user only developed 38 acres.")

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SECTION 4

CONDITIONS

All conditions contained in the transfer, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Describe how the water user has complied with each of the development timelines established in the transfer final order and any extensions of time issued for the transfer:

	DATE FROM TRANSFER	DATE THE AUTHORIZED CHANGE WAS COMPLETED *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	7/12/2024	
COMPLETENESS DATE FROM ORDER (C)	10/1/2025	8/16/2024

* MUST BE WITHIN PERIOD BETWEEN TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETE THE CHANGE

2. Is there an extension final order(s)?

NO

3. Measurement Conditions:

a. Does the transfer final order require the installation of a meter or approved measuring device?

YES

b. Has a meter been installed?

YES

c. Meter Information

POD/POA NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
#1	Lindsay	GA22062141	Off	25543.9 gal x 1000	2024

4. Other conditions required by the transfer final order:

a. Other conditions?

NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

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SECTION 5
ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Well log	LAKE 1385
Site photos	Location/time stamped photos from irrigation system & POU

SECTION 6
CLAIM OF BENEFICIAL USE MAP

A Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on polyester film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

For the purpose of this Claim, the map must identify the developed new place of use. The existing point(s) of diversion or point(s) of appropriation are required to be included on the Claim map, based on the locations described in the transfer final order.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.

The irrigation system & place of use "POU" were tied to approximate boundaries using a Topcon FC 6000 data collector. Point data was imported into Topcon Magnet Tools Software & converted to Statewide Lambert Projection

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Map Checklist

Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

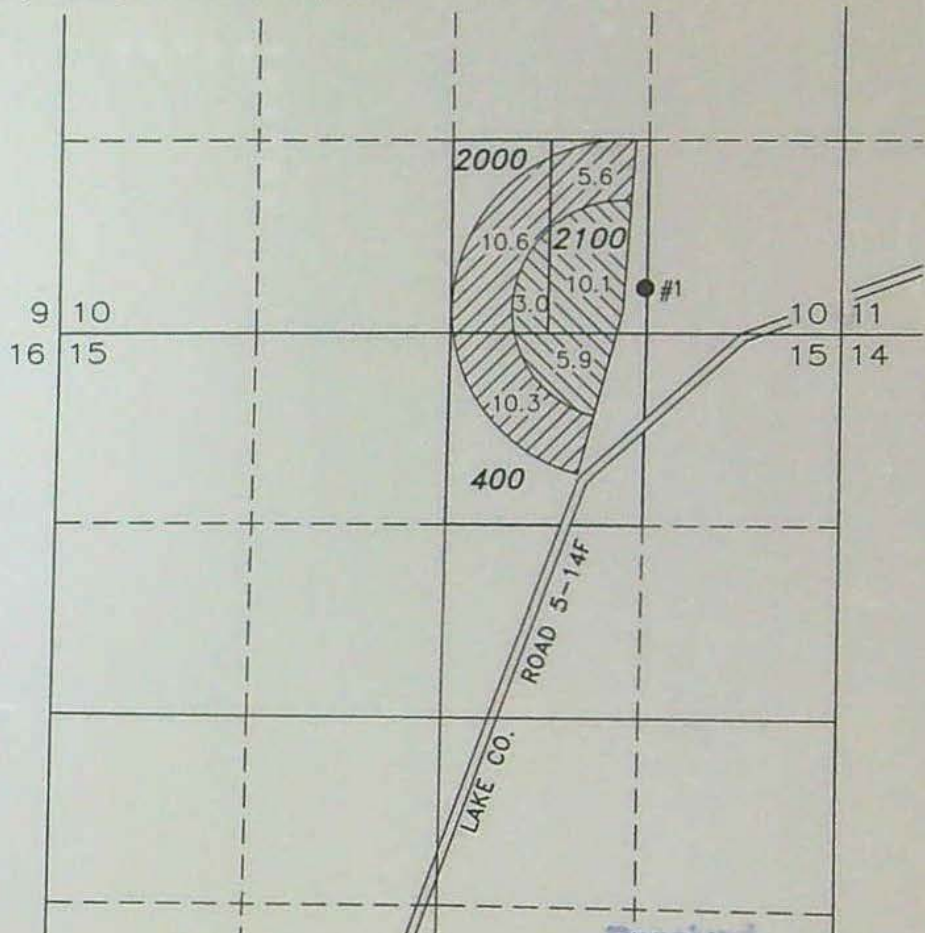
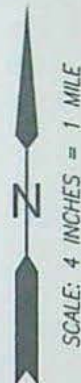
- ☒ Map on polyester film.
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, ~~Donation~~ Land Claims, and Government Lots
- ☐ Locations of fish screens ~~and/or fish by-pass~~ devices in relationship to point of diversion
- ☒ Locations of meters ~~and/or measuring~~ devices in relationship to point of diversion
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.) ***Not required for this type of Claim of Beneficial Use**
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☐ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Transfer application number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

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CLAIM OF BENEFICIAL USE MAP

TO CHANGE PLACE OF USE
PER TRANSFER, T-14119
FOR RICKETTS FAMILY FARM

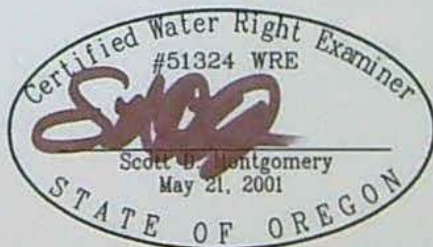
TOWNSHIP 28 SOUTH, RANGE 16 EAST, SECTIONS 10 & 15, W.M.
TAX LOTS: 400, 2000, & 2100 LAKE COUNTY, OREGON



19.0 ACRES FROM G-5511
(CERT.# 46880)
TRANSFERRED, AS SHOWN



26.5 ACRES FROM G-10043
(CERT.# 91249)
TRANSFERRED, AS SHOWN



RENEWAL DATE: 12/31/2024

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

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- #1
EXISTING WELL #1 (LAKE 1385)
310' NORTH & 1340' WEST FROM THE SE CORNER
SECTION 10.

METER IS LOCATED ON THE DELIVERY PIPE 3 FEET
NORTH OF THE WELL

PREPARED FOR:

RICKETTS FAMILY FARM
P.O. BOX 130
SILVER LAKE, OR 97638

PREPARED BY:



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

State Well No. 28/16-10dc
State Permit No. _____

(1) OWNER:

Name Emil Wolfstam
Address Box 222 Silver Lake Ore
97683

(2) TYPE OF WORK (check):

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

(3) TYPE OF WELL:

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

(4) PROPOSED USE (check):

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

CASING INSTALLED:

12" Diam. from 0 ft. to 36 ft. Gage 250
" Diam. from _____ ft. to _____ ft. Gage _____
" Diam. from _____ ft. to _____ ft. Gage _____

PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used _____

Size of perforations _____ in. by _____ in.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.
_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name _____
Type _____ Model No. _____
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

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

Yield: 425 gal./min. with 98 ft. drawdown after 12 hrs.

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

Artesian flow _____ g.p.m.

Temperature of water _____ Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used Grout

Well sealed from land surface to 34 FT ft.

Diameter of well bore to bottom of seal 16 in.

Diameter of well bore below seal 12 in.

