

T-14169

Regular

RA

T-14169

Name Shirley + Gail Enright Joint trust

DESCRIPTION OF WATER RIGHT(S)

Address 59062 Highway 26Mt. Vernon, OR 97865enright@ortelco.netChange in PODDate Filed 2-6-2023Initial notice date 2-14-2023

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 1/29/2024 Vol 129 Page 703-707

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

Name of Stream John Day^{river} Beech CreekTrib. of Columbia RiverUse Irrigation; Domestic; Supplemental County Grant

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

Name of ditch _____

App# E 1289 Per # E 88 Cert # 89055 PR Date 3/6/1911App# 561123 Per # 546213 Cert # 89056 PR Date 1/8/1981

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

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

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

FEES PAID

Date	Amount	Receipt #
2-6-2023	\$1,970.00	140076
2-13-2023	\$125.00	140109
3-8-2023	\$1,511.23	140263

FEES REFUNDED

Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent _____

CWRE Grant County

CC's list _____

☐ - Oversized map - Location _____

Checklist for Claims of Beneficial Use Received at CSG Counter

Application #:	WRD Reviewer: Nick Reece
Transfer #: T-14169	
Date Received: 8/14/2024	
CWRE Name: Robert Bagett	
Priority Date (s): 3/6/1911, 1/8/1981	

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.

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)

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

Fill in App or Transfer Number

MONEY SLIP

DATE:		RECEIPT #:	
RECEIVED FROM:		APPLICATION:	
		PERMIT	
		TRANSFER	
CASH CHECK #	OTHER (IDENTIFY)	TOTAL RECEIVED	
<input type="checkbox"/>	<input type="checkbox"/>		
0181 TREASURY		0179 MISC CASH ACCT	
0407 COPIES	0408 OTHER (IDENTIFY)		
0143 Inventory 1000	0244 Main Water Right Plan	0245 Cont. Water	
0181 TREASURY	0179 MISC OPERATING ACCT		
MISCELLANEOUS 0407 COPY & TAPE FEES 0408 RESEARCH FEES 0409 MISC REVENUE (IDENTIFY) 0410 DEPOSIT FEE (IDENTIFY) 0411 EXTENSION OF TIME			
WATER RIGHTS 0181 SURFACE WATER 0200 GROUND WATER 0201 TRANSFER			
WELL CONSTRUCTION 0210 WELL DRILL CONSTRUCTION 0211 UNDERMINING PERMIT 0212 OTHER (IDENTIFY)			
0200 TREASURY			
0210 POWER LICENSE FEE (PUMPED)			
0211 HYDRO LICENSE FEE (PUMPED)			
HYDRO APPLICATION			
SPECIAL INSTRUCTIONS:			

☐ RETURN TO APPLICANT - LETTER ATTACHED

**CLAIM OF
BENEFICIAL USE
for Transfer New or Additional
POD 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.**

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A separate form shall be completed for each transfer.

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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 8" 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 either point(s) of diversion or additional point(s) of diversion, or a combination of both. **YES**

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

1. File Information

APPLICATION #

T-14196

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WR

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Shirley Ann and Jordan Gail Enright Joint Trust		PHONE NO. 541-932-4778	ADDITIONAL CONTACT NO. 541-620-0980
ADDRESS 59062 Highway 26			
CITY Mt. Vernon	STATE OR	ZIP 97865	E-MAIL

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)

APPLICANT/BUSINESS NAME Shirley Ann and Jordan Gail Enright Joint Trust		
ADDRESS 59062 Highway 26		
CITY Mt. Vernon	STATE OR	ZIP 97865

4. Date of Site Inspection:

June 4, 2024

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

NAME	DATE	ASSOCIATION WITH THE PROJECT
Gail Enright	June 4, 2024	Trustee & Operator

6. County:

Grant

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 NA		
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.



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CWRE NAME Robert D. Bagett		PHONE NO. 541-620-0717	ADDITIONAL CONTACT NO. 541-575-1251
ADDRESS 217 North Canyon Blvd			
CITY John Day	STATE OR	ZIP 97845	E-MAIL bobbagett@gmail.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
<i>Shirley Ann Enright</i>	Shirley Ann Enright	Trustee	8/5/24
<i>Jordan Gail Enright</i>	Jordan Gail Enright	Trustee	8/5/24

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SECTION 2
SIGNATURES

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CWRE Statement, Seal and Signature

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



EXPIRES 12/31/2025

CWRE NAME Robert D. Bagett		PHONE NO. 541-620-0717	ADDITIONAL CONTACT NO. 541-575-1251
ADDRESS 217 North Canyon Blvd			
CITY John Day	STATE OR	ZIP 97845	E-MAIL bobbagett@gmail.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
	Shirley Ann Enright	Trustee	8/5/24
	Jordan Gail Enright	Trustee	8/5/24

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SECTION 3 CLAIM DESCRIPTION

Note: The Claim only needs to describe the new or additional point(s) of diversion. This Claim does not need to provide information for the original point(s) of diversion unless the original point of diversion is either a new or additional point of diversion on another right involved in this transfer.

1. New or additional point of diversion name or number:

POINT OF DIVERSION (POD) NAME OR NUMBER (CORRESPOND TO MAP)	SOURCE
POD #3	John Day River & Beech Creek , Tributary to COLUMBIA RIVER.

2. Variations:

Was the use developed differently from what was authorized by the transfer final order, **NO**
or extension final? If yes, describe below.

(e.g. "The order allowed three new/additional points of diversion. The water user only developed one of the points.")

NA

3. Claim Summary:

NEW OR ADDITIONAL POD NAME OR #	MAXIMUM RATE AUTHORIZED IN ORDER	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED
POD #3	0.31 CFS	34.9 CFS	NA

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SECTION 4**SYSTEM DESCRIPTION**

Are there multiple new or additional Points of Diversion (POD)s?

If "YES" you will need to copy and complete a separate Section 4 for each POD.

POD Name or Number this section describes (only needed if there is more than one):

A. POD System Information

Provide the following information concerning the point of diversion. Information provided must describe the equipment used to appropriate water from the point of diversion.

1. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
NA					

2. Motor Information

MANUFACTURER	HORSEPOWER
NA	

3. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
NA				

4. Provide pump calculations:

5. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
NA			

Reminder: For pump calculations use the reference information at the end of this document.

B. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the diversion involve a gravity flow pipe?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

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C. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Does the diversion involve a gravity flow ditch or canal?

YES

If "NO", items 2 through 4 relating to this section may be deleted.

2. Complete the table:

CANAL OR DITCH TYPE (MATERIAL)	TOP WIDTH OF CANAL OR DITCH	BOTTOM WIDTH OF CANAL OR DITCH	DEPTH	"N" FACTOR	AMOUNT OF FALL	LENGTH OF CANAL / DITCH	SLOPE	COMPUTED RATE (IN CFS)
Earth	10.0'	4.0'	1.6'	0.03	1.1'	420'	0.3%	34.9 CFS

3. Provide calculations:

See Attached Exhibit A.

4. If an actual measurement was taken, provide the following:

DATE OF MEASUREMENT	WHO MADE THE MEASUREMENT	MEASUREMENT METHOD	MEASURED QUANTITY OF WATER (IN CFS)
NA	NA	NA	NA

Attach measurement notes.

D. Additional notes or comments related to the system:

The system is in place and is active.

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SECTION 5 CONDITIONS

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All conditions contained in the transfer final order, 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 NEW AND/OR ADDITIONAL POD(S) WERE READY FOR USE *THIS DATE MUST FALL BETWEEN THE "ISSUANCE DATE" AND THE "COMPLETENESS DATE"
ISSUANCE DATE	January 29, 2024	
COMPLETENESS DATE FROM ORDER (C)	October 1, 2025	April 20, 2024

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

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

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NO

If "NO", you may delete the following table.

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3. Measurement Conditions:

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

YES

If "NO", items b through f relating to this section may be deleted.

Reminder: If a meter or approved measuring device was required, the COBU map must indicate the location of the device in relation to the point of diversion.

b. Has a meter been installed?

NO

c. Meter Information

POD NAME OR #	MANUFACTURER	SERIAL #	CONDITION (WORKING OR NOT)	CURRENT METER READING	DATE INSTALLED
NA	NA	NA	NA	NA	NA

If a meter has been installed, items d through f relating to this section may be deleted.

d. If a meter has not been installed, has a suitable measuring device been installed and approved by the Department?

YES

e. If "YES", provide a copy of the letter approving the device, if available. If the letter is not available provide the name and title of the Water Resources Department employee approving the measuring device, and the approximate date of the approval:

NAME	TITLE	APPROXIMATE DATE
POD #1: Eric Julsrud	Watermaster	6/7/2024
POD #2: Eric Julsrud	Watermaster	6/7/2024
POD #3: Eric Julsrud	Watermaster	6/7/2024

6/7/2024

f. Measurement Device Description

DEVICE DESCRIPTION	CONDITION (WORKING OR NOT)	DATE INSTALLED
POD #1: 3' sharp crested weir.	Working	7/2003
POD #2: Long throated ramp flume.	Working	7/2008
POD #3: Long throated ramp flume.	Working	7/2008

4. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

NO

If "NO", item b relating to this section may be deleted.

If the reports have not been submitted, attach a copy of the reports if available.

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5. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion? **YES**

If "NO", items b through e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed? **YES**

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c. When was the fish screening installed?

Salem, OR

DATE	BY WHOM
Prior to final order	ODFW

Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion **involves a pump** *and* the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? **NA**

If not, go to <https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>, complete and attach a copy of the 'ODFW Small Pump Screen Self Certification' form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

e. If the diversion does **not involve a pump** *or* the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? **YES**

If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at:

<https://www.oregon.gov/OWRD/Forms/Pages/default.aspx>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

6.

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion? **YES**

If "NO", items b and c relating to this section may be deleted.

