

DROUGHT

T-14324

Name Briggs management LLCAddress PO Box 805
Canyonville Oregon 97517
dbriggs18@icloud.comChange in POD POD
Date Filed 9/12/2023
Initial notice date 9/19/2023
DPD issued date _____
PD issued date _____
PD notice date _____
Date of FO _____ Vol _____ Page _____C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____Assignments: _____

Irrigation District _____

Agent _____

CWRE _____

CC's list _____

☐ - Oversized map - Location _____

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Morgan CreekTrib. of South Umpqua riverUse IrrigationCounty Douglas

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

Name of ditch _____

App# 51220 Per # 5507 Cert # 81337 PR Date _____

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

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

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

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

FEES PAID

Date	Amount	Receipt #
9-12-2023	200.00	141611

FEES REFUNDED

Date	Amount	Receipt #
------	--------	-----------



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

September 25, 2023

BRIGGS MANAGEMENT LLC
PO BOX 805
CANYONVILLE, OR 97417

REFERENCE: Temporary Drought Transfer Application T-14324

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

The temporary change shall be effective upon issuance of this final order. Please note, the use shall revert back to the original authorized place of use at the end of the 2023 irrigation season or the end of the Governor's declared drought, whichever occurs first.

If you have any questions related to this transfer, you may contact your caseworker, Arla Davis, by telephone at 503-979-3129 or by e-mail at Arla.L.Davis@oregon.gov.

Sincerely,

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

cc: Susan M. Douthit, Watermaster Dist. #15 (via email)

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING AN
T-14324, Douglas County)	EMERGENCY USE DROUGHT TEMPORARY
)	CHANGE IN PLACES OF USE AND CHANGE
)	IN POINTS OF DIVERSION.

Authority

Oregon Revised Statute (ORS) 536.750 establishes the process in which a water right holder may submit a request to temporarily transfer the use, place of use or point of diversion of water in the event of a declaration of drought, without complying with the notice and waiting requirements under ORS 540.520. Oregon Administrative Rule (OAR) Chapter 690, Division 019 implements the statutes and provides the Department's procedures and criteria for evaluating drought transfer applications.

Applicant

BRIGGS MANAGEMENT LLC
PO BOX 805
CANYONVILLE, OR 97417

Findings of Fact

1. On September 14, 2023, BRIGGS MANAGEMENT, LLC filed an application to temporarily change the places of use and change the points of diversion under Certificate 81337 for the remainder of the 2023 irrigation season or the term of the Governor's declared drought, whichever is shorter. The Department assigned the application number T-14324.
2. Notice of the application for transfer was published on September 19, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The right to be temporarily transferred is as follows:

Certificate: 81337 in the name of WEBSTER BRIGGS (perfected under Permit S-597)
Use: IRRIGATION of 16.0 ACRES
Priority Date: JANUARY 21, 1911
Rate: 0.2 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.20 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the original point of diversion.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, 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.

Source: MORGAN CREEK, a tributary of SOUTH UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
30 S	5 W	WM	24	SW NW	3	NEW ADDITIONAL POINT OF DIVERSION - 1770 FEET SOUTH AND 1020 FEET EAST FROM THE NW CORNER OF SECTION 24

Authorized Place of Use:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
30 S	5 W	WM	24	NE NW		54	0.1
30 S	5 W	WM	24	NW NW		54	10.1
30 S	5 W	WM	24	NW NW	2		0.5
30 S	5 W	WM	24	SW NW	3		4.9
30 S	5 W	WM	24	SW NW		54	0.4
						Total	16.0

4. Temporary Transfer Application T-14324 proposes to temporarily change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
30 S	5 W	WM	23	NE SE	54	5.0
30 S	5 W	WM	23	NW SE	54	11.0
					Total	16.0

5. Temporary Transfer Application T-14324 proposes to move the authorized point of diversion approximately 0.7 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	DLC	Measured Distances
30 S	5 W	WM	23	SW SE	56	POD 2 - 4120 FEET SOUTH AND 1960 FEET WEST FROM THE NE CORNER OF SECTION 23

Temporary Drought Transfer Review Criteria

- Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A water delivery system sufficient to use the full amount of water allowed under the existing right is present.
- The Governor issued an executive order on August 31, 2023, declaring a state of drought emergency in Douglas County due to drought and extreme weather conditions, which is still in effect and the water right proposed for transfer is on lands included in the area covered by the drought order.
- The proposed changes would not result in enlargement of the rights.

10. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under OAR 690-019-055(3) if injury to existing water rights is shown and cannot be mitigated to the satisfaction of the Director and injured parties.

Conclusions of Law

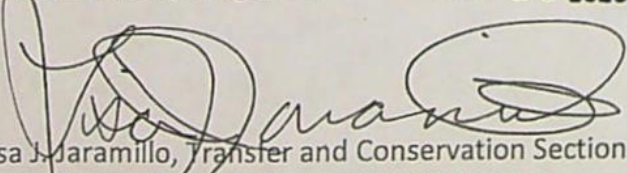
The temporary change in place of use and change in point of diversion proposed in Temporary Drought Transfer Application T-14324 are consistent with the requirements of ORS 536.750 and OAR 690-019-0055.

Now, therefore, it is ORDERED:

1. The temporary change in place of use and change in point of diversion proposed in Temporary Drought Transfer Application T-14324 are approved.
2. The former place of use **shall not** be irrigated as part of this water right during the remainder of the 2023 irrigation season or until the end of the Governor's declared drought, whichever occurs first.
3. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation.
 - b. The water user shall maintain the meter or measuring device in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meter or measuring device are located within a private structure, the Watermaster shall request access upon reasonable notice.
4. The approval of this temporary drought transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. The use of water at the temporary places of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 81337. The use shall revert to the authorized places of use at the end of the 2023 irrigation season.
6. The proposed change in place of use and change in point of diversion shall revert to the authorized place of use and point of diversion at the end of the 2023 irrigation season or the end of the Governor's declared drought, whichever occurs first.

Dated in Salem, Oregon on

SEP 25 2023


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

Mailing Date: **SEP 26 2023**

**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 # **141611**

INVOICE # _____

RECEIVED FROM: David + Tracy Briggs;
BY: Farm Account

APPLICATION	
PERMIT	
TRANSFER	<u>T-14324</u>

CASH: ☐ CHECK: # 796 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 200.00

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 \$ 46112

0410 RESEARCH FEES \$

0408 MISC REVENUE: (IDENTIFY) \$

TC162 DEPOSIT LIAB. (IDENTIFY) \$

0240 EXTENSION OF TIME \$

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE 0202 \$

0203 GROUND WATER EXAM FEE 0204 \$

0205 TRANSFER EXAM FEE \$ 200.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE 0219 \$

LANDOWNER'S PERMIT 0220 \$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$

0210 MONITORING WELLS \$

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: **141611**

DATED: 9-12-2003 BY: M. Coley

Application for Water Right
Temporary or Drought Temporary Transfer
Part 1 of 5 – Minimum Requirements Checklist



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

This temporary 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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FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at: [http://apps.wrd.state.or.us/apps/misc/wrd fee calculator](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: How many water rights are to be transferred? _____ List them here: _____
- Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☐ ☒ N/A For standard Temporary Transfer (one to five years) Begin Year: _____ End Year: _____.
- ☐ ☐ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- ☒ Completed Temporary Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation. 14324
- ☒ Current recorded deed for the land from which the authorized place of use is temporarily being moved.
- ☒ ☐ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- ☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the district.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