Number of sacks of cement used in well seal 2 sacks

Number of sacks of bentonite used in well seal None sacks

Brand name of bentonite B.S.

Number of pounds of bentonite per 100 gallons

of water _____ lbs./100 gals.

Was a drive shoe used? ☐ Yes ☒ No Plugs _____ Size: location _____ ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Lake Driller's well number _____

8 1/2 SW 1/4 SE 1/4 Section 10 T. 28 S. R. 16 E W.M.

Bearing and distance from section or subdivision corner 920 FT

N 1/2 1/2 W of the SE corner

of Above Described Property

(11) WATER LEVEL: Completed well.

Depth at which water was first found 32 FT ft.

Static level 22 FT ft. below land surface. Date 6-28-71

Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 12 1/8

Depth drilled 114 ft. Depth of completed well 114 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Top soil	0	2	
White Chalk	2	11	
Diatomaceous Earth	11	33	
Lake Rock (Broken)	33	36	
Solid lava	36	72	
sand stone (water)	72	76	
lava (solid)	76	88	
lava sinders (water)	88	94	
Gray lava Rock	94	99	
Red lava Rock	99	103	
Black Lava Rock	103	108	
Lava cinders (water)	108	114	

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Work started 5-29 1971 Completed 6-28 1971

Date well drilling machine moved off of well 6-28 1971

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] John W Beck Date 6-14, 1971
(Drilling Machine Operator)

Drilling Machine Operator's License No. H37

Water Well Contractor's Certification:

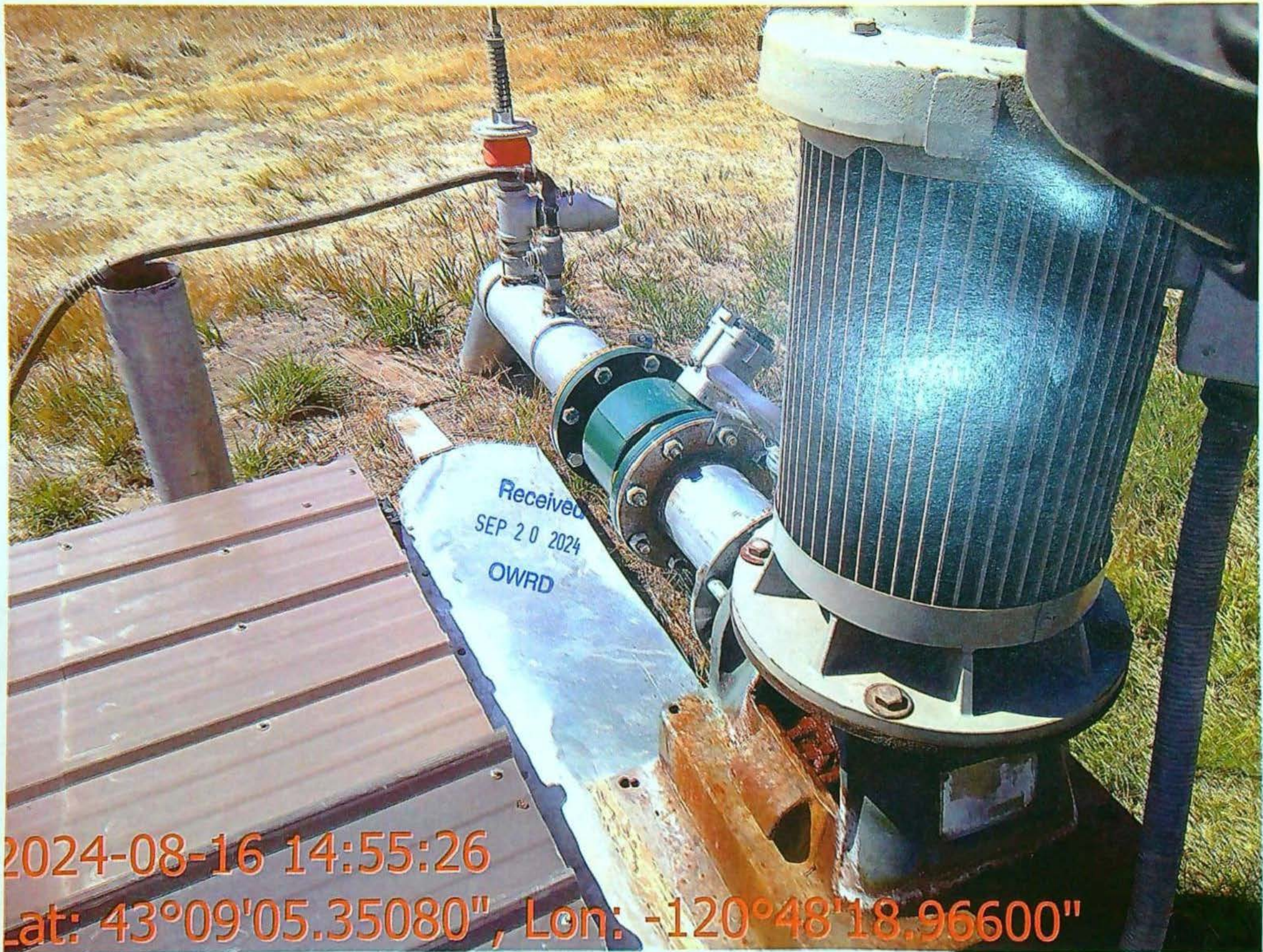
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

Name J W Beck well-drilling
(Person, firm or corporation) (Type or print)

Address 140 Sky Lane Dr Canby Ore

[Signed] John W Beck
(Water Well Contractor)

Contractor's License No. 449 Date 6-14, 1971



2024-08-16 14:55:26

Lat: 43°09'05.35080", Lon: -120°48'18.96600"



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2024-08-16 14:57:26

Lat: 43°09'05.38080", Lon: -120°48'18.95340"

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2024-08-16 14:59:05

Lat: 43°09'04.17011", Lon: -120°48'21.14214"

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2024-08-16 15:04:12
Lat: 43°09'15.77940", Lon: -120°48'19.89420"



ALL POINTS
ENGINEERING & SURVEYING, INC.
P.O. Box 767 (CRR)
Terrebonne, Oregon 97760

TRANSMITTAL

To: Oregon Water Resources Dept
725 Summer St NE, Suite A
Salem, OR 97301-1266

Date: 9/17/2024
Attention: Certificates
RE: COBU

☒ Prints ☐ Plans ☐ Plat ☐ Specifications.

Attached is a Claims of Beneficial Use & Final Proof map on T-14119.

If you have any questions please don't hesitate to call or email me.

Copies	No.	Description
1	1	Claim of Beneficial Use (7 pages letter bond)
1	2	COBU Map (1 page mylar)
1	3	Wello log (1 page letter bond)
1	7	Site photos (4 pages letter bond)

Signed: _____

Devin Morgan

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Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

July 12, 2024

Ricketts Family Farm
Attn: Nickolas Ricketts
P.O. Box 130
Silver Lake, OR 97638

REFERENCE: Transfer Application T-14119

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

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Dante Luongo, by telephone at (971) 304-5006 or by e-mail at Dante.j.luongo@water.oregon.gov.