Reminder: If by-pass devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Have by-pass devices been installed?

YES

c. Describe the diversion works as related to whether a by-pass device is installed or unnecessary:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

DESCRIPTION (E.G. "ODFW HAS APPROVED THE BY-PASS DEVICE" OR "NO BY-PASS DEVICE IS NECESSARY BECAUSE THERE IS A DIRECT DIVERSION FROM THE STREAM VIA A PUMP ON RIVER LEFT STREAM BANK WITH FOOT VALVE DESCENDING DIRECTLY INTO NATURAL POOL.") IN ADDITION, YOU MAY ATTACH PHOTOS TO THIS CLAIM.	IF INSTALLED (DATE)	IF INSTALLED, BY WHOM
ODFW has approved the by-pass device. See Attached Exhibit B.	Prior to final order.	ODFW

7. Other conditions required by the transfer final order or extension final order:

- a. Was the water user required to restore the riparian area if it was disturbed? **NO**
- b. Was a fishway required? **NO**
- c. 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):

NA

SECTION 6 ATTACHMENTS

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

ATTACHMENT NAME	DESCRIPTION
Exhibit A	Ditch Capacity Calculations.
Exhibit B	ODFW Fish Screen Approval Letter.

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SECTION 7

CLAIM OF BENEFICIAL USE MAP

The 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 identifying the location of the place of use does not require a new survey. The location of the place of use identified on the Claim map should be based on the original right of record at the time the transfer final order was issued. In transfers approved for additional points of diversion, the original points must be identified the map based on the original right of record at the time the transfer final order was issued.

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.

Used GPS to locate the Center 1/4 corner Section 28, T.13S., R.30E., W.M. and POD #3.

Used aerial photo to determine bearing and distance from POD #3 to ODFW fish screen/fish bypass structure and to the long-throated ramp fume measuring device in the Lemons Ditch.

Aerial Photo: Google Earth, Imagery Date 9/23/2022.

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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.)

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

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T.13S., R.30E., W.M.
CLAIM OF BENEFICIAL USE MAP
UNDER T-14169
 FOR
SHIRLEY AND GAIL ENRIGHT JOINT TRUST

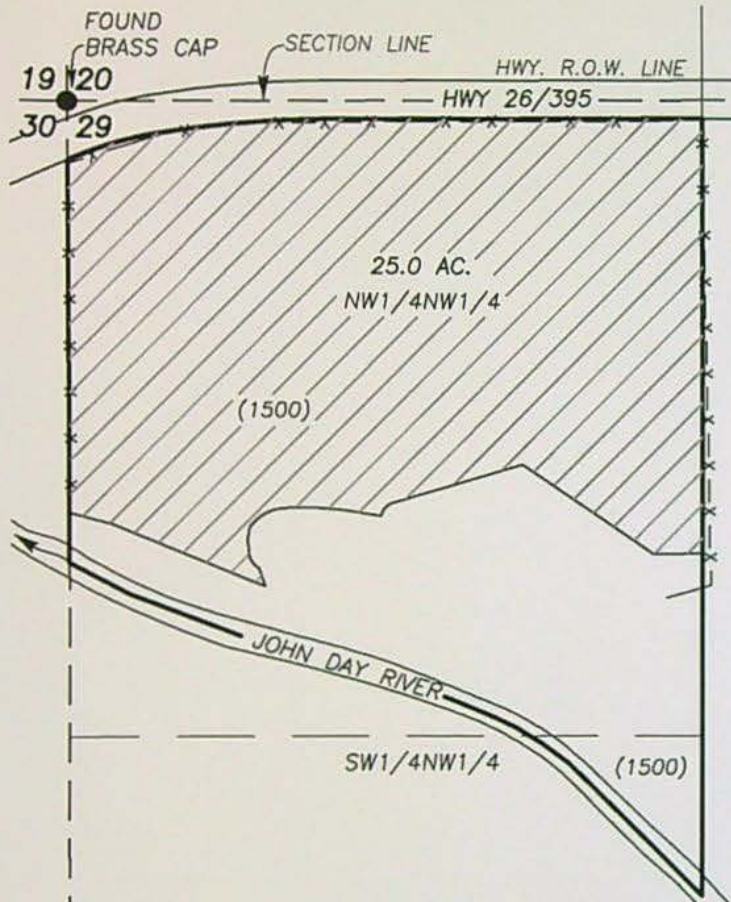
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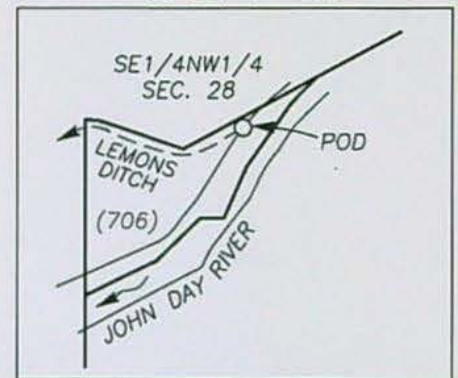
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SCALE: 1" = 400'



SCALE: 1"=400'




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○ POD: 245 FT. NORTH & 955 FT. WEST FROM C1/4 COR. SEC. 28,
 T.13S., R.30E., W.M.
 FROM POD: ODFW FISH SCREEN AND FISH BYPASS STRUCTURE BEARS,
 S.65°W., 150 FT.
 MEASUREING DEVICE AND STAFF GUAGE BEARS, S74°W., 250 FT.

 PLACE OF USE: PRIMARY (1911) / SUPPLEMENTAL (1981)

() TAX LOT NO.

x—x FENCE LINE

PREPARED BY:
 ROBERT D. BAGETT, PLS, CWRE
 217 N. CANYON BLVD.
 JOHN DAY, OREGON
 (541) 575-1251

AUGUST 1, 2024

DISCLAIMER: THIS MAP IS NOT INTENDED TO PROVIDE LEGAL
 DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.



EXPIRES 12/31/2025

Ditch Capacity Calculator

using Manning's Formula

Data Entry (fill in underlined blanks)

Top Width = 10 feet
Bottom Width = 4 feet
Depth = 1.6 feet
Fall = 1.1 feet per 420 feet of distance
Grade = 0.00261905, or 0.3%
n Factor = 0.03

Results calculated

Area of cross-section = 11.2 square feet
Wetted Perimeter = 10.8 feet
Hydraulic Radius = 1.03704
Velocity = 3.117 feet per second

Calculated Ditch Capacity = 34.9 cubic feet per second

SHIRLEY ANN AND JORDAN GAIL ENRIGHT

T-14169

LEMONS DITCH

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EXHIBIT A

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Oregon

Department of Fish and Wildlife

John Day Fish Screening and Passage

357 Patterson Bridge Rd.

P.O. Box 515

John Day, OR 97845

Voice: 541-575-0561

FAX (541) 575-0868

www.dfw.state.or.us/

July 31, 2024

Received by OWRD

AUG 14 2024



Shirley Ann and Jordan Gail Enright Joint Trust
59062 Highway 26
Mt. Vernon, OR 97865

Salem, OR

Dear Mr. & Mrs. Enright,

Your fish screen was inspected on 7/23/2024. In reference to water right transfer file number T-14169 this letter confirms that a National Marine Fisheries Service criteria fish screen as approved by ODFW is located on the property near GPS coordinates: 44.41095, -119.11764.

In regard to the inspection of the fish screen located on the John Day River, the following has been determined:

1. The screen located at coordinates 44.41095, -119.11764 is an ODFW shop-built 4'x24" dual bay rotary drum screen.
2. This screen is approved for water use up to 1,894 GPM or 4.22 CFS.
3. The screen configuration will still meet criteria with the addition of the 0.31 CFS associated with this transfer.
4. All screen and by-pass configurations meet National Marine Fisheries Service criteria at the time of inspection, any changes or modifications to the configurations will not be covered by this certification letter.
5. A by-pass pipe returning to the river is present in the screen configuration.

Please contact me if you have any questions regarding this letter.

Sincerely,

Nathaniel Ashley
Fish Screening and Passage Coordinator

CC: Oregon Water Resources Department

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EXHIBIT B



Oregon

Tina Kotek, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

www.oregon.gov/owrd

8/14/2024

Shirley Ann and Jordan Gail Enright Joint Trust
59062 Highway 26
Mt. Vernon, OR 97865

On 8/14/2024, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file:

Transfer T-14169

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-14169

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MOUNT VERNON IRRIGATION AND POWER CO.
MOUNT VERNON, OR 97865

confirms the right to use the waters of the JOHN DAY RIVER AND BEECH CREEK, a tributary of the COLUMBIA RIVER, FOR IRRIGATION OF 416.47 ACRES AND DOMESTIC USE.