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

- ___ Application fee not enclosed/insufficient ___ Map not included or incomplete
- ___ Land Use Form not enclosed or incomplete
- ___ Additional signature(s) required ___ Part _____ is incomplete

Other/Explanation _____

Staff: _____ Phone: _____ Date: ____/____/____

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Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

- ☐ ☒ N/A If more than three water rights are involved, separate maps are needed for each water right.
- ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ A north arrow, a legend, and scale. 14324
- ☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet; the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated); the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet; or a scale that has been pre-approved by the Department.
- ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- ☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- ☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- ☐ ☐ N/A Proposed temporary place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- ☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- ☐ ☒ N/A If you are proposing a change in point(s) of diversion or well(s) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS

1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) <i>If only one water right this will be 0</i> Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » »	2	
3	Do you propose to change the place of use for a non-irrigation use? <input type="checkbox"/> No: enter 0 on line 3 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	3	
4	Do you propose to change the place of use for an irrigation use? <input type="checkbox"/> No: enter 0 on line 4 » » » » » » » » » » » » » » » » <input type="checkbox"/> Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: _____ (4a) Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » »	4	
5	Add entries on lines 1 through 4 above » » » » » » » » » » » Subtotal:	5	
6	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 »	6	
7	If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » Subtract line 6 from line 5 » » » » » » » » » » » » » Transfer Fee:	7	

1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) 14324 If 2b is 0, enter 0 on line 2 » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » »		
2		2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » Transfer Fee:	3	200.00

1. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
3. 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 2a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0.)

SEP 12 2023

QWRD

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Briggs Management LLC			PHONE NO.	ADDITIONAL CONTACT NO. 541-863-1808
ADDRESS PO Box 805			FAX NO.	
CITY Canyonville	STATE OR	ZIP 97417	E-MAIL dbriggs18@icloud.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	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:
Temporary drought transfer senior water rights to regulated junior water rights to finish season.

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

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

_____ Applicant signature	_____ Print Name (and Title if applicable)	_____ Date
_____ Applicant signature	_____ Print Name (and Title if applicable)	_____ Date

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

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

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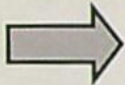
14324

☐ 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. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

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 local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed and/or used.

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

- 14324

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Part 5 of 5 – Water Right Information

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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 rows to tables within the form.

Water Right Certificate # 81337

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Description of Water Delivery System

System capacity: 0.20 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.

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)
POD1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		30 S	5 W	24	S W N W	3	1770 Feet South & 1020 Feet East FR. NW Corner Section 24
POD2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		30 S	5 W	23	S W SE	56	4120 Feet South & 1960 Feet West FR. NE Corner Section 23
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- ☐ Place of Use (POU)
 ☐ Appropriation/Well (POA)
 ☐ Point of Diversion (POD)
 ☐ Additional Point of Appropriation (APOA)
 ☐ Additional Point of Diversion (APOD)

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

- ☒ Place of Use (POU)
 ☐ Point of Appropriation/Well (POA)
 ☐ Character of Use (USE)
 ☐ Additional Point of Appropriation (APOA)
 ☒ Point of Diversion (POD)
 ☐ Additional Point of Diversion (APOD)

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

- ☒ Yes Complete only the Proposed ("to" 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 Temporary Changes to Water Right Certificate # 81337

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, 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			
"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E 2 SW NW	500		5.0		POD #6	1901			
										POU/POD	30	S	5	W 23 NE SE	300	53	5.0	Irrigation	POD 2	1911			
										POU/POD	30	S	5	W 23 NW SE	300	53	11.0	Irrigation	POD 2	1911			
TOTAL ACRES											14324						TOTAL ACRES	16.0					

Additional remarks: _____

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For Place of Use Changes

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

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

Pursuant to ORS 540.525, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- ☐ Well log(s) 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 below for any well that does not have a well log. For a *proposed well(s) 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

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Klamath Basin/County Drought Transfer Applications

Table 4. Klamath Basin/County Well Information (DROUGHT TRANSFER APPLICATIONS ONLY)

Is there currently a flowmeter installed on each of the POAs listed in Table 1 of this application? ☐ Yes ☐ No*

**Please note that watermaster staff will visit the well to confirm flowmeter presence. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements.*

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

OWNER'S WELL NAME OR NUMBER	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FLOWMETER LOCATION

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Land Use Information Form

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

Applicant(s): Briggs Management LLC

Mailing Address: PO Box 805

City: Canyonville State: OR Zip Code: 97417 Daytime Phone: 541 863-1808

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>T30S</u>	<u>R5W</u>	<u>23</u>	<u>NESW</u>	<u>800m</u> <u>300</u>		<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" 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:

Douglas

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) South Umpqua River

Estimated quantity of water needed: .20 ☒ 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:

Temporary transfer (Drought) from senior water rights to irrigate junior regulated rights.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt at the bottom of the next page and include it with the application filed with the Water Resources Department.

See bottom of Page 3. →

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For Local Government Use Only

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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 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.

Permitted use per NUDD § 3.3.050.5	DOUGLAS COUNTY PLANNING DEPARTMENT ROOM 106, JUSTICE BUILDING DOUGLAS COUNTY COURTHOUSE ROSEBURG, OR 97470
---------------------------------------	---

Name: Kathy Wall Title: Senior Planner

Signature: Kathy Wall Phone: 541-440-4289 Date: 08-24-2023

Government Entity: Douglas 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: _____

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 Douglas) ss

I, Matthew Briggs, in my capacity as Administrative Member

mailing address PO Box 805 Canyonville, OR 97417

telephone number (541) 863-1808, being first duly sworn depose and say:

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the entire place of use for
Certificate # 81337; OR

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

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

OR

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

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

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

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

(continues on reverse side)

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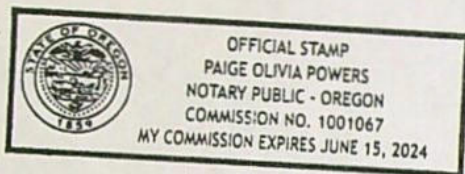
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3. The water right was used for: (e.g., crops, pasture, etc.): _____
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Matthew Briggs
Signature of Affiant

8-22-2023
Date

Signed and sworn to (or affirmed) before me this 22 day of August, 2023.



Paige Olivia Powers
Notary Public for Oregon

My Commission Expires: June 15, 2024

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

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BILLING DATE: **Sep 15, 2020** ACCOUNT NUMBER: **[REDACTED]** DUE DATE: **Oct 1, 2020** AMOUNT DUE: **\$1,890.58**

ITEM 6 - ELECTRIC SERVICE

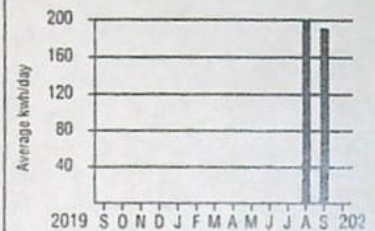
4825 Gazley Rd 25hp Pump Canyonville OR
Hpr 25 Hp Schedule 41
Service ID: 510121147-001

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
81156809	Aug 6, 2020 Sep 4, 2020	29	24877 30434	1.0	5,557 kwh
81156809	Demand Sep 4, 2020		17.728	1.0	18 kw
81156809	Reactive Sep 4, 2020		8.965	1.0	9 kvar

Next scheduled read date: 10-06. Date may vary due to scheduling or weather.