Sincerely,

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

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

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER
T-14119, Lake County)	APPROVING A CHANGE IN PLACE OF USE

Authority

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

Applicant

RICKETTS FAMILY FARM
ATTN: NICK RICKETTS
P.O. BOX 130
SILVER LAKE, OR 97638

Findings of Fact

1. On November 7, 2022, RICKETTS FAMILY FARM, filed an application to change the place of use under Certificates 46880 and 91249. The Department assigned the application number T-14119.
2. Notice of the application for transfer was published on November 15, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 1, 2023, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14119 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of July 1, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

This final order is subject to judicial review by the Court of Appeals under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482(1). Pursuant to ORS 536.075 and OAR 137-003-0675, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

4. On April 18, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14119 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on April 23, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 46880 in the name of EMIL & RENATE L. WOLFSTURM (perfected under Permit G-5511)
Use: IRRIGATION OF 19.0 ACRES
Priority Date: JANUARY 12, 1972
Rate: 0.24 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL in the SILVER LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	16 E	WM	10	SW SE	(WELL #1) - 1010 FEET SOUTH AND 20 FEET WEST FROM THE NE CORNER OF THE SW¼ SE¼ OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	16 E	WM	10	SW SE	19.0

6. Transfer Application T-14119 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	16 E	WM	10	SW SE	13.1
28 S	16 E	WM	15	NW NE	5.9
TOTAL					19.0

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

Certificate: 91249 in the name of JAMES T. AND RENATE L. PANCAKE (perfected under Permit G-10043)
Use: IRRIGATION OF 26.5 ACRES
Priority Date: MARCH 22, 1983
Rate: 0.33 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #1 in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	16 E	WM	10	SW SE	WELL #1 - 310 FEET NORTH AND 1340 FEET WEST FROM THE SE CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	16 E	WM	15	NW NE	26.5

8. Transfer Application T-14119 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	16 E	WM	10	SW SE	16.2
28 S	16 E	WM	15	NW NE	10.3
TOTAL					26.5

9. The application form incorrectly describes the township and range of the authorized wells as being within T28S, R26E WM. The correct township and range, as described in Certificates 46880 and 91249 and the transfer application map, is T28S, R16E, WM.

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

- Water has been used within the last five years prior to the submittal of Transfer Application T-14119 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14119.
- The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
- The proposed change, as conditioned, would not result in enlargement of the rights.
- The proposed change, as conditioned, would not result in injury to other existing water rights.

15. All other application requirements are met.

Conclusions of Law

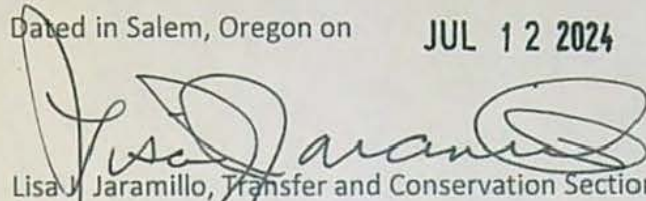
The change in place of use proposed in Transfer Application T-14119 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in place of use proposed in Transfer Application T-14119 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 46880 and 91249, and any related decree.
3. Water right Certificates 46880 and 91249 are cancelled.
4. The former place of use of the transferred rights shall no longer receive water under the rights.
5. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
 - 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. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.

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

Dated in Salem, Oregon on **JUL 12 2024**



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

Mailing Date: **JUL 15 2024**

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 14119

Transfer Specialist:

Transfer Type: Regular Transfer

Dante

Applicant: NICKOLAS RICKETTS P.O. BOX 130 SILVER LAKE, OR 97638 Email: _____ Phone: _____		Agent: <input type="checkbox"/> N/A SCOTT D. MONTGOMERY PO BOX 767 TERREBONNE, OR 97760 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 Lake 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	RR/CR Nos.
<input type="checkbox"/>	G5702	G5511	46880	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	G10900	G10043	91249	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions:

Rec'd: November 7, 2022	Proposed Action(s): PLACE OF USE	
Fees Pd: 1970.00	WM District: 11	ODFW District:
Initial Public Notice: November 15, 2022	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
DPD	Date: 3-14-23 Initials: <i>AL</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: 5-30-23 Initials: <i>PRS</i>	Date: 5-31-23 Initials: <i>AL</i>	CW Sent:	N/A
PD	Date: 10-23-23 Initials: <i>AL</i>	Date: 3-22-24 Initials: <i>PRS</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: <i>Date 3-26-24</i> Initials: _____	Date: _____	Date: 4/18/24
FO	Date: 6/11/24 Initials: <i>AL</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: 6/7/24 Initials: <i>PRS</i>	Date: 6/10/24 Initials: <i>AL</i>	Date: <i>Sigs 1</i> 6-13-24	Date: 7/12/24

Special Issues: _____

Special Order Volume: Vol. 131 Pages 651-655



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building
725 Summer St NE, Suite A
Salem, OR 97301
Phone 503 986-0900
Fax 503 986-0904
www.oregon.gov/owrd

April 18, 2024

VIA CERTIFIED MAIL AND E-MAIL

Applicant

NICKOLAS RICKETTS
P.O. BOX 130
SILVER LAKE, OR 97638

SUBJECT: Water Right Transfer Application T-14119

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14119. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the Department's notice.

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

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

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

Sincerely,

Dante Luongo

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14119, Lake County)	PROPOSING APPROVAL OF A CHANGE IN
)	PLACE OF USE

Authority

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

Applicant

RICKETTS FAMILY FARM
ATTN: NICK RICKETTS
P.O. BOX 130
SILVER LAKE, OR 97638

Findings of Fact

1. On November 7, 2022, RICKETTS FAMILY FARM, ATTN: NICK RICKETTS filed an application to change the place of use under Certificates 46880 and 91249. The Department assigned the application number T-14119.
2. Notice of the application for transfer was published on November 15, 2022, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On June 1, 2023, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14119 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of July 1, 2023, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. The right to be transferred is as follows:

Certificate:	46880 in the name of EMIL & RENATE L. WOLFSTURM (perfected under Permit G-5511)
Use:	IRRIGATION OF 19.0 ACRES
Priority Date:	JANUARY 12, 1972

Rate: 0.24 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: A WELL in the SILVER LAKE BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	16 E	WM	10	SW SE	(WELL #1)-1010 FEET SOUTH AND 20 FEET WEST FROM THE NE CORNER OF THE SW¼ SE¼ OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	16 E	WM	10	SW SE	19

5. Transfer Application T-14119 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	16 E	WM	10	SW SE	13.1
28 S	16 E	WM	15	NW NE	5.9
TOTAL					19.0

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

Certificate: 91249 in the name of JAMES T. AND RENATE L. PANCAKE (perfected under Permit G-10043)

Use: IRRIGATION OF 26.5 ACRES

Priority Date: MARCH 22, 1983

Rate: 0.33 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: WELL #1 in the FORT ROCK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
28 S	16 E	WM	10	SW SE	WELL #1 - 310 FEET NORTH AND 1340 FEET WEST FROM THE SE CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	16 E	WM	15	NW NE	26.5

7. Transfer Application T-14119 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
28 S	16 E	WM	10	SW SE	16.2
28 S	16 E	WM	15	NW NE	10.3
TOTAL					26.5

8. The application form incorrectly describes the township and range of the authorized wells as being within T28S, R26E WM. The correct township and range, as described in Certificates 46880 and 91249 and the transfer application map, is T28S, R16E, WM.