This right was perfected under Permit E-88. The date of priority is MARCH 6, 1911. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 5.304 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	30 E	WM	21	SE NE	CREEK (PANAMA DITCH) - SOUTH 31 DEGREES WEST, 2244 FEET FROM THE NE CORNER OF SECTION 21
13 S	30 E	WM	25	NE NW	RIVER - SOUTH 72 DEGREES EAST, 2705 FEET FROM THE NW CORNER OF SECTION 25

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	30 E	WM	20	SW SW	40.0
13 S	30 E	WM	21	NW SE	24.0
13 S	30 E	WM	21	SW SE	20.0
13 S	30 E	WM	21	SE SE	8.0
13 S	30 E	WM	22	SW SW	20.0
13 S	30 E	WM	22	SE SW	15.0
13 S	30 E	WM	22	SW SE	7.0
13 S	30 E	WM	23	SW SW	5.0
13 S	30 E	WM	23	SE SW	15.0
13 S	30 E	WM	23	SW SE	20.0

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	30 E	WM	23	SE SE	15.0
13 S	30 E	WM	27	NW NW	10.0
13 S	30 E	WM	28	NW NE	10.0
13 S	30 E	WM	28	NE NW	17.0
13 S	30 E	WM	28	SW NW	5.2
13 S	30 E	WM	28	SE NW	19.2
13 S	30 E	WM	29	NE NE	34.77
13 S	30 E	WM	29	NW NE	36.0
13 S	30 E	WM	29	SW NE	10.0
13 S	30 E	WM	29	SE NE	16.3
13 S	30 E	WM	29	NE NW	24.0
13 S	30 E	WM	29	NW NW	13.0
13 S	30 E	WM	29	SW NW	5.0
13 S	30 E	WM	30	NE NE	25.0
13 S	30 E	WM	30	NW NE	2.0
TOTAL					416.47

DOMESTIC USE					
Twp	Rng	Mer	Sec	Q-Q	
13 S	30 E	WM	20	SW SW	
13 S	30 E	WM	21	NW SE	
13 S	30 E	WM	21	SW SE	
13 S	30 E	WM	21	SE SE	
13 S	30 E	WM	22	SW SW	
13 S	30 E	WM	22	SE SW	
13 S	30 E	WM	22	SW SE	
13 S	30 E	WM	23	SW SW	
13 S	30 E	WM	23	SE SW	
13 S	30 E	WM	23	SW SE	
13 S	30 E	WM	23	SE SE	
13 S	30 E	WM	27	NW NW	
13 S	30 E	WM	28	NW NE	
13 S	30 E	WM	28	NE NW	
13 S	30 E	WM	28	SW NW	
13 S	30 E	WM	28	SE NW	
13 S	30 E	WM	29	NE NE	
13 S	30 E	WM	29	NW NE	
13 S	30 E	WM	29	SW NE	
13 S	30 E	WM	29	SE NE	
13 S	30 E	WM	29	NE NW	
13 S	30 E	WM	29	NW NW	
13 S	30 E	WM	29	SW NW	
13 S	30 E	WM	30	NE NE	
13 S	30 E	WM	30	NW NE	

This certificate describes that portion of water right Certificate 89055, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 13 2024, approving Transfer Application T-14169.

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

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

WITNESS the signature of the Water Resources Director, affixed FEB 13 2024.

A handwritten signature in black ink, appearing to read "Lisa J. Jaramillo", is written over a horizontal line.

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

STATE OF OREGON

COUNTY OF GRANT

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

MOUNT VERNON IRRIGATION AND POWER CO.
PO BOX 301
MOUNT VERNON, OR 97865

confirms the right to use the waters of the JOHN DAY RIVER, a tributary of the COLUMBIA RIVER for SUPPLEMENTAL IRRIGATION of 148.44 ACRES.

This right was perfected under Permit S-46213. The date of priority is JANUARY 8, 1981. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 1.854 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	30 E	WM	25	NE NW	LATITUDE NORTH 44.4166 LONGITUDE WEST -119.0549

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 per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 5 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	30 E	WM	20	NE SW	4.60
13 S	30 E	WM	20	SW SW	9.43
13 S	30 E	WM	21	NW SE	17.40
13 S	30 E	WM	21	SW SE	14.90
13 S	30 E	WM	21	SE SE	1.70
13 S	30 E	WM	22	SW SW	3.21
13 S	30 E	WM	23	SW SW	3.00
13 S	30 E	WM	23	SE SW	8.00
13 S	30 E	WM	28	NE NW	8.38
13 S	30 E	WM	28	SE NW	3.90
13 S	30 E	WM	29	NE NE	28.92
13 S	30 E	WM	29	NW NE	15.10

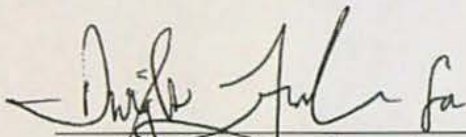
SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	30 E	WM	29	SW NE	0.50
13 S	30 E	WM	29	SE NE	13.10
13 S	30 E	WM	30	NE NE	16.30
TOTAL					148.44

This certificate describes that portion of water right Certificate 89056, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered FEB 13 2024, approving Transfer Application T-14169.

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

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

WITNESS the signature of the Water Resources Director, affixed FEB 13 2024.



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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 142029

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

INVOICE #

RECEIVED FROM: J Gail Enright;
BY: Shirley A. Enright

APPLICATION
PERMIT
TRANSFER T-14169

CASH: ☐ CHECK: # 2531 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 158.40

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 158.40

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 RECORD FEE \$
0203 GROUND WATER EXAM FEE 0204 RECORD FEE \$
0205 TRANSFER EXAM FEE

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE 0219 LICENSE FEE \$
LANDOWNER'S PERMIT EXAM FEE 0220 LICENSE FEE \$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD#
0210 MONITORING WELLS \$ CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION \$

RECEIPT: 142029

DATED: 12-1-2023 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 142029

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

INVOICE #

RECEIVED FROM: J Gail Enright;
BY: Shirley A. Enright

APPLICATION
PERMIT
TRANSFER T-14169

CASH: ☐ CHECK: # 2531 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 158.40

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 158.40

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 RECORD FEE \$
0203 GROUND WATER EXAM FEE 0204 RECORD FEE \$
0205 TRANSFER EXAM FEE

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE 0219 LICENSE FEE \$
LANDOWNER'S PERMIT EXAM FEE 0220 LICENSE FEE \$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ CARD#
0210 MONITORING WELLS \$ CARD#

OTHER (IDENTIFY)

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0233 POWER LICENSE FEE (FW/WRD) \$
0231 HYDRO LICENSE FEE (FW/WRD) \$
HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION \$

RECEIPT: 142029

DATED: 12-1-2023 BY: [Signature]

Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - File, Buff Copy - Fiscal

Attached is a check in the amount of \$158.40 (PCA #46118) for Newspaper Notice for Transfer T-14169 made out to Oregon Water Resources Department (or WRD)

- "for T-14169 NOTICE" written on front of check

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

Caseworker: Kim French

RECEIVED
DEC 01 2023
OWRD

RECEIVED

DEC 26 2023

OWRD

IN THE CIRCUIT COURT OF
THE STATE OF OREGON
FOR GRANT COUNTY

} AFFIDAVIT OF PUBLICATION
STATE OF OREGON
County of Grant } ss

I, Alexandra Hand being duly sworn, depose and say that I am the principal clerk of the publisher of the Blue Mountain Eagle, bluemountaineagle.com, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; that the

NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-14169

a printed copy of which is hereto annexed; was published in the entire issue of said newspaper for 2 successive and consecutive issues in the following issues:

Dates: 12/13/2023 & 12/20/2023

Subscribed and sworn to before me on this 20th day of December, A.D. 2023

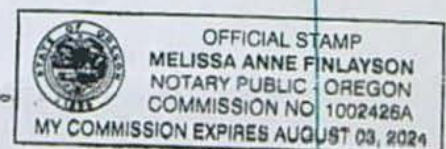
Alexandra Lee Hand

Melissa Finlayson
Notary Public of Oregon

Ad ID: 410652

PO:

Tagline: Preliminary Determination for Water Right Transfer T-14169



**NOTICE OF PRELIMINARY DETERMINATION FOR
WATER RIGHT TRANSFER T-14169**

T- 14169 filed by Shirley Ann and Jordan Gail Enright Joint Trust, 59062 Highway 26, Mt. Vernon, OR 97865, proposes a change in point of diversion under Certificates 89055 and 89056. Certificate 89055 allows the use of 0.31 cubic foot per second (cfs) from the John Day River and Beech Creek in Sects. 21 and 25, T13S, R30E, WM for irrigation in Sects. 20, 21, 22, 23, 27 and 28, T13S, R30E, WM. The applicant proposes to move the points of diversion to Sec. 28, T13S, R30E, WM. Certificate 89056 allows the use of 0.31 cfs from the John Day River in Sec. 25, T13S, R30E, WM for supplemental irrigation in Sects. 20, 21, 22, 23, 28, 29 and 30, T13S, R30E, WM.

The applicant proposes to move the point of diversion to Sec. 28, T13S, R30E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 12/20/2023. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

RECEIVED

DEC 26 2023

OWRD

JAN 5 2024

ADVERTISING RECEIPT



EO Media Group
PO Box 6020, Bend, OR 97708
Phone (541) 383-0333

DEC 26 2023
OWRD

OREGON WATER RESOURCES
DEPARTMENT
725 SUMMER ST. NE, SUITE A
SALEM, OR 97301

BILLING DATE:	ACCOUNT NO:
12/20/2023	[REDACTED]

AMOUNT DUE UPON RECEIPT

PO NUMBER

AD#	DESCRIPTION	AD CLASS	START	STOP	TIMES	AMOUNT
410652	NOTICE OF PRELIMINARY DETERMINATION FOR	Legal Notices	12/13/23	12/20/23	2	\$132.00

Discount:	\$0.00	Gross:	\$132.00
Surcharge:	\$0.00	Paid Amount:	\$0.00
Credits:	\$0.00	Amount Due:	\$132.00

Run Dates:

Blue Mountain Eagle
12-13-23, 12-20-23

ClassAd-410652-1

NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-14169

T- 14169 filed by Shirley Ann and Jordan Gail Enright Joint Trust, 59062 Highway 26, Mt. Vernon, OR 97865, proposes a change in point of diversion under Certificates 89055 and 89056. Certificate 89055 allows the use of 0.31 cubic foot per second (cfs) from the John Day River and Beech Creek in Sects. 21 and 25, T13S, R30E, WM for irrigation in Sects. 20, 21, 22, 23, 27 and 28, T13S, R30E, WM. The applicant proposes to move the points of diversion to Sec. 28, T13S, R30E, WM. Certificate 89056 allows the use of 0.31 cfs from the John Day River in Sec. 25, T13S, R30E, WM for supplemental irrigation in Sects. 20, 21, 22, 23, 28, 29 and 30, T13S, R30E, WM.