NEW CHARGES - 09/20	UNITS	COST PER UNIT	CHARGE
Delivery Charge Secondary	5,557 kwh	0.0363600	202.05
Reactive Power Charge Sec	2 kvar	0.6500000	1.30
(Season End Est Charge Sec Is \$270.00)			
Supply Energy Sec Summer	5,557 kwh	0.0598700	332.70
Federal Tax Act Adjustment	5,557 kwh	-0.0045600	-25.34
Oregon Corp Activities Tax Adj		0.0041000	2.09
Public Purpose		0.0300000	15.38
Energy Conservation Charge	5,557 kwh	0.0033200	18.45
Low Income Assistance	5,557 kwh	0.0006900	3.83
B P A Columbia River Benefits	5,557 kwh	-0.0069100	-38.40
Total New Charges			512.06

Historical Data - ITEM 6



Your Average Daily kwh Usage by Month

PERIOD ENDING	SEP 2020	SEP 2019
Avg. Daily Temp.	73	72
Total kwh	5557	0
Avg. kwh per Day	192	0
Cost per Day	\$17.66	\$0.00

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ITEM 7 - ELECTRIC SERVICE

5209 Gazley Rd Myrtle Creek OR
-hp Rating: 0015.0 Schedule 41
Service ID: 510720547-001

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
81156862	Aug 6, 2020 Sep 4, 2020	29	9820 9820	1.0	0 kwh
81156862	Demand Sep 4, 2020		0	1.0	0 kw
81156862	Reactive Sep 4, 2020		0	1.0	0 kvar

Next scheduled read date: 10-06. Date may vary due to scheduling or weather.

NEW CHARGES - 09/20	UNITS	COST PER UNIT	CHARGE
Total New Charges			0.00

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ITEM 8 - ELECTRIC SERVICE

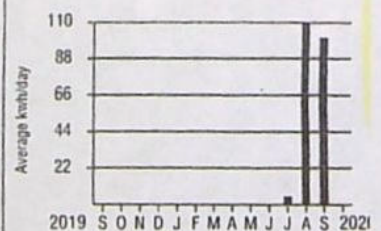
5667 Gazley Rd 7.5HP PUMP Myrtle Creek OR
Horse Power Rating: 0007.5 Schedule 41
Service ID: 510920347-001

METER NUMBER	SERVICE PERIOD From To	ELAPSED DAYS	METER READINGS Previous Current	METER MULTIPLIER	AMOUNT USED THIS MONTH
77293665	Aug 6, 2020 Sep 4, 2020	29	3468 6385	1.0	2,917 kwh
77293665	Demand Sep 4, 2020		6.507	1.0	7 kw
77293665	Reactive Sep 4, 2020		0	1.0	0 kvar

Next scheduled read date: 10-06. Date may vary due to scheduling or weather.

NEW CHARGES - 09/20	UNITS	COST PER UNIT	CHARGE
Delivery Charge Secondary	2,917 kwh	0.0363600	106.06
(Season End Est Charge Sec Is \$105.00)			
Supply Energy Sec Summer	2,917 kwh	0.0598700	174.64
Federal Tax Act Adjustment	2,917 kwh	-0.0045600	-13.30
Oregon Corp Activities Tax Adj		0.0041000	1.10
Public Purpose		0.0300000	8.06
Energy Conservation Charge	2,917 kwh	0.0033200	9.68
Low Income Assistance	2,917 kwh	0.0006900	2.01
B P A Columbia River Benefits	2,917 kwh	-0.0069100	-20.16
Total New Charges			268.09

Historical Data - ITEM 8



Your Average Daily kwh Usage by Month

PERIOD ENDING	SEP 2020	SEP 2019
Avg. Daily Temp.	73	72
Total kwh	2917	0
Avg. kwh per Day	101	0
Cost per Day	\$9.24	\$0.00

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Until a change is requested, all tax statements shall be sent
Webster & Mabel Jane Briggs Living Trusts
4422 Gazley Road
Myrtle Creek, Oregon 97457

After recording return to:
Micheal M. Reeder
Arnold Gallagher Saydack Percell Roberts & Potter
P.O. Box 1758
Eugene, Oregon 97440

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2009-005693



\$51.00

00240904200900056930060061

03/19/2009 11:21:03 AM

DEED-BS Cnt=1 Stn=18 RECORDINGDESK
\$30.00 \$11.00 \$10.00

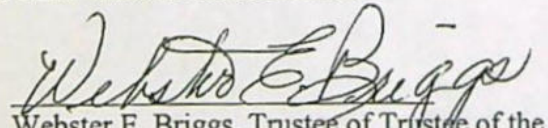
BARGAIN AND SALE DEED

WEBSTER E. BRIGGS, Trustee of the Webster E. Briggs Living Trust under agreement dated March 14, 2000, Grantor, conveys to BRIGGS MANAGEMENT LLC, Grantee, all of Grantor's right, title and interest in the real property described in Exhibit A attached hereto.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007.

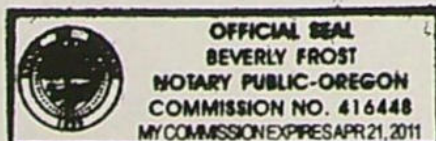
The true consideration for this conveyance is other valuable consideration.

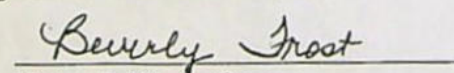
DATED: 3-10, 2009.


Webster E. Briggs, Trustee of Trustee of the
Webster E. Briggs Living Trust under
agreement dated March 14, 2000

STATE OF OREGON)
) ss.
County of Douglas)

The foregoing instrument was acknowledged before me on 3-10, 2009, by Webster E. Briggs, Trustee of the Webster E. Briggs Living Trust under agreement dated March 14, 2000.




Notary Public for Oregon
My commission expires: 4-21-11

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Exhibit A

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PARCEL 1. [Map 30-5-23, Tax Lot 400]

The East 8.25 chains of Government Lot 5, Section 22, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon.

AND the West 17.10 chains of Government Lot 9, Section 23, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon.

AND the West 15.13 chains of Government Lot 1, Section 23, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon.

AND beginning at a point on the South line of the J. Fullerton Donation Land Claim No. 52 in Section 23, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon, which bears 14.57 chains East of the Southwest corner of said Claim; thence North 60 chains; thence East 23.16 chains; thence South 60 chains more or less to the South line of said Claim; thence West 23.75 chains along said South line to the point of beginning.

EXCEPTING that portion conveyed to Douglas County by instrument 87-1179 of the deed records of Douglas County, Oregon.

PARCEL 2. [Map 30-5-27A, Tax Lot 100]

That portion of Government Lot 1, Section 27, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon, which lies North of the center of the South Umpqua River.