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

9. Water has been used within the last five years prior to the submittal of Transfer Application T-14119 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
10. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14119.
11. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
12. The proposed change, as conditioned, would not result in enlargement of the rights.
13. The proposed change, as conditioned, would not result in injury to other existing water rights.
14. All other application requirements are met.

Determination and Proposed Action

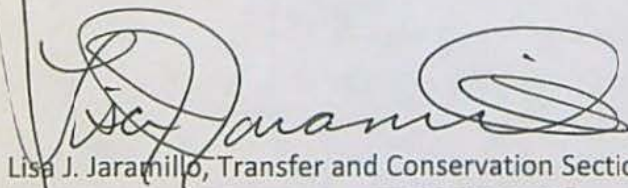
The change in place of use proposed in Transfer Application T-14119 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14119 is approved the final order will include the following:

1. *The change in place of use proposed in Transfer Application T-14119 are approved.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificates 46880 and 91249, and any related decree.*
3. *Water right Certificates 46880 and 91249 are cancelled.*
4. *The former place of use of the transferred rights shall no longer receive water under the rights.*
5. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.*
 - 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. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water*
7. *After satisfactory proof of beneficial use is received, a new certificate confirming the rights transferred will be issued.*

Dated in Salem, Oregon on



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

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

Protests

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

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

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

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

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

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

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

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

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

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

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

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

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



Oregon
Kate Brown, Governor

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

November 16, 2022

NICKOLAS RICKETTS
P.O. BOX 130
SILVER LAKE, OR 97638

Reference: Application T-14119

On November 7, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$1970.00. Our receipt number 139513 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change.

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

Except as provided under ORS 540.510(3) for municipalities, you may not use water in the new place of use until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

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

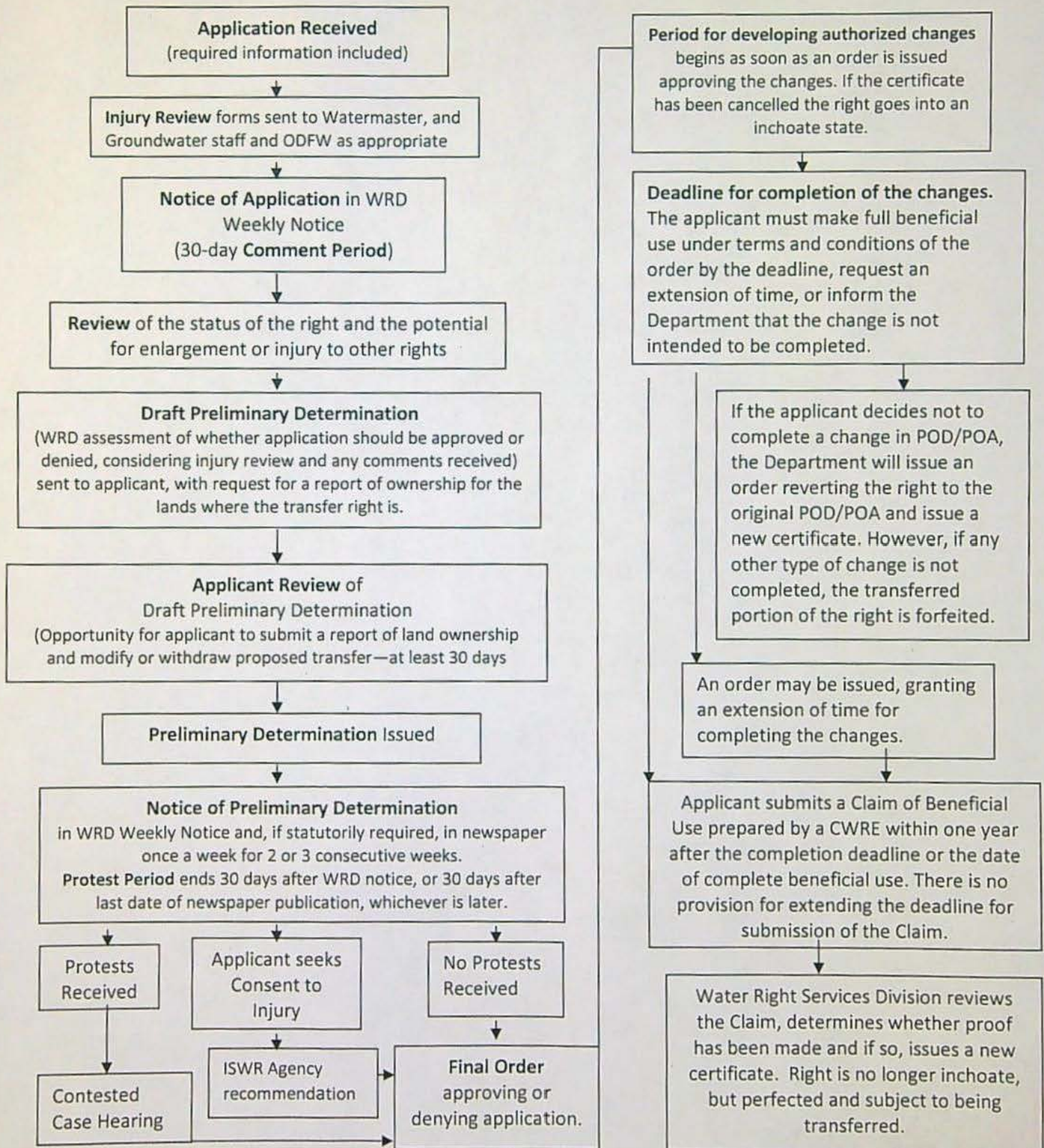
If you have any questions, please contact the Transfer Section at (503) 979-9931.

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

Enclosure

Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380



**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 # **139513**

INVOICE # _____

RECEIVED FROM: Sarah M. Ricketts

BY: Nicholas C. Ricketts

APPLICATION

PERMIT

TRANSFER

1-14119

CASH:

CHECK: #

OTHER: (IDENTIFY)

☐

☒ 4038

☐

TOTAL REC'D

\$1970.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

\$

0202

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$1970.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

\$

0219

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

EXAM FEE

\$

\$

\$1970.00

EXAM FEE

\$

RECORD FEE

\$

\$

LICENSE FEE

\$

\$

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 (FWWRD)

\$

0231 HYDRO LICENSE FEE (FWWRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____

\$

RECEIPT:

139513

DATED: 11-7-2002

BY: Ministry Clerk

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

RECEIVED

NOV 07 2022

OWRD

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: C-46880 & 91249**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

NOV 07 2022

Part 2 of 5 – Transfer Application Map

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

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

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

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[illegible]

1. For irrigation calculate cfs for each water right involved as follows:
 - a. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
 - b. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
2. Add cfs for the portions of water rights on all the land included in the transfer; however **do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land**. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$990.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		RECEIVED
2	Multiply line 2b by \$480 and enter » » » » » » » » » » » » » » » »	2	NOV 07
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