The applicant proposes to move the point of diversion to Sec. 28, T13S, R30E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 12/20/2023. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

APPROVED FOR PAYMENT

1-3-2024

*Not an invoice - invoice will be arriving soon.

We Appreciate Your Business!



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

January 29, 2024

Shirley & Gail Enright Joint Trust
59062 Highway 26
Mt. Vernon, OR 97865

REFERENCE: Transfer Application T-14169

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, Kim French, by telephone at (503) 979-3511 or by e-mail at Kim.r.french@water.oregon.gov.

Sincerely,

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

cc: Eric W. Julsrud, Watermaster Dist. # 4 (via email)
Grant County Planning Department, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING
T-14169, Grant County)	A CHANGE IN POINTS OF
)	DIVERSION

Authority

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

Applicant

SHIRLEY ANN AND JORDAN GAIL ENRIGHT JOINT TRUST
59062 HIGHWAY 26
MT. VERNON, OR 97865

Findings of Fact

1. On February 6, 2023, SHIRLEY ANN AND JORDAN GAIL ENRIGHT JOINT TRUST filed an application to change the points of diversion under Certificates 89055 and 89056. The Department assigned the application number T-14169.
2. Notice of the application for transfer was published on February 14, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 30, 2023, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14169 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of June 29, 2023, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are 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 December 7, 2023, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14169 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 December 12, 2023, and in the Blue Mountain Eagle newspaper on December 13 and December 20, 2023, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

Certificate: 89055 in the name of MT. VERNON IRRIGATION AND POWER CO.
(perfected under Permit E-88)

Use: IRRIGATION OF 25.0 ACRES

Priority Date: MARCH 6, 1911

Rate: 0.31 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 per acre and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

Source: JOHN DAY RIVER AND BEECH CREEK, tributary to the COLUMBIA RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	30 E	WM	21	SE NE	CREEK (PANAMA DITCH)(POD 1)- SOUTH 31 DEGREES WEST, 2244 FEET FROM THE NE CORNER OF SECTION 21
13 S	30 E	WM	25	NE NW	RIVER (POD 2) - SOUTH 72 DEGREES EAST, 2705 FEET FROM THE NW CORNER OF SECTION 25

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	30 E	WM	29	NW NW	25.0

6. Transfer Application T-14169 proposes to move the authorized points of diversion as follows with approximate distances described below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized POD
13 S	30 E	WM	28	SE NW	POD 3 - 245 FEET NORTH AND 955 FEET WEST FROM THE C 1/4 CORNER OF SECTION 28	POD 1 - 1 MILE DOWNSTREAM
						POD 2 - 11 MILES DOWNSTREAM

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

Certificate: 89056 in the name of MOUNT VERNON IRRIGATION AND POWER CO.
(perfected under Permit S-46213)

Use: SUPPLEMENTAL IRRIGATION OF 25.0 ACRES

Priority Date: JANUARY 8, 1981

Rate: 0.31 CUBIC FOOT PER SECOND (cfs)

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 per acre and shall be further limited to a diversion of not to exceed 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: JOHN DAY RIVER, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	30 E	WM	25	NE NW	(POD 2) - LATITUDE: NORTH 44.4166 LONGITUDE: WEST -119-0549

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	30 E	WM	29	NW NW	25.0

8. Transfer Application T-14169 proposes to move the authorized point of diversion approximately 1 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	30 E	WM	28	SE NW	POD 3 - 245 FEET NORTH AND 955 FEET WEST FROM THE C 1/4 CORNER OF SECTION 28

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

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

10. Water has been used within the five-year period prior to submittal of Transfer Application T-14169 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.
11. 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-14169.
12. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
13. The proposed point of diversion diverts water from the same source of surface water as the authorized points of diversion, as required by OAR 690-380-2110(2).

14. The Watermaster for District 4 has found that there is an estimated 1% channel loss per mile on the upper John Day River between the original points of diversion and the proposed point of diversion. To prevent enlargement of the rights, the rate of diversion at the proposed point of diversion on the John Day River (POD 3) shall be limited to 0.28 cubic foot per second under Certificate 89055 and shall be limited to 0.307 cubic foot per second under Certificate 89056.
15. The proposed changes, as conditioned, would not result in injury to other existing water rights.
16. All other application requirements are met.

Conclusions of Law

The change in points of diversion proposed in Transfer Application T-14169 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

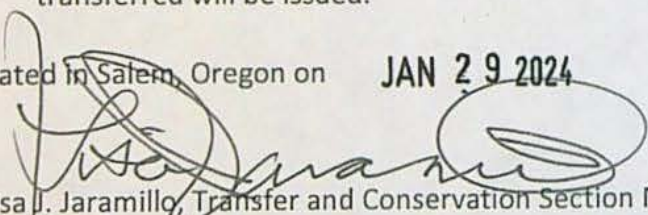
Now, therefore, it is ORDERED:

1. The change in points of diversion proposed in Transfer Application T-14169 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 89055 and 89056 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion.
4. Water right Certificates 89055 and 89056 are cancelled. New certificates will be issued describing that portion of the rights not affected by this transfer.
5. Under Certificate 89055, the quantity of water diverted at the new point of diversion (POD 3) shall not exceed 0.28 cfs, if lawfully available at the original points of diversion (POD 1 and POD 2).
6. Under Certificate 89056, the quantity of water diverted at the new point of diversion (POD 3) shall not exceed 0.307 cfs, if lawfully available at the original point of diversion (POD 2).
7. Water shall be acquired from the same source of surface water as the original points of diversion.
8. Water Use Measurement Conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).

- b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
9. Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.
- The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.
10. 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 change(s) and full beneficial use of the water.
11. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

Dated in Salem, Oregon on

JAN 29 2024


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

Mailing Date: **JAN 30 2024**



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

December 6, 2023

VIA CERTIFIED MAIL AND E-MAIL

Applicant

SHIRLEY ANN AND JORDAN GAIL ENRIGHT JOINT TRUST
59062 HIGHWAY 26
MT. VERNON, OR 97865

SUBJECT: Water Right Transfer Application T-14169

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14169. 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 and in the Blue Mountain Eagle newspaper, 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 last date of newspaper publication.

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

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

Please don't hesitate to contact me at 503 979-9607 or Kim.R.French@water.oregon.gov, if I may be of assistance.

Sincerely,

Kim French
Transfer Specialist
Transfer and Conservation Section

cc: T-14169
Eric W. Julsrud, District 4 Watermaster (via e-mail)

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14169, Grant County)	PROPOSING APPROVAL OF A CHANGE IN
)	POINTS OF DIVERSION

Authority

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

Applicant

SHIRLEY ANN AND JORDAN GAIL ENRIGHT JOINT TRUST
59062 HIGHWAY 26
MT. VERNON, OR 97865

Findings of Fact

1. On February 6, 2023, SHIRLEY ANN AND JORDAN GAIL ENRIGHT JOINT TRUST filed an application to change the points of diversion under Certificates 89055 and 89056. The Department assigned the application number T-14169.
2. Notice of the application for transfer was published on February 14, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 30, 2023, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14169 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of June 29, 2023, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.
4. The portion of the first right to be transferred is as follows:

Certificate:	89055 in the name of MT. VERNON IRRIGATION AND POWER CO. (perfected under Permit E-88)
Use:	IRRIGATION OF 25.0 ACRES

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

Priority Date: MARCH 6, 1911
Rate: 0.31 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 per acre and shall conform to such reasonable rotation system as may be ordered by the proper state officer.
Source: JOHN DAY RIVER AND BEECH CREEK, tributary to the COLUMBIA RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	30 E	WM	21	SE NE	CREEK (PANAMA DITCH)(POD 1)- SOUTH 31 DEGREES WEST, 2244 FEET FROM THE NE CORNER OF SECTION 21
13 S	30 E	WM	25	NE NW	RIVER (POD 2) - SOUTH 72 DEGREES EAST, 2705 FEET FROM THE NW CORNER OF SECTION 25

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	30 E	WM	29	NW NW	25.0

5. Transfer Application T-14169 proposes to move the authorized points of diversion as follows with approximate distances described below:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized POD
13 S	30 E	WM	28	SE NW	POD 3 - 245 FEET NORTH AND 955 FEET WEST FROM THE C 1/4 CORNER OF SECTION 28	POD 1 - 1 MILE DOWNSTREAM POD 2 - 11 MILES DOWNSTREAM

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

Certificate: 89056 in the name of MOUNT VERNON IRRIGATION AND POWER CO. (perfected under Permit S-46213)
Use: SUPPLEMENTAL IRRIGATION OF 25.0 ACRES
Priority Date: JANUARY 8, 1981
Rate: 0.31 CUBIC FOOT PER SECOND (cfs)
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 per acre and shall be further limited to a diversion of not to exceed 5.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: JOHN DAY RIVER, tributary to the COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	30 E	WM	25	NE NW	(POD 2) - LATITUDE: NORTH 44.4166 LONGITUDE: WEST -119-0549

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	30 E	WM	29	NW NW	25.0

7. Transfer Application T-14169 proposes to move the authorized point of diversion approximately 1 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	30 E	WM	28	SE NW	POD 3 - 245 FEET NORTH AND 955 FEET WEST FROM THE C 1/4 CORNER OF SECTION 28

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

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

9. Water has been used within the five-year period prior to submittal of Transfer Application T-14169 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-14169.
11. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
12. The proposed point of diversion diverts water from the same source of surface water as the authorized points of diversion, as required by OAR 690-380-2110(2).
13. Watermaster for District 4 has found that there is an estimated 1% channel loss per mile on the upper John Day River between the original points of diversion and the proposed point of diversion. To prevent enlargement of the rights, the rate of diversion at the proposed point of diversion on the John Day River (POD 3) shall be limited to 0.28 cubic foot per second under Certificate 89055 and shall be limited to 0.307 cubic foot per second under Certificate 89056.
14. The proposed changes, as conditioned, would not result in injury to other existing water rights.
15. All other application requirements are met.