PARCEL 3. [Map 30-5-22, Tax Lot 800]

Beginning at a point on the South line of Section 22, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon, which bears West 8.25 chains along said South line from the Southeast corner of said Section 22; thence West 22.57 chains along said South line; thence North 10.18 chains more or less to the South line of the right of way of Douglas County Road No. 35A; thence Easterly along the South line of said right of way to a point which bears North of the point of beginning; thence South 7.88 chains more or less to the point of beginning.

Subject to an easement for an irrigation line, including pumps, water line, electrical line, irrigation appurtenances, and the right of access to maintain and upgrade said line, across this Parcel 3 for the benefit of that portion of Government Lot 4 in said Section 22 which lies North of County Road 35A and for the benefit of that portion of the J. Fullerton Donation Land Claim No. 52 in said Section 22 which lies North of County Road 35A and is described as follows: Beginning at the Southwest corner of said Claim; thence North 1°24' West 19.69 chains; thence East 15.03 chains to County Road 161; thence South 0°09' East 22 chains to the South line of said Claim; thence West 14.57 chains more or less along the South line of said Claim to the point of beginning.

EASEMENT 1. [to cross Map 30-5-22, Tax Lot 800]

An easement for an irrigation line, including pumps, water line, electrical line, irrigation appurtenances, and the right of access to maintain and upgrade said line, for the benefit of that portion of Government Lot 4 in Section 22, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon, which lies North of County Road 35 A and for the benefit of that portion of the J. Fullerton Donation Land Claim

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No. 52 in said Section 22 which lies North of County Road 35A and is described as follows: Beginning at the Southwest corner of said Claim; thence North 1°24' West 19.69 chains; thence East 15.03 chains to County Road 161; thence South 0°09' East 22 chains to the South line of said Claim; thence West 14.57 chains more or less along the South line of said Claim to the point of beginning.

Said easement shall be located and be a burden upon Parcel 3 of this exhibit.

EASEMENT 2. [to cross Map 30-5-23, Tax Lot 300]

An easement for an irrigation line, including pumps, water line, electrical line, irrigation appurtenances, and the right of access to maintain and upgrade said line, for the benefit of Parcels 1 and 2 of this exhibit.

Said easement shall be located and be a burden upon Parcel 7 of this exhibit.

PARCEL 4. [Map 30-5-13, Tax Lot 400 and Part of Map 30-05-24B, Tax Lot 500]

The North Half of the Southwest Quarter, and Government Lot 3, of Section 13, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon.

AND the following described real property is located in the Southwest quarter of Section 13 and in the Northwest quarter of Section 24, Township 30 South, Range 5 West, Willamette Meridian, Douglas County, Oregon, and is a Westerly portion of the property defined by Douglas County Surveyor's Office Map File Number M145-73, Douglas County, Oregon, the boundaries of which are described as the following:

BEGINNING at a Brass Cap located at the section corner common to Sections 13, 14, 23 and 24, Township 30 South, Range 5 West, Willamette Meridian, Douglas County, Oregon; thence along the Southwesterly boundary of said property defined by said Douglas County Surveyor's Office Map File Number M 145-73, South 49° 42' 28" East 1341.17 feet to a point located in an existing cul-de-sac that was placed as part of a verbal agreement between Douglas County Public Works, owners of the Lewis and Ida Eggert property and Web Briggs; thence along a line through said cul-de-sac, North 40° 17' 37" East 44.36 feet to a point of agreement between said Web Briggs and Don Barrows; thence leaving said cul-de-sac and running along an existing fence line, North 50° 45' 45" West 718.20 feet to a point of agreement between said Briggs and Barrows; thence North 9° 50' 17" West 173.61 feet to a point of agreement between said Briggs and Barrows; thence North 17° 19' 26" West 87.10 feet to a point of said agreement; thence North 0° 54' 41" East 90.28 feet to a point of said agreement; thence North 7° 32' 56" East 70.70 feet to a point of said agreement; thence North 19° 57' 44" East 393.34 feet to a point of said agreement; thence North 10° 36' 28" East 268.51 feet to a point of said agreement; thence North 34° 34' 43" East 132.57 feet to a point of said agreement; thence North 32° 53' 07" East 186.01 feet to a point of said agreement; thence North 82° 38' 52" East 184.96 feet to a point of said agreement; thence North 55° 36' 21" East 81.58 feet to a point of said agreement; thence North 21° 41' 32" East 147.53 feet to a point located on a Northeasterly boundary of said property defined by said Douglas County Surveyor's Office Map File Number M145-73; thence along said Northeasterly boundary, North 49° 26' 00" West 285.14 feet to a 5/8 inch iron rod; thence leaving said Northeasterly boundary and running the Northerly boundary of said survey, South 89° 35' 00" West 644.73 feet to a 5/8 inch iron rod located at the Northwest corner of Donation Land Claim Number 54; thence leaving said Northerly boundary and running

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along a Westerly boundary of said survey, South 0° 25' 00" East 1320.00 feet to a 5/8 inch iron rod located on the Section line common to Sections 13 and 24, Township 30 South, Range 5 West, Willamette Meridian, Douglas County, Oregon; thence leaving said Westerly boundary and running along the said Section line common to said Sections 13 and 24, South 89° 35' 00" West 264.00 feet to the point of beginning. OWRD

PARCEL 5. [Map 30-5-24B, Tax Lot 500 and Part of Map 30-5-23, Tax Lot 300]

Beginning at a point in the center of the South Umpqua River which lies on the West line of Section 24, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon; thence upstream along the center of said River North 34°10' East 11.65 chains, North 52°26' East 7.01 chains, and North 61°47' East 16.51 chains; thence North 49°03' West 5 chains to a plow share on the right bank of said River; thence North 49°03' West 29.78 chains to the Northwest corner of said Section 24; thence West along the North line of Section 23, said Township and Range, to a point which bears North 71 chains from the Southeast corner of the J. Fullerton Donation Land Claim No. 52 in said Section 23; thence South 73 chains more or less to the center of said River; thence Easterly and Northerly upstream along the center of said River to the point of beginning.

EXCEPTING therefrom the following parcel in said Sections 23 and 24: Beginning at a point on the South side of County Road 35A which bears South 2560.7 feet and West 317.1 feet from the Northeast corner of said Section 23; thence South 30°42' West 429.0 feet along said South side; thence South 44°00' East 107.4 feet to an iron pipe; thence South 44°00' East 110.0 feet to the center of the South Umpqua River; thence upstream along the center of said River North 45°33' East 588.0 feet to a point which bears South 71°58' East 370.0 feet from the point of beginning; thence upstream along the center of said River the long chord of which runs North 37°53' East 872.11 feet; thence North 47°22' West 137.0 feet to a 3/8" iron rod on the high right bank of said River; thence North 47°22' West 262.8 feet to a 5/8" iron rod on the South side of County Road 35A; thence South 44°34' West 448.13 feet along said South side; thence South 27°57' West 594.66 feet along said South side to the point of beginning. [Being the land conveyed in instruments 87-17049 and 94-26132, deed records of Douglas County, Oregon, and commonly known as tax lots 30-5-23-100 and 30-5-24B-600.]

AND FURTHER EXCEPTING therefrom the following parcel in said Section 23: Beginning at a point at the 1/4 corner at the center of the North line of said Section 23; thence south 2640 feet, more or less, to the center of said Section 23; thence east along the east-west centerline of said Section 23 660 feet; thence North 2640 feet, more or less, to the North line of said Section 23; thence west along the North line of said Section 23 660 feet to the point of beginning; containing 40 acres, more or less.