WORD

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Ricketts Family Farm/Nick Ricketts		PHONE NO. 541-280-5773	ADDITIONAL CONTACT NO. 541-815-4096
ADDRESS PO Box 130			FAX NO.
CITY Silver Lake	STATE OR	ZIP 97638	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME All Points Engr & Surveying/Scott D Montgomery		PHONE NO. 541-548-5833	ADDITIONAL CONTACT NO. 541-420-0401
ADDRESS PO Box 767			FAX NO.
CITY Terrebonne	STATE OR	ZIP 97760	E-MAIL scott@apeands.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:
Move the POU from wheel line and small pivot to a larger half pivot

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

Check One Box

- ☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); OR
- ☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; OR
- ☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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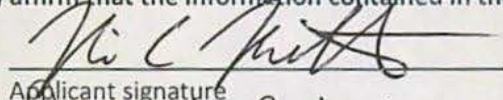
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By my signature below, I confirm that I understand:

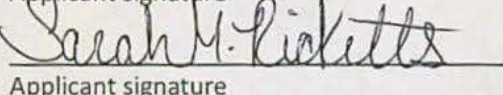
- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Lake County Examiner.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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


Applicant signature

Nickolas Clifton Ricketts
Print Name (and Title if applicable)

10-28-22
Date


Applicant signature

Sarah M. Ricketts
Print Name (and Title if applicable)

10-28-22
Date

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

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

Check the following boxes that apply:

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

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

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

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

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

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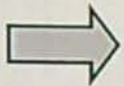
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☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME NA	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME NA	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Lake County	ADDRESS 513 Center St	
CITY Lakeview	STATE OR	ZIP 97630

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 46880

Description of Water Delivery System

System capacity: 0.24 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the authorized well & conveyed by buried pipe to a wheel line irrigation system.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
#1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 1385	28 S	26 E	10	SW	SE	2100	310' N & 1340' W from SE cor, Sec 10

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- ☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 46880

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
										POU	28	S	16	E	10	SW	SE	2000		3.0	IR	#1	1972	
											28	S	16	E	10	SW	SE	2100		10.1	IR	#1	1972	
											28	S	16	E	15	NW	NE	400		5.9	IR	#1	1972	
TOTAL ACRES:											TOTAL ACRES:						19.0							

Additional remarks: _____.

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For Place of Use or Character of Use Changes

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

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

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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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 proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well - rate (gpm) than 1 of wa
See well logs										

CERTIFICATE # 91249

Description of Water Delivery System

System capacity: 0.33 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water is pumped from the authorized well & conveyed by buried pipe to a center pivot sprinkler irrigation system.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
#1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	LAKE 1385	28 S	26 E	10	SW SE	2100	310' N & 1340' W from SE cor, Sec 10

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

Will all of the proposed changes affect the entire water right?

- ☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.
- ☐ No Complete all of Table 2 to describe the portion of the water right to be changed.

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Please use and attach additional pages of Table 2 as needed.
See page 6 for instructions.

Do you have questions about how to fill-out the tables?
Contact the Department at 503-986-0900 and ask for Transfer Staff.

Table 2. Description of Changes to Water Right Certificate # 91249

List the change proposed for the acreage in each $\frac{1}{4}$ $\frac{1}{4}$. If more than one change is proposed, specify the acreage associated with each change.
If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
										POU	28	S	16	E	10	SW	SE	2000		10.6	IR	#1	1983
										POU	28	S	16	E	10	SW	SE	2100		5.6	IR	#1	1983
										POU	28	S	16	E	15	NW	NE	400		10.3	IR	#1	1983
TOTAL ACRES:											TOTAL ACRES:						26.5						

Additional remarks: _____.

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For Place of Use or Character of Use Changes

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

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

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss.
County of LAKE

I, NICK RICKETTS, in my capacity as PRESIDENT, RICKETTS FAMILY FARM,

mailing address PO BOX 130, SILVER LAKE, OR 97638

telephone number (541)280-5773, being first duly sworn depose and say:

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

☐ Personal observation

☒ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the entire place of use for
Certificate # 46880 & 91249; OR

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

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

OR

☐ Confirming Certificate # _____ has been issued within the past five years; OR

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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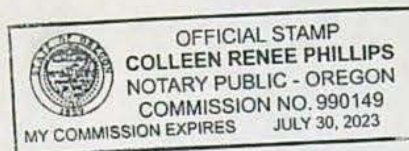
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS

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

[Signature]
Signature of Affiant

10-28-22
Date

Signed and sworn to (or affirmed) before me this 28 day of October, 2022.



Colleen R Phillips
Notary Public for Oregon

My Commission Expires: July 30, 2023

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

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16755 Finley Butte Rd
PO Box 127
LaPine OR 97739-0127

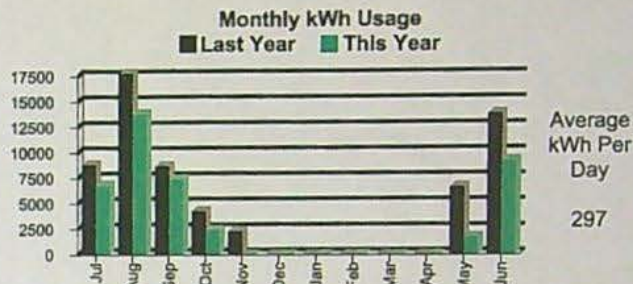
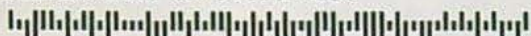
IMPORTANT INFORMATION

Co-Op News

Smarthub is the center of member engagement. Manage your electric account 24/7 by accessing Smarthub at www.mse.coop. OUR OFFICE WILL BE CLOSED MONDAY JULY 4, 2022 FOR INDEPENDENCE DAY. OUR AFTER-HOURS OUTAGE LINE, (800) 752-5935, IS AVAILABLE 24 HOURS A DAY TO ASSIST YOU.

SARAH M RICKETTS
NICKOLAS C RICKETTS
C/O RICKETTS FAMILY FARM
PO BOX 130
SILVER LAKE OR 97638-0130

4 65



Account Number: [REDACTED] Service Location: 40 HP
Billing Date: 06/21/2022 Billing Cycle: 3 Rate: Irr-Seasonal Bill Type: Regular

Account Detail

Previous Balance	136.31
Payments Received 05/18/2022	136.31 Credit
Balance Forward	\$0.00
Energy Charge (kWh) 9,200 @ \$0.0449	413.08
Demand Charge (kW) 30.280 @ \$5.20	157.46
Facilities Charge	64.00
Prompt Pay Discount	2.12 Credit
Current Charges	\$632.42

Total Amount Due \$632.42

Electric Service Detail

Meter Number: 68072 Multiplier: 40.0
Reading Dates: 04/30/2022 - 05/31/2022
Number of Days: 31
Current Reading: 10082
Last Reading: 9852
kWh: 230 x 40 Multiplier = 9,200
kW: 0.757 x 40 Multiplier = 30.280

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Prompt Payment Discount - 1.5% will be credited to your next electric bill if your current bill is paid in full and received within 10 days of billing date.
Late Charge - \$5 or 1.5%, whichever is greater, for outstanding balances not received in our office by 5:30 PM the day prior to your next billing.