Determination and Proposed Action

The change in points of diversion proposed in Transfer Application T-14169 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-14169 is approved, the final order will include the following:

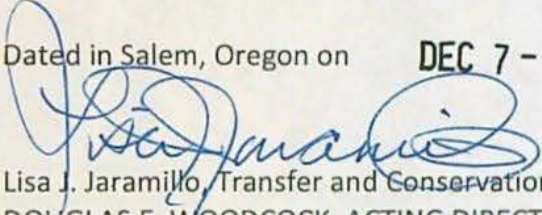
- 1. The change in points of diversion proposed in Transfer Application T-14169 is approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 89055 and 89056 and any related decree.*
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion.*
- 4. Water right Certificates 89055 and 89056 are cancelled. New certificates will be issued describing that portion of the rights not affected by this transfer.*
- 5. Under Certificate 89055, the quantity of water diverted at the new point of diversion (POD 3) shall not exceed 0.28 cfs, if lawfully available at the original points of diversion (POD 1 and POD 2).*
- 6. Under Certificate 89056, the quantity of water diverted at the new point of diversion (POD 3) shall not exceed 0.307 cfs, if lawfully available at the original point of diversion (POD 2).*
- 7. Water shall be acquired from the same source of surface water as the original points of diversion.*
- 8. Water Use Measurement Conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).*
 - b. The water user shall maintain the meters or measuring devices in good working order.*
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
- 9. Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon*

Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

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

10. *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 change(s) and full beneficial use of the water.*
11. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on **DEC 7 - 2023**


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

This Preliminary Determination was prepared by Kim French. If you have questions about the information in this document, you may reach me at 503 979-9607 or Kim.R.French@water.oregon.gov.

Protests

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

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

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

Requests for Standing

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

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

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

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

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

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

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

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

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

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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14169

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority? ☐

Applicant: SHIRLEY & GAIL ENRIGHT JOINT TRUST 59062 HIGHWAY 26 MT. VERNON, OR 97865	Agent: UNAVAILABLE	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Grant County Planning Department	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	E 1289	E 88	89055	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	S 61123	S 46213	89056	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions (Support Staff)

Rec'd: February 6, 2023	Proposed Action(s): POINT OF DIVERSION	
Fees Pd: 1970.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 6 John Day
Initial Public Notice:	County sent cc: of Ack Letter <input checked="" type="checkbox"/>	County: GRANT
WM District: 4 Eric W. Julsrud	WM Review request sent:	WM Review date received: 3/10/23
ODFW District:	ODFW Review sent:	ODFW Review date received: 2/13/23
Groundwater	GW Review sent:	GW Review date received: N/A

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: <input checked="" type="checkbox"/>	Name of Newspaper: BLUE MOUNTAIN EAGLE
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):
Request for news \$ sent: WAXX	News \$ received:
Affidavit of publication received:	Last day of publication:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: 4/24/23 Initials: <i>Y</i>	Date: 4-25 Initials: <i>JE</i>	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: 5/2/23 WM Sheet: <input checked="" type="checkbox"/> ODFW Sheet: <input checked="" type="checkbox"/>	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ No. of docs for sig: _____	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____

20
6/29/23

T-14/169 ✓
DL

Land Title Company of Grant County, Inc.

145 NE Dayton Street
John Day, OR 97845-1092

Phone: (541) 575-1529
Fax: 1(541) 628-7415
E-Mail: landtitleco@lcofgrantcounty.com

Date: June 16, 2023

Fee: \$300.00

OWNERSHIP AND ENCUMBRANCE REPORT

Property Address: N/A, Mount Vernon, OR 97865

The Company has searched its title plant records, and the Company reports as follows:

According to the Company's title plant records for Grant County as to land described below, the Company finds the following matters as of 8:00 a.m. on June 05, 2023:

A. The land which is the subject of this search is described as follows:

In Township 13 South, Range 30 East, Willamette Meridian:
Section 29: All that portion of the W1/2NW1/4 lying North of the center line of the John Day River and South of the John Day Highway right of way as said right of way is described in Book 72, Page 499, Deed Records of Grant County, Oregon.

B. The apparent vested owner is:

Shirley Ann Enright and Jordan Gail Enright, Trustees of the Shirley and Gail Enright Joint Trust

C. The land is subject to the following apparent monetary encumbrances and real property taxes:

1. 2023-2024 taxes, a lien not yet payable.
2. As disclosed by the tax roll the premises herein described have been zoned or classified for farm use. At any time that said land is disqualified for such use, the property may be subject to additional taxes or penalties and interest.
3. This report does not include a search for financing statements or agricultural services liens which are filed with the Secretary of State and any matters which would be disclosed thereby are expressly excluded from coverage herein.
4. The legal description in this report is based on information provided by the parties or their representative. The parties to the forthcoming transaction must notify the title company prior to closing if the description does not conform to their expectations.

NOTE: Taxes paid in full for 2022-2023:

Levied Amount : \$215.70

Account No. : 3-62 13-30-29 TL1500; Ref. 5132

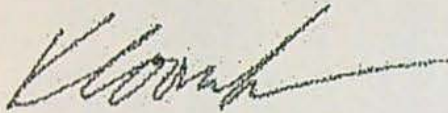
Assessed Land Value: \$207,930.00
Assessed Improvements Value:
Assessed Total Value: \$207,930.00

THIS SEARCH DOES NOT INCLUDE ANY EASEMENTS, COVENANTS, RESTRICTIONS OR OTHER SUCH MATTERS.

Order No.: 28720

THIS IS NOT A TITLE REPORT, since no examination has been made of the title to the above described property. Our search for apparent encumbrances was limited to our Tract Indices, and therefore, above listings do not include additional matters which might have been disclosed by an examination of the record title. We assume no liability in connection with this Report and will not be responsible for errors or omissions therein.

Land Title Company of Grant County, Inc.

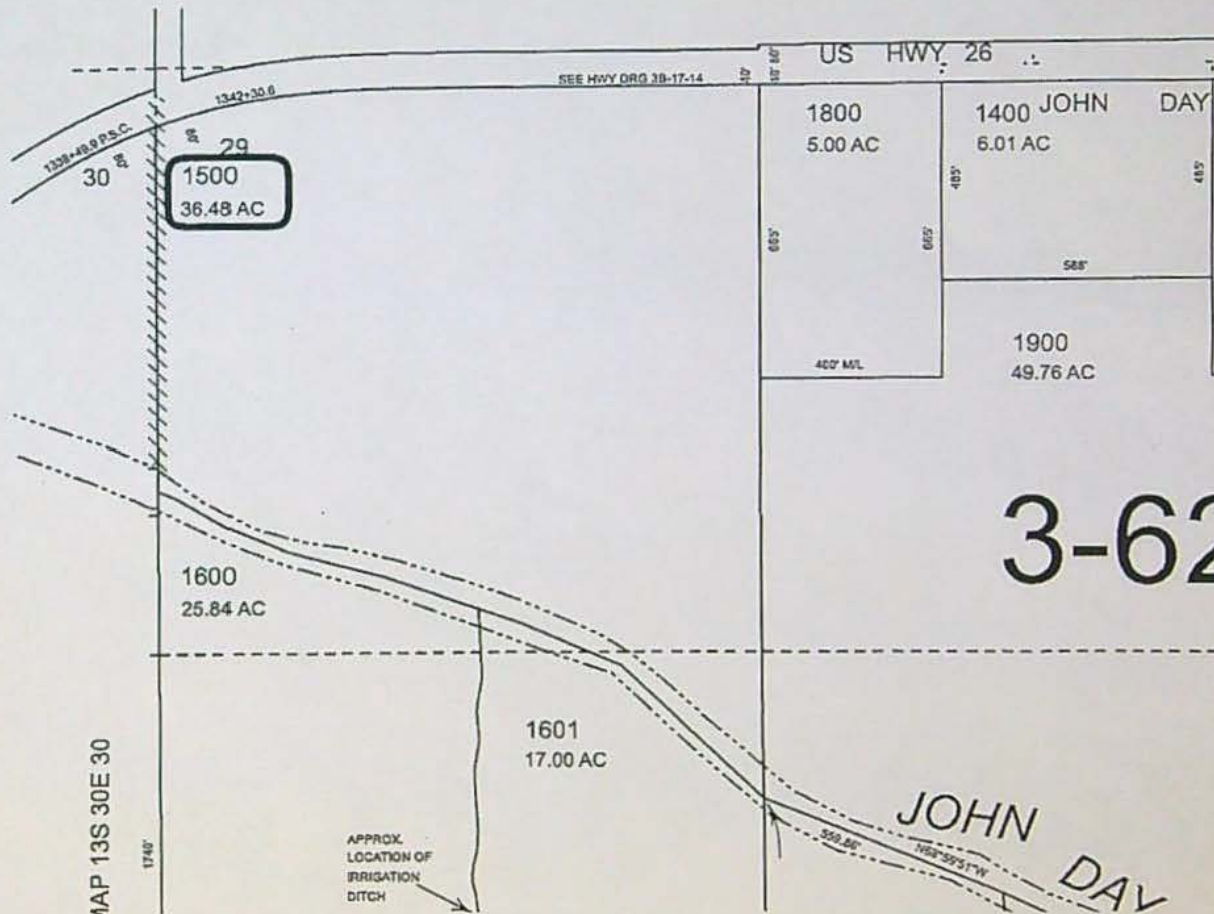
A handwritten signature in black ink, appearing to read 'Kristen Coombs', written over a horizontal line.