AND FURTHER EXCEPTING therefrom all improvements located on the above described Parcel 5 of this exhibit, which are expressly acknowledged to be the separate property of DAVID ALAN BRIGGS.

AND SUBJECT TO the right of DAVID ALAN BRIGGS to exchange the aforementioned improvements for the following portion of Parcel 5 of this exhibit:

Government Lot 3, and that portion of Government Lot 2 which lies North of the J. Jackson Donation Land Claim No. 53, in Section 23, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon. RECEIVED

The exchange right is described in Exhibit D of this instrument.

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PARCEL 6. [Map 30-5-14, Tax Lot 1100 and Part of Map 30-5-14, Tax Lot 1200]

The South Half of the Southeast Quarter of Section 14, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon.

The Southeast Quarter of the Southwest Quarter of Section 14, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon.

AND beginning at the Northeast corner of the Southwest Quarter of the Southwest Quarter of Section 14, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon; thence West 12 chains more or less along the North line of said Southwest Quarter of the Southwest Quarter to the right of way of County Road No. 161; thence South 13.83 chains along said right of way; thence East 1.95 chains; thence South 7.00 chains more or less to the South line of said Section; thence East 10 chains more or less along said South line to the East line of said Southwest Quarter of the Southwest Quarter; thence North 20 chains more or less along said East line to the point of beginning.

PARCEL 7. [Part of Map 30-5-23, Tax Lot 300]

Beginning at the Southeast corner of the J. Fullerton Donation Land Claim No. 52 in Section 23, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon; thence North 71 chains more or less along the East line of said Claim and the northerly extension of said East line, to the North line of said Section 23; thence 16.68 chains West along said North line; thence South 71 chains more or less to the South line of said Claim; thence East 16.68 chains more or less along said South line to the point of beginning.

AND Government Lot 9 of Section 23, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon, except for the West 17.1 chains thereof and that portion South of the South Umpqua River.

AND that portion of Government Lot 8 of Section 23, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon, which lies North of the center of the South Umpqua River and South of the J. Fullerton Donation Land Claim No. 52 in said Township and Range.

INCLUDING therewith the following parcel in said Section 23: Beginning at a point at the 1/4 corner at the center of the North line of said Section 23; thence South 2640 feet, more or less, to the center of said Section 23; thence East along the east-west centerline of said Section 23 660 feet; thence North 2640 feet, more or less, to the North line of said Section 23; thence West along the North line of said Section 23 660 feet to the point of beginning, containing 40 acres, more or less.

EASEMENT RESERVATION.

Parcel 7 of this exhibit is subject to an easement for an irrigation line, including pumps, water line, electrical line, irrigation appurtenances, and the right of access to maintain and upgrade said line, for the benefit of Parcels 1 and 2 of this exhibit.

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EXCHANGE RIGHT.

DAVID ALAN BRIGGS shall have the right to exchange the improvements ("the exchange improvements") which he owns on that real property described as Parcel 5 of this exhibit for the following real property ("the exchange property"):

Government Lot 3, and that portion of Government Lot 2 which lies North of the J. Jackson Donation Land Claim No. 53, in Section 23, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon.

David Alan Briggs shall initiate the exchange by written notice to the owner of the exchange property. The exchange shall be borne at the expense of David Alan Briggs for any survey, legal, and planning work necessary. The exchange is contemplated as a boundary line adjustment. David Alan Briggs shall provide documents sufficient to transfer good title to the exchange improvements to the owner of the exchange property. The owner of the exchange property shall cooperate with David Alan Briggs in effecting the boundary line adjustment. Upon approval of the boundary line adjustment by Douglas County, the owner of the exchange property shall provide David Alan Briggs a deed conveying marketable title to David Alan Briggs. The right to exchange may not be assigned or conveyed, may be transferred by testamentary devise or intestate descent, and shall expire if not exercised within 20 years after title to the property described in Parcel 7 of this exhibit vests in David Alan Briggs or his heirs as evidenced in the deed records of Douglas County, Oregon.

PARCEL 8. [Map 30-5-2, Tax Lot 900]

The Southwest Quarter of Section 2, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon.

PARCEL 9. [Map 30-5-11, Tax Lot 300]

The Northwest Quarter of the Northwest Quarter of Section 11, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon.

PARCEL 10. [Map 30-5-2, Tax Lot 800]

An undivided 3/4 interest in the following property:

The Southeast Quarter of the South Half of the Northeast Quarter of Section 2, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon.

PARCEL 11. [Map 30-5-11, Tax Lot 100]

An undivided 3/4 interest in the following property:

The Northeast Quarter of Section 11, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon.

PARCEL 12. [Map 30-5-12, Tax Lot 200]

The West Half of the Northeast Quarter, and the Northwest Quarter, of Section 12, Township 30 South, Range 5 West of the Willamette Meridian in Douglas County, Oregon.

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END OF DOCUMENT

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Ryan Andrews
Hydrologist
Oregon Water Resources Department
Co-Chair, Oregon Drought Readiness Council
725 Summer Street NE, Suite A
Salem, OR 97301
Via Email: ryan.m.andrews@state.or.us

Traci Naile
Operations and Preparedness Manager
Oregon Office of Emergency Management
Co-Chair, Oregon Drought Readiness Council
PO Box 14370
Salem, OR 97301
Via Email: traci.naile@state.or.us

RE: Douglas County Drought

Date: ~~July 24, 2023~~

Mr. Andrews and Ms. Naile:

Douglas County, by and through its County Elected Officials, requests that the Governor of Oregon issue an executive order for all of Douglas County under the provisions of ORS 536 as a direct result of severe and projected drought conditions.

There is the potential for the Douglas County agricultural and livestock, natural resources, recreational, tourism, and related economies to experience widespread and severe damage resulting from extreme weather conditions within the county. The annual water supplies available for irrigators and ranchers within Douglas County depends upon adequate stream flows, which are significantly lower than normal in the Umpqua basin. Current predictions by NOAA are that drought within our region will persist or intensify and could dramatically increase wildland fire danger due to higher than normal temperatures and below average precipitation.

Additionally, a large share of the county's economy is dependent upon the agriculture sector which is adversely affected by low rainfall. Our initial assessment of impacts indicates imminent and significant damages and losses to the agricultural economy of Douglas County.

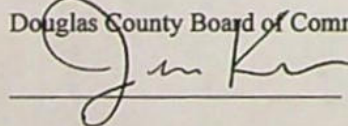
Douglas County has already formally declared a drought and has attached a copy of the adopted resolution for your files.

The Douglas County Board of Commissioners has determined that additional action by and support from the state is needed. This may include assistance from the Oregon Water Resources Department and other Oregon executive branch agencies, operating within their statutory authorities.

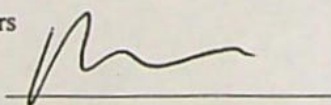
Douglas County Board of Commissioners therefore requests an executive order from the Governor, declaring drought in Douglas County.