Account Number: [REDACTED] Billing Cycle: 3

Current Charges Due Date: 07/11/2022

Total Amount Due: \$632.42

Relief Fund Contribution: (optional)

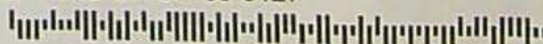
Total Amount Paid:



SARAH M RICKETTS
NICKOLAS C RICKETTS
C/O RICKETTS FAMILY FARM
PO BOX 130
SILVER LAKE OR 97638-0000



MIDSTATE ELECTRIC COOPERATIVE INC
PO BOX 127
LA PINE OR 97739-0127



14119

0390390621220000732513006324200632425



16755 Finley Butte Rd
PO Box 127
LaPine OR 97739-0127

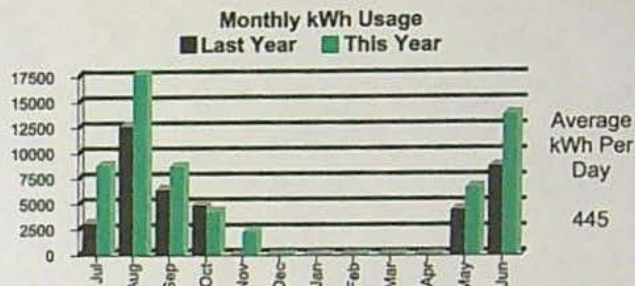
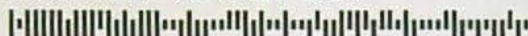
IMPORTANT INFORMATION

Co-Op News

Smarthub is the center of member engagement. Manage your electric account 24/7 by accessing Smarthub at www.mse.coop.

SARAH M RICKETTS
NICKOLAS C RICKETTS
C/O RICKETTS FAMILY FARM
PO BOX 130
SILVER LAKE OR 97638-0130

4 65



Account Number: [REDACTED]

Service Location: 40 HP

Billing Date: 06/15/2021 Billing Cycle: 3 Rate: Irr-Seasonal Bill Type: Regular

Account Detail

Previous Balance	359.62
Payments Received 05/19/2021	359.62 Credit
Balance Forward	\$0.00
Energy Charge (kWh) 13,800 @ \$0.0449	619.62
Demand Charge (kW) 30.160 @ \$5.20	156.83
Facilities Charge	64.00
Prompt Pay Discount	5.43 Credit
Current Charges	\$835.02

Total Amount Due \$835.02

Electric Service Detail

Meter Number: 68072	Multiplier: 40.0
Reading Dates: 04/30/2021 - 05/31/2021	
Number of Days: 31	
Current Reading: 9046	
Last Reading: 8701	
kWh: 345 x 40 Multiplier =	13,800
kW: 0.754 x 40 Multiplier =	30.160

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Prompt Payment Discount - 1.5% will be credited to your next electric bill if your current bill is paid in full and received within 10 days of billing date.
Late Charge - \$5 or 1.5%, whichever is greater, for outstanding balances not received in our office by 5:30 PM the day prior to your next billing.

Account Number: [REDACTED] Billing Cycle: 3

Current Charges Due Date: 07/05/2021

Total Amount Due: **\$835.02**

Relief Fund Contribution: (optional)

Total Amount Paid:

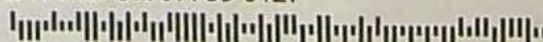


SARAH M RICKETTS
NICKOLAS C RICKETTS
C/O RICKETTS FAMILY FARM
PO BOX 130
SILVER LAKE OR 97638-0000



0390390615210000732513008350200835025

MIDSTATE ELECTRIC COOPERATIVE INC
PO BOX 127
LA PINE OR 97739-0127



14119

Nutrien Ag Solutions, Inc.
CORNELIUS OR (117)
PO BOX 544
HILLSBORO, OR 97123
503-640-2371

INVOICE

Invoice #: 47899790
Invoice Date: 04/25/22
Due Date: 05/20/22
Delivery Date: 04/12/22
Order #: 21302412
PO#:
Sales Rep: Tilden-Browning, Jake

NICKOLAS CLIFTON RICKETTS (1727581)
RICKETTS FAMILY FARM
PO BOX 130
SILVER LAKE, OR 97638

Ship Via: Customer Vehicle County: WASHINGTON

Product #	Product Description	Quantity	Unit Price	Sales Tax	Gross Ext'd Price
1000643872 - 33.3-0-0 12 S		9.6500 TN	820.0000		7,913.00
		19300.0000 LB			

Safety Data Sheets are available upon request for applicable products. Contact your local branch for details.

No Recommendation has been made or provided by seller concerning the use of any pesticide covered by this invoice. For a medical emergency involving this product, call 1-866-944-8565. For help with any spill, leak, fire or exposure, call Chemtrec at 1-800-424-9300.

*** Blend Analysis ***

Product: 33.3-0-0 12 S (1000643872)
Percent 33.250 0.000 0.000 12.000
Guaranteed Analysis By N P K S
LBS/Acre

*** Invoice Notes ***

SHIP TO ORDER(S): 21302412
(PHYSICAL) 55050 OLD LAKE RD, SILVERLAKE, OR. 97638

RECEIVED

NOV 07 2022

OWRD

FRAUD ALERT - Our bank information has NOT changed. Please immediately call (833) 684-9293 and speak to a member of our Credit Department if you are asked to change bank information. Again, DO NOT CHANGE OUR BANK REMITTANCE INFORMATION. Thank you for your continued business, we appreciate it! Nutrien Ag Solutions, Inc. Staff

Additional Information

Payment Terms: 20TH DAY OF NEXT MONTH

Invoice Sub Total: 7,913.00
Sales Tax: 0.00
Invoice Total: 7,913.00
Less Prepay Used: 0.00
Less Prepay Discount: 0.00
Gross Invoice Total: 7,913.00
Amount Due: 7,913.00

Remit To: 1119
Nutrien Ag Solutions, Inc.
PO BOX 544
HILLSBORO, OR 97123

Nutrien Ag Solutions, Inc.
CORNELIUS OR (117)
PO BOX 544
HILLSBORO, OR 97123
503-640-2371

INVOICE

NICKOLAS CLIFTON RICKETTS (1727581)
RICKETTS FAMILY FARM
PO BOX 130
SILVER LAKE, OR 97638

Invoice #: 44704761
Invoice Date: 04/08/21
Due Date: 05/20/21
Delivery Date: 04/08/21
Order #: 18842268
PO#:
Sales Rep: Tilden-Browning, Jake

Ship Via: Company Vehicle County: LAKE

Product #	Product Description	Quantity	Gross Unit Price	Sales Tax	Gross Ext'd Price
1001074426 - 19.1-21.3-0 13.3 S		17250.0000 LB	0.2705		4,666.13

Safety Data Sheets are available upon request for applicable products. Contact your local branch for details.

No Recommendation has been made or provided by seller concerning the use of any pesticide covered by this invoice. For a medical emergency involving this product, call 1-866-944-8565. For help with any spill, leak, fire or exposure, call Chemtrec at 1-800-424-9300.