Kristen Coombs, Title Officer
kristen@ltcofgrantcounty.com
(541) 575-1529

13-30-29



THIS SKETCH IS FOR
LOCATION PURPOSES ONLY,
AND NO WARRANTIES ARE
IMPLIED AS TO VARIATIONS, IF
ANY, IN DIMENSIONS OR
LOCATION AS REVEALED BY
AN ACCURATE SURVEY.



3-62

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
County of Grant) ss)

Jordan Gail Enright
I Shirley Enright in my our capacity as owners

mailing address 59062 Hwy 26, Mt. Vernon, OR 97865

telephone number 541-620-0980, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 89056

described in a Water Right Transfer Application (T-14169),
(transfer number, if known)

submitted by Jordan Gail Enright / Shirley Enright

on the property in tax lot number(s) 1500

Section 29 Township 13 North/South North Range 30 East/West, W.M.

located at 59062 Hwy 26, Mt. Vernon, OR 97865
(site address)

Jordan Gail Enright
Signature of Affiant

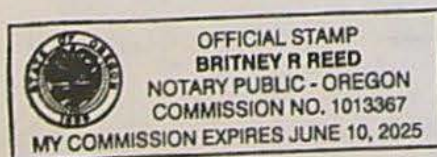
6-15-23
Date

Shirley Enright
Signature of Affiant

6-15-23
Date

Subscribed and Sworn to before me this 15th day of June, 2023.

Britney R Reed
Notary Public for Oregon



My commission expires June 10, 2025

RECEIVED

JUN 20 2023

OWRD
SALEM, OREGON



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

May 30, 2023

VIA E-MAIL

Applicant

SHIRLEY AND GAIL ENRIGHT JOINT TRUST

59062 HIGHWAY 26

MT. VERNON, OR 97865

Reference: Water Right Transfer Application T-14169

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14169. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by June 30, 2023

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. Respond in writing by June 30, 2023, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right(s) are currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

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

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

- d) Must include a list of owners at the time the report was generated; **AND**
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at: [https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions of your water right...

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

This transfer will require installation of a fish screen at the new diversion point **prior to diversion of water. You may not divert water prior to installation and approval of the fish screen by the Oregon Department of Fish and Wildlife (ODFW).** You may wish to contact the ODFW staff person listed on the enclosed contact sheet for more information about the screen and to determine a reasonable timeline.

Please note the proposed date by which all conditions must be met: October 1, 2024. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there are intervening point(s) of diversion between the new and the authorized points of diversion and because there is more than ¼ mile between the new and the authorized points of diversion, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs) for processing.

Issuance of the Preliminary Determination will occur shortly after we receive:

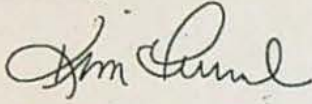
1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and

2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by June 30, 2023, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at 503 979-9607 or Kim.R.French@water.oregon.gov if I may be of assistance.

Sincerely,



Kim French
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14169
Eric W. Julsrud, District 4 Watermaster (*via e-mail*)

encs

**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 # **140263**

INVOICE # _____

RECEIVED FROM: J. Gail Enright
BY: Shirley A. Enright

APPLICATION	
PERMIT	
TRANSFER	<u>T-14167</u>

CASH: ☐ CHECK: # 2518 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$1,511.23

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R11-422-23 \$

0412 OTHER: (IDENTIFY) Transfer Rainwater \$1,511.23

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	\$		

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	\$	0219	\$
	LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD#	
0210	MONITORING WELLS	\$	CARD#	

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)	\$
0231	HYDRO LICENSE FEE (FW/WRD)	\$
	HYDRO APPLICATION	\$

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$

RECEIPT: **140263**

DATED: 3/8/23 BY: Lisa D Miller

MAR 08 2023

Salem, OR

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-422-23**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and J. Gail Enright and Shirley Enright, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes	Name: J. Gail Enright	Name:
Title: Transfer Advisor	Name: Shirley Enright	Contact:
Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address: 59062 Highway 26 Mt. Vernon, OR 97865	Address:
Phone: 503 979-3511	Phone: (541) 620-0980	Phone:
Fax: 503 986-0901	Fax:	Fax:
Email: patrick.k.starnes@water.oregon.gov	Email: enright@ortelco.net	Email:

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-14169)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is \$1,511.23. Applicant agrees to pay the full amount of \$1,511.23 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately 120 days** once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. **NOTE:** Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
11. **Captions.** The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
12. **Amendment and Merger.** The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.
13. **Signatures.** All parties, by the authorized representative's signature below, hereby acknowledge that they have read this Agreement, understand it and agree to be bound by its terms and conditions.

For Applicant:

Shirley Enright *Shirley Enright*
Name/Title:

3/3/2023
Date

For OWRD:

Dwight French
Dwight French – Administrator

3-15-2023
Date

Mail signed Agreement to:

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

Received by OWRD

MAR 08 2023

Salem, OR

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **140109**

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

INVOICE # _____

RECEIVED FROM: J. Gail Enright; Shirlei

BY: A. Enright

APPLICATION	
PERMIT	
TRANSFER	<u>T-14169</u>

CASH: ☐ CHECK: # 2517 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R-11422-23 \$ _____

0412 OTHER: (IDENTIFY) Reimbursement Authority \$ 125.00

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	\$ _____		

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
	LANDOWNER'S PERMIT		0220	\$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$ _____	CARD#	_____
0210	MONITORING WELLS	\$ _____	CARD#	_____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233	POWER LICENSE FEE (FW/WRD)	\$ _____
0231	HYDRO LICENSE FEE (FW/WRD)	\$ _____
	HYDRO APPLICATION	\$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **140109**

DATED: 2/13/23 BY: M. Brown Kay



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate from Transfer fees.

The purpose of this application is to obtain estimates of the cost and time required to process a Transfer Application Request. There is a non-refundable application fee of \$125.00 per request.

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number T-14169

Applicant Information		Applicant's Representative/Contact
Name:	J. Gail Enright	
Address:	59062 Hwy 36, Mt. Vernon OR 97865	
Phone:	541-620-0980	
Fax:		
E-Mail Address:	enright@ortelco.net	

I understand the following:

- That upon receipt of my non-refundable application fee of \$125.00, OWRD will, within fourteen (14) days, notify me in writing of the estimate of costs and time frame for the expedited service.
- That this fee covers the reimbursement authority staff to evaluate and provide the estimate for processing of the request.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimate I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

Oregon Water Resources Department
Transfer Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1271

Received by OWRD

FEB 13 2023

Salem, OR

I certify that I am the (check one):

☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Name: J. Gail Enright

Shirley Enright

Signature:

J. Gail Enright

Shirley Enright

OWRD USE ONLY: Reimbursement Authority Number: R11-422 -23

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14169

Review Due Date: 03/10/2023

Applicant Name: Shirley and Gail Enright Joint Trust

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

Reviewer(s): Eric W. Julsrud

Date of Review: 02/15/2023

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
The upper John Day River is regulated annually for deficiency in supply.
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

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

Many certificates below (downstream) of the place of use benefit from return flow from the use of the water right involved in this transfer. The certificates most likely to benefit the most from return flow would be C-91582 and C-50802. Return flows would likely re-enter the John Day River along the southern edge of the place of use within the NWNW Section 29.

☐ N/A

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

There are losses and gains within many of the sections of the upper John Day River that I have witnessed over my tenure as watermaster in this basin. In past transfers/leases I have recommended a 1% per mile loss factor be applied if POD movements along the river are moved 5 miles in distance or greater. I do not have quantified data to support a greater or lesser loss factor for this section of the river. I would recommend for consistency that a 1% per mile loss factor be applied to this POD movement.

☐ N/A

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

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

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

- i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:
- ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:
- iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:
- iv. Do you have any other observations regarding the temporary transfer?
☐ Yes ☐ No If "Yes", describe:
- v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

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

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

☐ Yes ☒ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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

The Panama Ditch and the Lemons-Ingle Ditch (Auth POD/proposed POD) already have suitable measuring devices installed on each diversion through the Significant Diversion Inventory from many years ago.

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐ Weir
☐ Parshall Flume
☐ Other: _____

☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14169



In order to avoid enlargement of the right or injury to other rights, a Open Channel Measuring Device will be required to be installed prior to diversion of water, as a condition of this transfer:

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

at each new point of diversion/appropriation.

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

Watermaster name: Eric W. Julsrud

District: 4

Address: 201 South Humbolt Street, Suite 180

City/State/Zip: Canyon City, OR 97820

Phone: 541-575-0119

Email: Eric.W.Julsrud@water.oregon.gov

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

Approval of an Alternate Measurement Device

T- 14169

(to be filled out after consultation with the applicant, or after a site visit)

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

Watermaster signature

District

Date

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

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

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: T-14169, Shirley & Gail Enright Joint Trust Date of review: 02/13/2023

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

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

(Please attach any available supporting information.)