We extend in advance our appreciation for your consideration on this matter

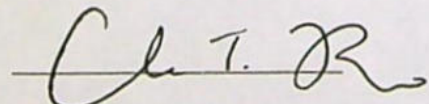
Douglas County Board of Commissioners



Tom Kress, Chair



Tim Freeman



Chris Boice

14324

BEFORE THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY

AN ORDER IN THE MATTER OF
REQUESTING THE GOVERNOR
ISSUE A DECLARATION, PURSUANT TO
ORS 536.740, THAT A
SEVERE, CONTINUING DROUGHT EXISTS
IN DOUGLAS COUNTY, OREGON

)
)
)
)
)
)
)

ORDER

DOUGLAS COUNTY CLERK

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WHEREAS, the Douglas County Board of Commissioners finds that the Douglas County agricultural, livestock and forest products industries, and related businesses are experiencing economic hardship and potential serious injury and losses resulting from extreme weather conditions within the county; and

WHEREAS, the July 20, 2023, Oregon Water Resources Department Water Conditions Report states that Douglas County stream flows were 61% of average for the month of June 2023. The report also states that soil moisture levels are very low. The most recent three-month outlook prepared by NOAA Climate Prediction Center indicates "conditions are likely to continue or worsen, as probabilities favor above average temperatures and near average precipitation". The South Umpqua River and multiple smaller tributaries in the Umpqua Basin have already been regulated by the state watermaster in favor of senior rights, and it is anticipated that further reductions will take place in the weeks ahead. Due to dry soils and low stream flows, basin water managers expect to regulate surface water right users much earlier and to older priority dates than normal. This lack of surface water resources will negatively impact consumptive water users including irrigators, industrial and domestic users resulting in economic losses and hardship. Groundwater resources will also be affected by a lack of sufficient recharge resulting in reduced spring and well water supplies for household uses. As of July 11, 2023, the U.S. Drought Monitor for Oregon illustrates the majority of Douglas County is already in Moderate Drought.

WHEREAS, the extended weather forecast for Douglas County projects higher than normal temperatures, and below average precipitation; and

WHEREAS, the above conditions will result in the loss of economic stability, decreased feed and pasture production, shortened growing season and decreased water supplies for Douglas County agricultural, livestock and vineyard producers. In addition this multi-year cumulative drought has resulted in decreased fuel moisture and early onset fire danger; and

WHEREAS, the Douglas County Board of Commissioners determines that extraordinary measures must be taken to alleviate the suffering of citizens and livestock and to protect or mitigate economic loss, and to be responsive to the threat of wildfires.

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THE BOARD OF COUNTY COMMISSIONERS OF DOUGLAS COUNTY FINDS AND ORDERS AS FOLLOWS:

1. The Board finds that an emergency exists in Douglas County, Oregon due to the severe and continuing drought conditions, and that such emergency threatens the availability of essential services and jeopardizes the peace, health and welfare of the people of Douglas County, Oregon.
2. The Board finds that additional action by and support from the State is necessary to address this emergency, which may include assistance from the Oregon Water Resources Commission and other Oregon executive branch agencies.
3. The Board requests the Honorable Tina Kotek, Governor of Oregon, find that there is a need for statewide coordination of water resource conservation measures by municipal and other political subdivisions of this state in order to minimize problems caused by a severe shortage of water, and issue a declaration pursuant to ORS 536.740 that a severe, continuing drought exists in Douglas County, Oregon.
4. The Board requests the Governor address this emergency through the provisions of ORS Chapter 536, including providing the assistance of the Water Resources Commission.

DATED August 2, 2023

BOARD OF COUNTY COMMISSIONERS OF
DOUGLAS COUNTY

By [Signature]
Chair
By [Signature]
Commissioner
By [Signature]
Commissioner
Date August 2nd, 2023

APPROVED AS TO CONTENT

By [Signature]
Department Head
Date: 9/26/2023

APPROVED AS TO FORM

By Tiffany Podlask
County Counsel
Date: July 31, 2023

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14324 DWRD



Oregon Water Resources Department
Co-Chair, Oregon Drought Readiness Council
725 Summer Street NE, Suite A
Salem, OR 97301

Oregon Office of Emergency Management
Co-Chair, Oregon Drought Readiness Council
P.O. Box 14370
Salem, OR 97309

August 21, 2023

Office of Governor Tina Kotek
900 Court St., NE
Salem, Oregon 97301

Dear Policy Advisors,

The Oregon Drought Readiness Council is a standing body comprised of natural resource, public health, and emergency response agencies. During a drought, the Council reviews local requests for assistance and makes recommendations to the Governor. The Council meets regularly to discuss current water supply conditions and likely upcoming conditions for the growing season.

The Drought Readiness Council has received letters from the Douglas and Lincoln County Boards of Commissioners requesting Governor's drought declarations. The attached orders describe the water supply conditions the counties have observed during the past several months, along with current conditions, and projected economic impacts for the summer growing season.

The Drought Readiness Council has received input from Oregon's Water Supply Availability Committee on regional water supply conditions and Council members have conferred on this matter. The Council recommends that pursuant to Oregon Revised Statutes (ORS) 536.740 the Governor declare drought in Douglas and Lincoln Counties for the 2023 calendar year, expiring December 31, 2023.

Should you require any additional information, please do not hesitate to contact us at:
ryan.m.andrews@water.oregon.gov (971-301-1495) or traci.naile@state.or.us (503-378-4025).

Sincerely,

Ryan Andrews
Co-Chair, Oregon Drought Readiness Council
Hydrologist
Oregon Water Resources Department

Traci Naile
Co-Chair, Oregon Drought Readiness Council
Response Section Manager
Oregon Office of Emergency Management

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DROUGHT TEMPORARY TRANSFER PROCESSING CHECKLIST

Transfer #: <u>T-14324</u>	Applicant: <u>Briggs Management</u>
----------------------------	-------------------------------------

PR	CW	<input type="checkbox"/> <input checked="" type="checkbox"/> Drought Declaration Date: <u>8/31</u> County: <u>Douglas</u> Certificate/Permit/Claim to be transferred: <u>81337</u>
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Type of Transfer: <input checked="" type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input checked="" type="checkbox"/> POU <input type="checkbox"/> USE

File Completeness						
CW	PR	Coord	Is it in the file?	Notes:		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	WM Review? <input checked="" type="checkbox"/> No <input type="checkbox"/> Yes	<u>not yet</u>		
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GW Review? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Evidence of Use? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Approved Land Use? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	District right - Supplemental Form D? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Klamath Basin - Klamath form filled out? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Current Deed - Applicant? <input type="checkbox"/> No <input checked="" type="checkbox"/> Yes <input type="checkbox"/> N/A			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Consent from deeded landowner form? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A			
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Well Logs? <input type="checkbox"/> No <input type="checkbox"/> Yes <input checked="" type="checkbox"/> N/A			

WM Review					
CW	PR	Coord	Notes:		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Enlargement? <input type="checkbox"/> No <input type="checkbox"/> Yes		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Has water been applied this year? <input type="checkbox"/> No <input type="checkbox"/> Yes		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Injury? <input type="checkbox"/> No <input type="checkbox"/> Yes		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Same Source? <input type="checkbox"/> No <input type="checkbox"/> Yes		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	GW/SW Measurement Conditions? <input type="checkbox"/> No <input type="checkbox"/> Yes		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Other Conditions? <input type="checkbox"/> No <input type="checkbox"/> Yes		