*** Invoice Notes ***

SHIP TO ORDER(S): 18842268
(PHYSICAL) 55050 OLD LAKE RD, SILVERLAKE, OR. 97638

RECEIVED

NOV 07 2022

OWED

FRAUD ALERT - Our bank information has NOT changed. Please Immediately call (833) 684-9293 and speak to a member of our Credit Department if you are asked to change bank information. Again, DO NOT CHANGE OUR BANK REMITTANCE INFORMATION. Thank you for your continued business, we appreciate it! Nutrien Ag Solutions, Inc. Staff

Additional Information

Payment Terms: 20TH DAY OF NEXT MONTH

Invoice Sub Total: 4,666.13
Sales Tax: 0.00
Invoice Total: 4,666.13
Less Prepay Used: 0.00
Less Prepay Discount: 0.00
Gross Invoice Total: 4,666.13
Amount Due: 4,666.13

Remit To:

Nutrien Ag Solutions, Inc.
PO BOX 544
HILLSBORO, OR 97123

14119

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

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OWRD

Applicant(s): Nick Ricketts, Ricketts Family Farm

Mailing Address: PO Box 130

City: Silver Lake

State: OR

Zip Code: 97638

Daytime Phone: 541-280-5773

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:
28S	16E	10	SW SE	2000	EFUR1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
28S	16E	10	SW SE	2100	EFUR1	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
28S	16E	15	NW NE	400	EFUR1	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IR
_____	_____	_____	_____	_____	_____	<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:

Lake County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.57 ☐ 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:

Move the POU from wheel line and small pivot to a larger half pivot

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. →

RECEIVED

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OWARD

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): Lake County Zoning Ordinance - Article 3-2-2 zone
- ☐ 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.

28-16-10-2000, 2100 +
28-16-15-400

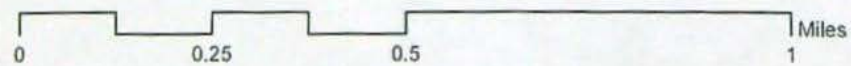
Name: Dawn Johnson Title: Planning Director
 Signature: [Signature] Phone: 541-947-6036 Date: 20 Oct 2022
 Government Entity: Lake County Planning Department

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: _____

T 28 S, R 16 E, W.M.



141
9

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OWHD

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



ALL POINTS
ENGINEERING & SURVEYING, INC.
P.O. Box 767 (CRR)
Terrebonne, Oregon 97760

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NOV 07 2022

OWRD

ATTN: OWRD
725 Summer St NE, Suite A
Salem, OR 97301-1266

Date: 11/03/2022
Re: Transfer

☒ Prints ☐ Plans ☐ Plat ☐ Specifications ☐ Change order ☐ Other

Hello:

Attached is a Application for Water right Transfer on Certificates 46880 & 91249 for Ricketts Family Farm.

If you have any questions, please don't hesitate to call. Our phone number is 541-548-5833. Thank you for your business.

Copies	No.	Description
1	1	App for Transfer (12 pages letter bond)
1	2	App Map (1 page bond)
1	4	Evidence of Use Form w/supporting docs (6 pages letter bond)
1	5	Land Use Form (2 pages letter bond)
1	5	Aerial photo (1 page letter bond)
1	6	Well log
1	7	Check for \$1970

Signed: Devin Matzger

14119

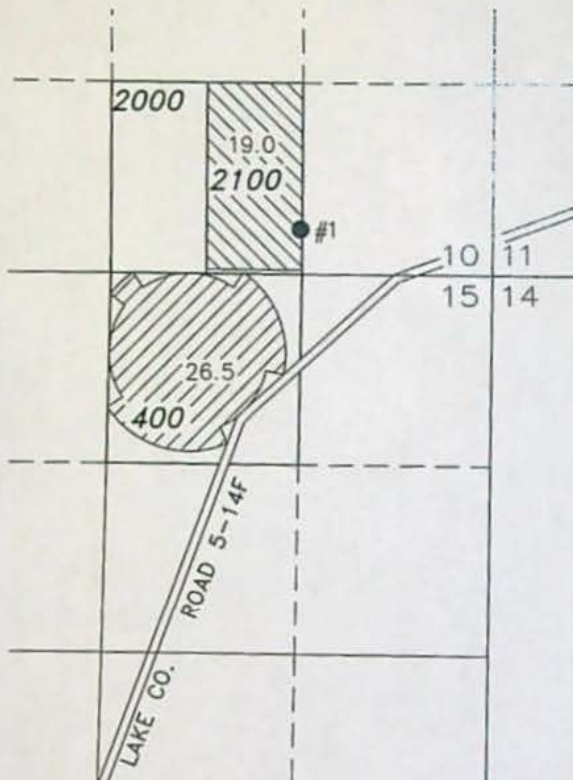
TRANSFER MAP TO ACCOMPANY APPLICATION TO CHANGE PLACE OF USE FOR NICK & SARAH RICKETTS

RECEIVED

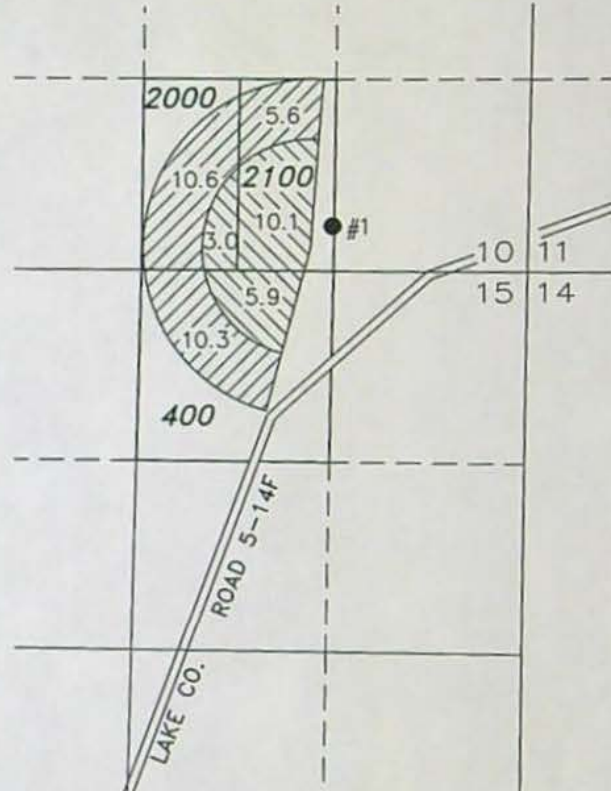
NOV 07 2022

OWARD

"FROM" TAX LOT 400 IN SECTION 15,
& TAX LOT 2100 IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 16 EAST, W.M.
LAKE COUNTY, OREGON



"TO" TAX LOT 400 IN SECTION 15,
& TAX LOT 2000 & 2100 IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 16 EAST, W.M.
LAKE COUNTY, OREGON



● WELL #1 (LAKE 1385) AUTHORIZED & LOCATED IN THE SW 1/4 SE
1/4 SECTION 10, T28S R16E, W.M. LOCATED 310 FEET NORTH AND
1340 FEET WEST FROM THE SE CORNER OF SECTION 10.