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

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

☐ **1. Screen Maintain**

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

Note: This option will yield the following:

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

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

☒ **2. Screen Now**

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

Note: This option will yield the following:

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

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

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

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

☐ **3. Screen 2 Year**

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

Note: This option will yield the following:

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

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

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

☐ **4. Screen Future**

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

Note: This option will yield the following:

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

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

☐ **5. No Screen Needed**

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

Jorden D Smith

Digitally signed by Jorden D Smith
Date: 2023.02.13 09:20:07 -08'00'

Signature

Jorden Smith
Printed Name

(541) 805-1990

Phone

East Region Hydro and Water Rights Coordinator
Title

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

Transfer #: T-14169, Shirley & Gail Enright Joint Trust

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

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

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

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

ODFW staff name: Nathaniel Ashley

Address: 357 Patterson Bridge Rd

City/State/Zip: John Day, OR 97845

Phone: (541)575-0561

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

ODFW staff name: Stephan Charette

Address: 305 N Canyon Blvd

City/State/Zip: John Day, OR 97845

Phone: (541)575-1167 x225

**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 # **140076**

INVOICE # _____

RECEIVED FROM: J. Beil Enright
BY: Shirley A. Enright

APPLICATION	
PERMIT	
TRANSFER	<u>T-14169</u>

CASH: ☐ CHECK: # 2684 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$1,970.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____
OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____
0410 RESEARCH FEES \$ _____
0408 MISC REVENUE: (IDENTIFY) _____ \$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____
0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$ _____	0204	\$ _____

0205 TRANSFER \$1,970.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219	LICENSE FEE
LANDOWNER'S PERMIT	\$ _____	0220	\$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$ _____	CARD#	_____
0210 MONITORING WELLS	\$ _____	CARD#	_____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)	_____	\$ _____
0231 HYDRO LICENSE FEE (FW/WRD)	_____	\$ _____
HYDRO APPLICATION		\$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: **140076**

DATED 2-6-2023 BY: [Signature]

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- X Part 1 – Completed Minimum Requirements Checklist.
- X Part 2 – Completed Transfer Application Map Checklist.
- X Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- X Part 4 – Completed Applicant Information and Signature.
- X Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 1 List them here: 89055, 89056.**

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

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

Attachments:

- X Completed Transfer Application Map.
- X Completed Evidence of Use Affidavit and supporting documentation.
- ☐ X N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- X ☐ 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.
- X ☐ 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.
- ☐ X N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ X 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: ____/____/____

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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

TACS

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Shirley and Gail Enright Joint Trust			PHONE NO. 541-932-4778	ADDITIONAL CONTACT NO. 541-620-0980
ADDRESS 59062 Highway 26				FAX NO.
CITY Mt. Vernon	STATE OR	ZIP 97865	E-MAIL enright@ortelco.net	
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 Shirley and Gail Enright Joint Trust			PHONE NO. 541-932-4778	ADDITIONAL CONTACT NO.
ADDRESS 59062 Highway 26				FAX NO.
CITY Mt. Vernon	STATE OR	ZIP 97865	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.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
We need to transfer our POD from the Panama Ditch to the Lemons ditch POD to more efficiently irrigate the fields.

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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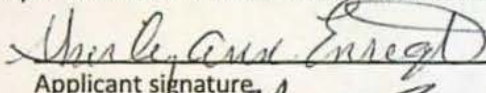
FEB 06 2023

OWRD

By my signature below, I confirm that I understand:

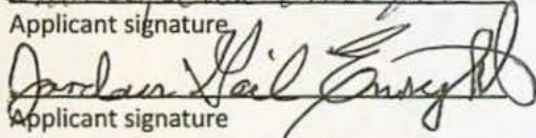
- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Blue Mt. Eagle.
- 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

Shirley Ann Enright, Trustee
Print Name (and Title if applicable)

2/2/2023
Date


Applicant signature

Jordan Gail Enright, Trustee
Print Name (and Title if applicable)

2/2/2023
Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? X 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:

- X 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 X 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

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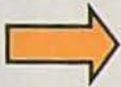
RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 89055

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Description of Water Delivery System

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System capacity: 5.614 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. Open ditch from JDR-4 miles above property, water delivered through numerous other property owners in several laterals.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD #1 Panama Ditch	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		13 S	30 E	21	SE NE	2500	S. 31degrees W. 2244 ft. from NE cor. Sec. 21.
POD #2 John Day River	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		13 S	30 E	25	NE NW	2500	S. 72 degrees E., 2705 ft. from NW cor. Sec. 25.
POD#3 Lemons Ditch	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		13 S	30 E	28	SE NW	706	245' North & 955' West from C¼ cor. Sec. 28.

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

- | | |
|--|---|
| <input 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 checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

☐ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☒ No Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

Table 2. Description of Changes to Water Right Certificate # 89055

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		
EXAMPLE																						
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901		
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
13	S	30	E 29 NW NW	1500		25.0	Irrigation & Domestic	POD#1 & POD #2	1911	POD	13	S	30	E 29 NW NW	1500		25.0		POD #3	1911		
TOTAL ACRES:						25.0					TOTAL ACRES:						25.0					

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Additional remarks. POD CHANGE ONLY.

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? X Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: C-89056

 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 # _____

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

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 # **89056**

Description of Water Delivery System

System capacity: **2.164** 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. Open ditch from JDR- 4 miles above property, water delivered through numerous other property owners in several laterals.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD #2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		13 S	30 E	25	NE NW		Latitude North 44.4166 Longitude West-119.0549
POD #3 Lemons Ditch	Authorized <input checked="" type="checkbox"/> Proposed		13 S	30 E	28	SE NW		245' North & 955' West from C1/4 cor. Sec. 28

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

- | | |
|--|---|
| <input 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 checked="" 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.

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

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	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
13	S	30	E	29	NW	NW	1500		25.0	Supplemental Irrigation	POD #2	1981	POD	13	S	30	E	29	NW	NW	1500		25.0		POD #3	1981
TOTAL ACRES:							25.0							TOTAL ACRES:							25.0					

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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: C-89055.

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-specific rate (cfs or gpm). If less than full rate of water right

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
County of GRANT) ss

I, GAIL ENRIGHT, in my capacity as OWNER,

mailing address 59062 HIGHWAY 26, MT. VERNON, OR 97865

telephone number (541)932-4778, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for
Certificate # _____; **OR**

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
89055	13	S	30	E	wm	29	NW	NW		25.0
89056	13	S	30	E	wm	29	NW	NW		25.0

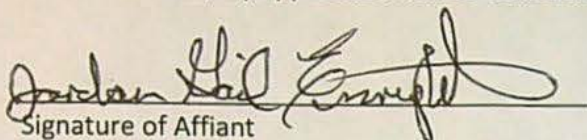
OR

- ☐ 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)

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

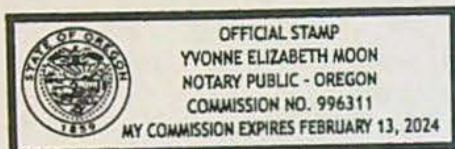
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

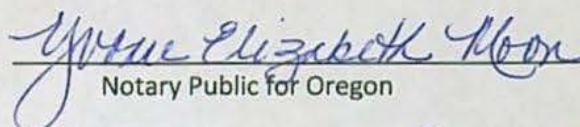

Signature of Affiant

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2/2/2023
Date

Signed and sworn to (or affirmed) before me this 2ND day of February, 20 23.




Notary Public for Oregon

My Commission Expires: February 13 2024
County: Grant

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



Lemons Ditch



1000 ft

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OWRD

IMAGERY DATE 9-23-2022

Google Earth

14169

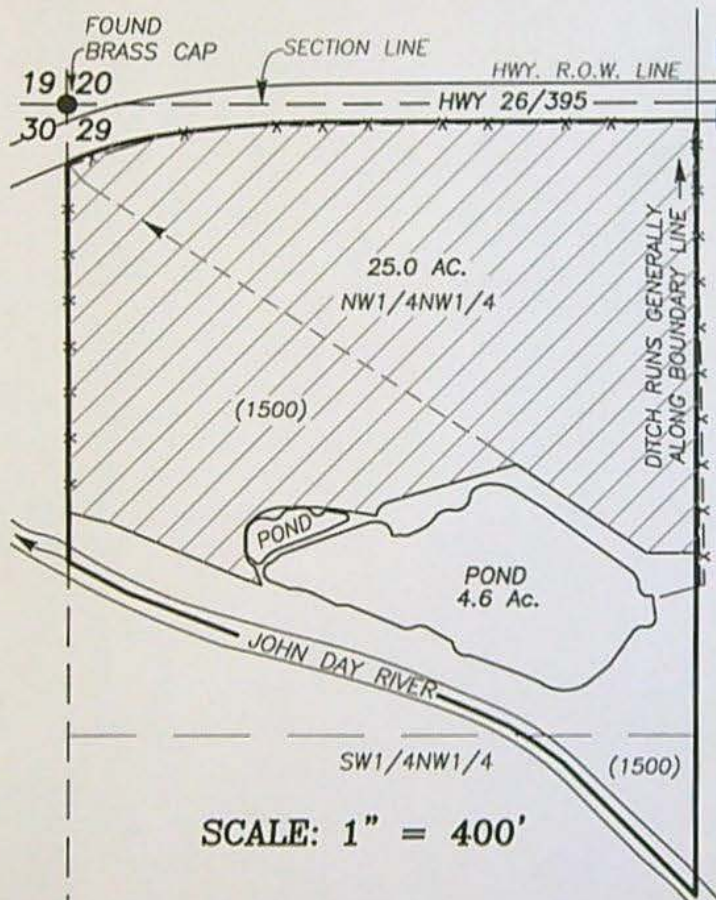
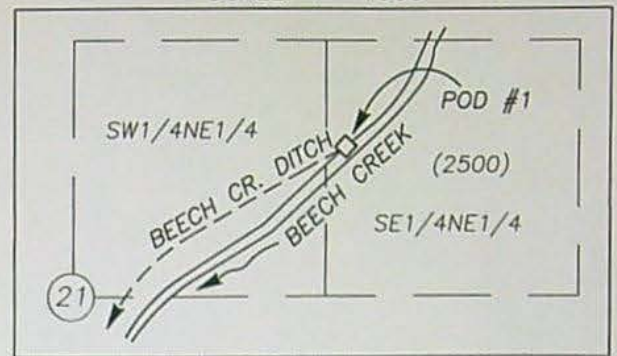
46

26

T.13S., R.30E., W.M.
GRANT COUNTY, OREGON

TRANSFER APPLICATION MAP
CHANGE IN POINT OF DIVERSION
FOR
SHIRLEY AND GAIL ENRIGHT JOINT TRUST

SCALE: 1"=1000'

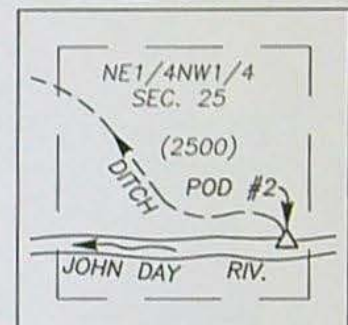


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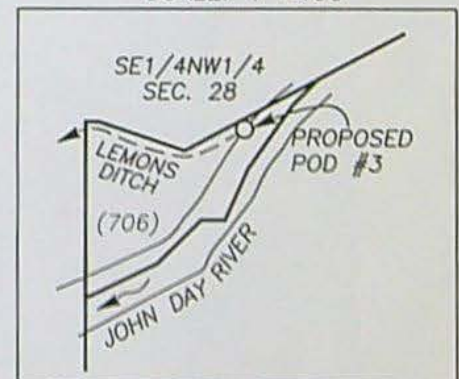
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SCALE: 1"=1000'



SCALE: 1"=400'



- ◇ AUTHORIZED POD#1: S.31°W., 2244 FT. FROM NE COR. SEC. 21, T.13S., R.30E.
- △ AUTHORIZED POD#2: S.72°E., 2705 FT. FROM NW COR. SEC. 25, T.13S., R.30E.
- PROPOSED POD#3: 245 FT. NORTH & 955 FT. WEST FROM C1/4 COR. SEC. 28, T.13S., R.30E.