GW Review					
CW	PR	Coord	Notes:		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Enlargement? <input type="checkbox"/> No <input type="checkbox"/> Yes		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Injury? <input type="checkbox"/> No <input type="checkbox"/> Yes		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Same Source? <input type="checkbox"/> No <input type="checkbox"/> Yes		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Conditions? <input type="checkbox"/> No <input type="checkbox"/> Yes		

Temporary Drought Transfer Application Intake Checklist

Transfer # T-14324

Checked by: Arla Date Received: 09/14/23 Declaration Date: 8/31/23	Type of Change(s) Proposed: <input checked="" type="checkbox"/> POU <input checked="" type="checkbox"/> POD <input type="checkbox"/> POA <input type="checkbox"/> APOD <input type="checkbox"/> APOA <input type="checkbox"/> USE	
Fee Received: \$200	Calculated Fee: \$200	Certificate/Permit/Claim #:81337
Is the application complete? <input checked="" type="checkbox"/> Yes <input type="checkbox"/> No If no, why? Notes: Applicant sig is missing; have contacted applicant and they will send immediately		

****Check the Certificates/Permits/Claims in WRIS to make sure they are not cancelled/expired/inchoate**

Land Use Form?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	Application Signed?	<input checked="" type="checkbox"/> Yes	<input checked="" type="checkbox"/> No	
Evidence of Use Form?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	<input type="checkbox"/> N/A	Affidavit of Consent?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A
Current Deed?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No		Map?	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No	
Supplemental Form D?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A	Klamath Drought Form?	<input type="checkbox"/> Yes	<input type="checkbox"/> No	<input checked="" type="checkbox"/> N/A

****Accept the application, even if deficient. Make sure to indicate any deficiencies above**

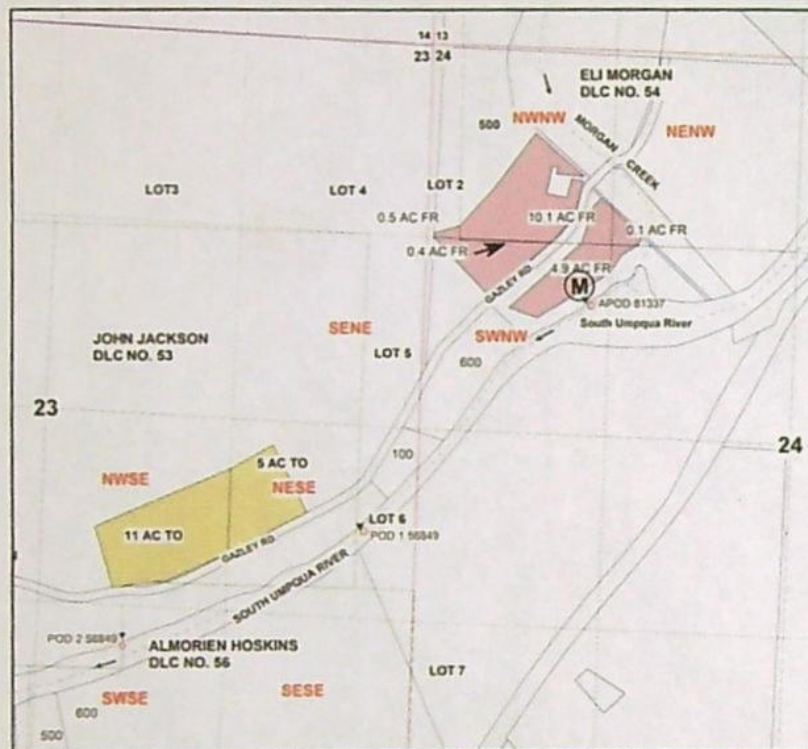
1	Base fee (includes drought application for up to one (1) cfs and recording fee) =		\$200.00
2	Enter cfs for the portions of the rights to be transferred (see examples below*):	(2a)	
	1.0 subtracted from line 2a:	(2b) <u>-1.00</u>	
3	If 2b is 0 or less than 0, enter 0. If 2b is greater than 0, round up to the nearest whole number		x \$50.00 = \$0.00
4		Total =	\$200.00

*Example for Line 2a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

1. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
2. If the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
3. 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 2a would be only 0.56 cfs since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

TEMPORARY DROUGHT TRANSFER APPLICATION MAP

FOR: BRIGGS MANAGEMENT, LLC
BY: NATHAN REED, PE, CWRE
T30S, R5W, W.M. SECTION 23 & 24
CERTIFICATE NO. 81337



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81337 APOD IS LOCATED 1770 FEET SOUTH AND 1020 FEET EAST
FROM THE NW CORNER OF SECTION 24 WITHIN G.LOT 3.
56849 POD 1 IS LOCATED 3130 FEET SOUTH AND 280 FEET WEST
FROM THE NE CORNER OF SECTION 23 WITHIN G.LOT 6.
56849 POD 2 IS LOCATED 4120 FEET SOUTH AND 1960 FEET WEST
FROM THE NE CORNER OF SECTION 23 WITHIN DLC 56.

Legend

-----	Stream	→	Flow arrow	-----	Sixteenth
○	POD	-----	Gov Lot	□	Parcels
▼	PUMP	□	DLC	▨	Cert 81337, Priority 1-21-1911 From
Ⓜ	Meter	□	Section	▨	Cert 81337 TO
-----	Pipeline	-----	Quarter		

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MAP PREPARED FOR:
BRIGGS MANAGEMENT, LLC
PO BOX 805
CANYONVILLE, OR 97417

14324

THE PURPOSE OF THIS MAP IS TO IDENTIFY THE LOCATION OF THE
WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE
TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES.

MAP PREPARED BY:
NATHAN REED, PE, CWRE
157 WEST BODIE STREET
ROSEBURG, OR 97471

1023

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-14324

Review Due Date:

Applicant Name: Briggs Management LLC

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

Reviewer(s): Jake Johnstone

Date of Review: 09/18/2023

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:
Regulation for S. Umpqua IS right 59701 above the confluence w/ Cow Creek happens annually. Has occurred this year.
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:

☒ 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:

☒ N/A

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

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

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

10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

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

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

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

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

☐ Yes ☐ No If "Yes", describe:

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

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

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

☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐

Weir

☐

Submerged Orifice

☐

Parshall Flume

☐

Flow Restrictor

☐

Other: _____

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14324



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



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: Jake Johnstone - FDS Deputy Administrator

District: 15

Address: 1036 SE Douglas Ave.