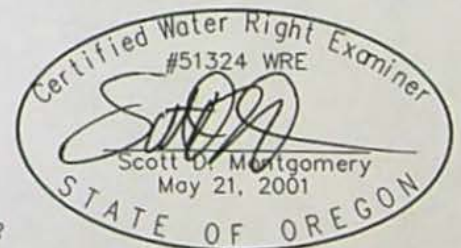


19.0 ACRES WATER RIGHTS FROM CERTIFICATE #46880
(G-5511), TRANSFERRED, AS SHOWN.



26.5 ACRES WATER RIGHTS FROM CERTIFICATE 91249
(G-10043), TRANSFERRED AS SHOWN.

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



RENEWAL DATE: 12/31/2024

PROJECT No. 22-169

PREPARED AT THE REQUEST OF:
NICK & SARAH RICKETTS
P.O. BOX 130
SILVER LAKE, OR 97638

ALL POINTS ENGINEERING
& SURVEYING, INC.



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

1119

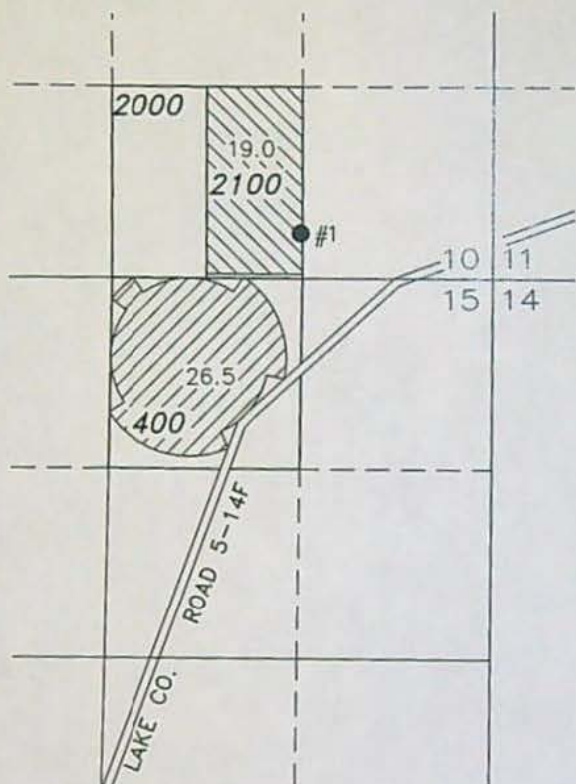
RECEIVED

NOV 07 2022

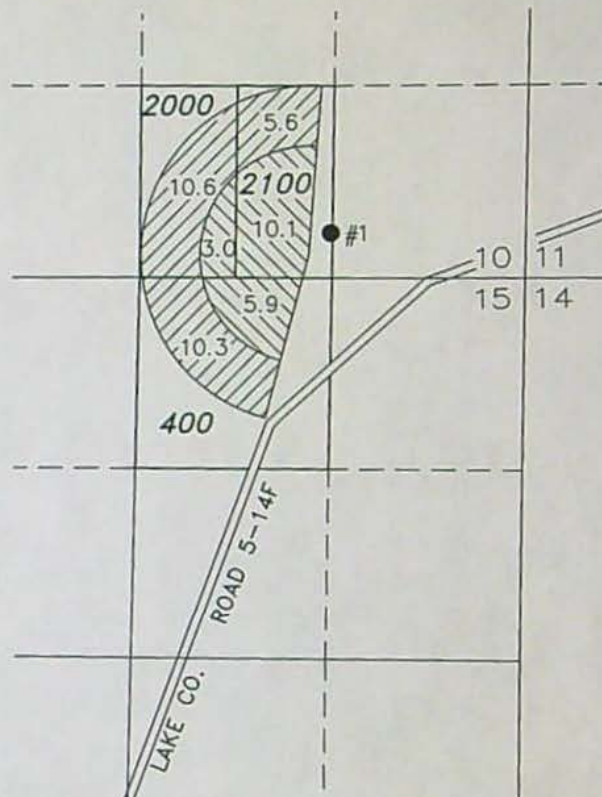
OWARD

TRANSFER MAP TO ACCOMPANY APPLICATION TO CHANGE PLACE OF USE FOR NICK & SARAH RICKETTS

"FROM" TAX LOT 400 IN SECTION 15,
& TAX LOT 2100 IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 16 EAST, W.M.
LAKE COUNTY, OREGON



"TO" TAX LOT 400 IN SECTION 15,
& TAX LOT 2000 & 2100 IN SECTION 10,
TOWNSHIP 28 SOUTH, RANGE 16 EAST, W.M.
LAKE COUNTY, OREGON



● WELL #1 (LAKE 1385) AUTHORIZED & LOCATED IN THE SW 1/4 SE
1/4 SECTION 10, T28S R16E, W.M. LOCATED 310 FEET NORTH AND
1340 FEET WEST FROM THE SE CORNER OF SECTION 10.

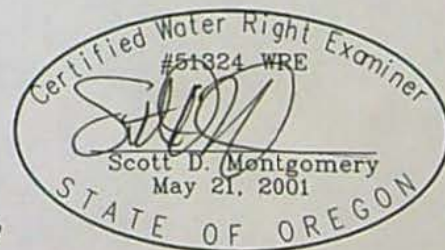


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(G-10043), TRANSFERRED AS SHOWN.

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RENEWAL DATE: 12/31/2024

PROJECT No. 22-169

PREPARED AT THE REQUEST OF:
NICK & SARAH RICKETTS
P.O. BOX 130
SILVER LAKE, OR 97638

ALL POINTS ENGINEERING
& SURVEYING, INC.



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

14119

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 14119

Checked by: <u>Aula</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution	Supplemental to Primary	POU	POD	APOD
Date: <u>11/9/22</u>		Gov Action	Surface to Ground	USE	POA	APOA
Fee Received: <u>1970-</u>		How many rights to be Transferred? <u>2</u>				
Calculated Fee: <u>1970-</u>		Certificate # <u>46880</u> <u>91249</u>				
Additional Observations:						

If OK and complete, check box to the left; if NOT, fill in.

- ☒ 1. Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom?
If no, what is missing? Whose signature is missing? _____
- ☒ 2. Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? ☐ N/A.
Name of the district: _____
- ☒ 3. Part 5 of application, has the applicant(s) completed the entire page and does the information match the description of the explanation of the reasons for transfer on Part 4 of the application?
If no, you may need to contact the applicant or agent? _____
- ☒ 4. Is there only one (1) water right included in this transfer application?
If no, are the criteria of OAR 690-380-3220 for more than one WR met? Yes or No Yes
If no, then the transfer application CANNOT be accepted. See attached "3220" Decision Tree Flowchart.
- ☒ 5. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2?
If no, which certificate(s) are missing a separate Part 5 tables 1 & 2? Yes
- ☒ 6. Is the map prepared and signed by a CWRE? Does the map meet requirements?
If no, what is missing? _____. Map waiver included? ☐ Yes ☒ No
- ☒ 7. If a change in point of appropriation (POA), have the well logs been included? ☒ N/A.
- ☒ 8. If a change in place of use (POU) within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
- ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), ACCEPT the application.
Put this application intake completeness check sheet in the transfer folder.

OR: ☐ If all boxes to the left are NOT checked, then this application is deficient and CANNOT be accepted.
It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken: _____ Date: _____

14119