▨ PLACE OF USE: C-89055 (PRIMARY) / C-89056 (SUPPLEMENTAL)

--- DITCH

() TAX LOT NO.

X—X FENCE LINE

DISCLAIMER: THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES.

PREPARED BY:

ROBERT D. BAGETT, PLS, CWRE
217 N. CANYON BLVD.
JOHN DAY, OREGON
(541) 575-1251

DECEMBER 5, 2022



RENEWS 12/31/2023

14169

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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FEB 06 2023

OWRD

Applicant(s): Shirley and Gail Enright Joint Trust

Mailing Address: 59062 HWY 26

City: Mt Vernon

State: OR

Zip Code: 97865

Daytime Phone: 541-932-4778

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
_____	_____	_____	_____	<u>SEE</u>	<u>ATTACHED</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____

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

Grant 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) John Day River

Estimated quantity of water needed: 0.625 ☒ 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:

Point of Diversion Transfer.

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. →

Land Use Information Form

Attachment

Land and Location

Township	Range	Section	1/4 1/4	Tax Lot	Plan Designation	diverted	water to be conveyed	used	proposed land use
13S	30E	28	SENW	706	city	X	X		
13S	30E	28	SWNW	700	EFU		X		
13S	30E	28	SWNW	502	city + EFU		X		
13S	30E	29	SENE	400	EFU		X		
13S	30E	29	SENE	500			X		
13S	30E	29	SENE	1100			X		
13S	30E	29	SENE	501			X		
13S	30E	29	SENE	500			X		
13S	30E	29	SWNE	1100			X		
13S	30E	29	NWNE	1100			X		
13S	39E	29	NWNE	1900			X		
13S	30E	29	NENW	1900			X		
13S	30E	29	NWNW	1500			X	X	

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FEB 06 2023

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☐ Land uses to be served by the proposed water use (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s):

Name: Shannon Springer Title: Planner
 Signature Phone: 541-575-1519 Date:
 Government Entity: Grant County Planning Department

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): Grant County Land Development Code Article 4-
- ☐ 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.

Irrigation is an allowed use in EF4 Zone

Name: Shannon Springer Title: Planning Director
 Signature: Shannon Springer Phone: 541-575-1519 Date: 11/30/2023
 Government Entity: Grant 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: _____

Enright
135 E Sec 23/27

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): Land uses served are outside of UGB
- ☐ 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.

--

Name: Chantal Desjardin Title: City Recorder
Signature: Chantal Desjardin Phone: 541-932-4685 Date: 2/1/23
Government Entity: City of Mt. Vernon

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: _____



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

February 8, 2023

SHIRLEY & GAIL ENRIGHT JOINT TRUST

59062 HIGHWAY 26

MT. VERNON, OR 97865

Reference: Application T-14169

On February 6, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1970.00. Receipt number 140076 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

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 from the new point of diversion 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.

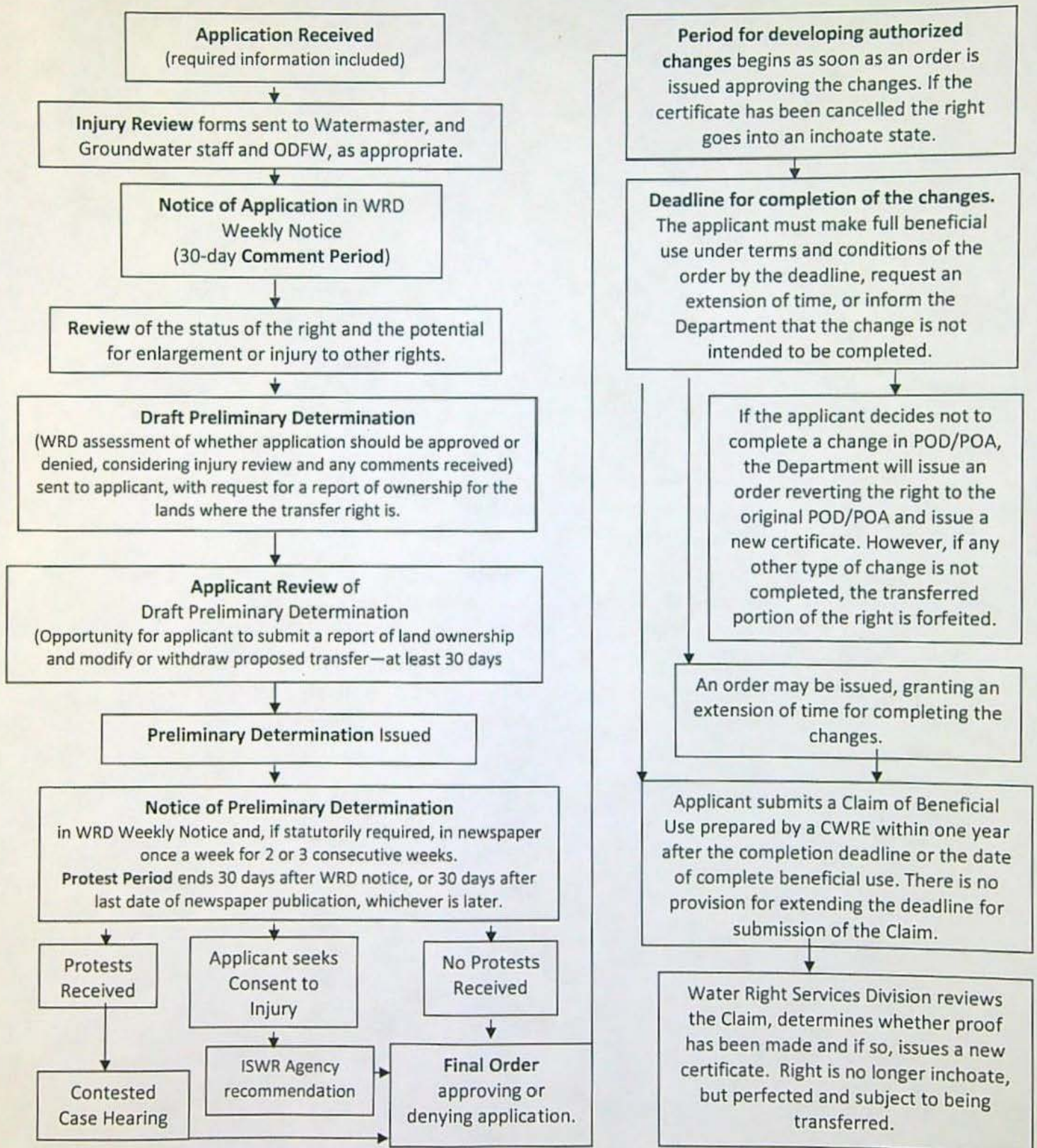
If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #4, Eric W. Julsrud (*via email*)
Grant County

Enclosure

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

OAR 690 Division 380



Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # T-14169

Checked by <u>Dante</u>	Type of Change(s) Proposed: <u>NO</u> other changes allowed other than those listed	
Date <u>2-7-2023</u>		
Fee Received: \$1970	<input type="checkbox"/> POU <input type="checkbox"/> POD <input checked="" type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE	
Calculated Fee: \$1970		How many rights to be Transferred? 2
Deficiencies and Observations: Check for location on Evidence of Use supplemental evidence, 2 water rights (IR SUPP IR)		Certificate #(s) 89055 89056

If OK, check box; if not, fill in.

- ☒ 1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom?
If not, what is missing? Whose signature is missing? _____
- ☒ 2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D? ☒ N/A.
Name of the District _____
- ☒ 3. Part 5 of application, has the applicant completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application?
If not, you may need to contact the applicant or agent? _____
- ☒ 4. For multiple certificates, do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2? (compare with OAR 690-380-3220-may need to return)
If no, which certificates are missing a separate Part 5, tables 1 & 2? _____
- ☒ 5. Has the map been completed and signed by a CWRE? Does the map meet the requirements?
If not, what is missing? _____. Map waiver included? ☐
- ☒ 6. If a change in point of appropriation, have the well logs been included? ☒ N/A.
- ☒ 7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☒ N/A.
- ☒ 8. Has applicant filled out the Minimum Requirements Checklist (Part 1 of 5)? Is the application complete? If not, what is missing (check Evidence of Use and Land Use)? _____
- ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

- ☐ This application is deficient, and **CANNOT** be accepted.
It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.

Actions taken:

_____ date _____

Revised 12/2022.krf

14169

Permanent Transfer Application Checklist

[illegible]