City/State/Zip: Roseburg, OR, 97470

Phone: 971-707-0013

Email: jake.d.johnstone@water.oregon.gov

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

Approval of an Alternate Measurement Device

T-

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

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

Watermaster signature

District

Date

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

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

GREW Scott A * WRD

From: DAVIS Arla L * WRD
Sent: Monday, September 18, 2023 10:40 AM
To: JOHNSTONE Jake D * WRD; SEIM Jenna E * WRD; DOUTHIT Susan M * WRD; DILLON Justin * WRD
Cc: JARAMILLO Lisa J * WRD; STARNES Patrick K * WRD; GREW Scott A * WRD; SMITH Joan M * WRD; BAUSTIAN Julie C * WRD
Subject: RE: Drought Application T-14324 for Briggs Management

Hi Jake,

This is the follow up for the mapping error from Duff Martin. It has been fixed in WRIS:

From: MARTIN Duff A * WRD Duff.A.MARTIN@water.oregon.gov
Sent: Monday, September 18, 2023 10:38 AM
To: DAVIS Arla L * WRD Arla.L.DAVIS@water.oregon.gov; WRD_DL_wriserror WRD_DL_wriserror@water.oregon.gov
Subject: RE: Certificates 81337 and 76490

Hi Arla,

No idea what was going on with what was mapped for Cert 76490, but it's much better now. What I did should display online tomorrow, until then the below image is a little busy, but I wanted to leave the tax lots on. The yellow shapes are the new Cert 76490 and the blue outline is what I had mapped for Cert 81377 three years ago for a WRISerror. They do not appear to overlap (there is a dirt road you can't see between the two).



Thanks,

OREGON



WATER RESOURCES
DEPARTMENT

Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Duff Martin

Water Resources Data Technician 2
Information Services

425 Summer St NE, Salem, OR 97301

<https://www.oregon.gov/owrd/>

From: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>

Sent: Monday, September 18, 2023 8:51 AM

To: WRD_DL_wriserror <WRD_DL_wriserror@water.oregon.gov>

Subject: Certificates 81337 and 76490

Good Morning,

The Final Proof Map for Certificate 76490 and 81337 are attached. In WRIS it appears that the POUs for these two Certificates are layered on top of each other, but in looking at the maps and reviewing the place of use description, I don't think they are. I think the mapping for Certificate 76490 might be incorrect. I appreciate any help you can provide! Thank you so much!

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

Work Schedule: Mon-Th – 6:00 a.m. to 4:30 p.m.

NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day.

Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

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Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

From: JOHNSTONE Jake D * WRD <Jake.D.JOHNSTONE@water.oregon.gov>

Sent: Monday, September 18, 2023 8:50 AM

To: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>; SEIM Jenna E * WRD <Jenna.E.Seim@water.oregon.gov>; DOUTHIT Susan M * WRD <Susan.M.DOUTHIT@water.oregon.gov>; DILLON Justin * WRD <Justin.DILLON@water.oregon.gov>

Cc: JARAMILLO Lisa J * WRD <Lisa.J.JARAMILLO@water.oregon.gov>; STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>; GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>; SMITH Joan M * WRD <Joan.M.SMITH@water.oregon.gov>; BAUSTIAN Julie C * WRD <Julie.C.BAUSTIAN@water.oregon.gov>

Subject: RE: Drought Application T-14324 for Briggs Management

Arla,

Let us know if you've been able to contact the applicant.

I would like to see a complete application. According to local staff the same map was used for a drought application back in 2021 so I'll yield on that not being an issue.

Mary B from Douglas is going to provide Jenna and I with the previous WM review by Douthit.

Drought applications as we all know are time sensitive so please let us know ASAP when we've a signed and complete application.

Kind regards,

- Jake

Jake Johnstone

Deputy Administrator – Field Services

Phone (c) 971-707-0013



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We're hiring! See the current list of jobs [here](#). Search for "Water Resources Department" under Company.

From: JOHNSTONE Jake D * WRD

Sent: Friday, September 15, 2023 8:55 AM

To: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>; SEIM Jenna E * WRD <Jenna.E.Seim@water.oregon.gov>; DOUTHIT Susan M * WRD <Susan.M.DOUTHIT@water.oregon.gov>; DILLON Justin * WRD <Justin.DILLON@water.oregon.gov>

Cc: JARAMILLO Lisa J * WRD <Lisa.J.JARAMILLO@water.oregon.gov>; STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>; GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>; SMITH Joan M * WRD <Joan.M.SMITH@water.oregon.gov>; BAUSTIAN Julie C * WRD <Julie.C.BAUSTIAN@water.oregon.gov>

Subject: RE: Drought Application T-14324 for Briggs Management

Arla,

I haven't done one of these in quite some time. Jenna is acting Watermaster and I'm assisting.

As it's been awhile, I may be mistaken in that E drought use Tx/applications may enjoy more latitude than standard processes but my quick review sees a number of blank fields where I would expect to see more detail (like not answer Yes or No if there are other WR's that cover the from/to lands – but the County LUCS shows "moving senior rights to cover lands regulated off that are junior), and other fields.

Jenna may be out sick today, please notify her and I and continue to CC Susan for review of this application. When it's signed and you've clarified whether or not the "mild" incompleteness of the application matters I'll make time with Jenna to review.

Regards,

- Jake

Jake Johnstone

Deputy Administrator – Field Services

Phone (c) 971-707-0013



We're hiring! See the current list of jobs [here](#). Search for "Water Resources Department" under Company.

From: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>
Sent: Thursday, September 14, 2023 12:23 PM
To: SEIM Jenna E * WRD <Jenna.E.Seim@water.oregon.gov>; DOUTHIT Susan M * WRD <Susan.M.DOUTHIT@water.oregon.gov>; DILLON Justin * WRD <Justin.DILLON@water.oregon.gov>; JOHNSTONE Jake D * WRD <Jake.D.JOHNSTONE@water.oregon.gov>
Cc: JARAMILLO Lisa J * WRD <Lisa.J.JARAMILLO@water.oregon.gov>; STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>; GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>; SMITH Joan M * WRD <Joan.M.SMITH@water.oregon.gov>; BAUSTIAN Julie C * WRD <Julie.C.BAUSTIAN@water.oregon.gov>
Subject: Drought Application T-14324 for Briggs Management

Good Morning Everyone!

Just a heads up that a Drought Application and the Map (it's all included in one scan) was accepted this morning from Briggs Management. I am unsure who to direct this to for a WM review, so I apologize for sending it to everyone! 😊 I have attached the application and map to this email, I realize the application is not signed and I have been in touch with the applicant and I am working on that and will make sure that the signed application is what appears in WRIS. I am working with out support staff to get it entered into WRIS, so you should receive a request for the WM review later on today. Please let me know if there are any questions.

Arla L. Davis

She/Her/Hers

Water Rights Transfer Specialist

Transfer and Conservation Section

725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



NOTE: The Salem office is now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, availability of staff in the office is not guaranteed 8:00 a.m. – 5:00 p.m. every day. Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14324

Transfer Specialist: ARLA

Transfer Type: **DROUGHT**

Applicant: Briggs Management Email: _____ Phone: _____		
Affected Local Gov'ts: <input type="checkbox"/> N/A Email: _____		Affected Tribal Gov't: <input type="checkbox"/> N/A Email: _____
Current Landowner if other than Applicant: <input type="checkbox"/> N/A Email: _____		Receiving Landowner: <input type="checkbox"/> N/A Email: _____

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate		
<input type="checkbox"/>			81337		

Key Dates & Initial Actions:

Rec'd: 9/14/2023	Proposed Action(s): POU/POD
Fees Pd: 200.00	WM District:
Initial Public Notice:	WM Review sent: 9/13/2023

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
FO	Date: 9/14/23 Initials: <i>SLD</i>	Date: 9/15/23 Initials: <i>SLM</i>	Date: 9/20/23 Initials: <i>PKS</i>	Date: 9/20/23 Initials: <i>SLD</i>	Date: 9/20/23 How many for signature: 1	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____