

T-14237

Regular

T-14237

RA

Name Brian Thompson
55805 Highway 74
 Address Hopner, OR 97836

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Willow CreekTrib. of Columbia RiverUse IrrigationCounty Morrow

Quantity of water (CFS)

No. of Acres

Name of ditch

App# DecreePer # V-1 pg 15Cert # C9669PR Date 12-31-1903App# DecreePer # V-1 pg 15Cert # C96670PR Date 12-31-1883App# DecreePer # V-1 pg 15Cert # C96671PR Date 12-31-1890

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

FEES PAID

Date	Amount	Receipt #
5/5/2023	4,490.00	140649
5/5/2023	125.00	140644
6/26/2023	1,247.15	141002

FEES REFUNDED

Amount	Receipt #
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Change in POV
 Date Filed 5/5/2023
 Initial notice date 5/16/2023
 DPD issued date
 PD issued date 5/17/2024
 PD notice date 5/21/2024
 Date of FO 8/28/2024 Vol 131 Page 1024-1030

C-Date
 COBU due date
 COBU Received date
 Certificate issued

Assignments:

Irrigation District

Agent Bill Poffin

CWRE

CC's list Morrow County☐ - Oversized map - Location



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

August 28, 2024

Brian Thompson
55805 Hwy 74
Heppner, OR 97836

REFERENCE: Transfer Application T-14237

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

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

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

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

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

Sincerely,

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

cc: Kenneth C. Thiemann, Watermaster Dist. # 21 (via email)
Bill Porfily, Agent
County of Morrow Planning Department, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING AN
T-14237, Morrow County)	ADDITIONAL POINT OF DIVERSION AND
)	CHANGE IN PLACES OF USE

Authority

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

Applicant

BRIAN THOMPSON
55805 HWY 74
HEPPNER, OR 97836

Findings of Fact

1. On May 5, 2023, BRIAN THOMPSON filed an application for an additional point of diversion and to change the place of use under Certificate 96670, and to change the place of use for Certificates 96669 and 96671. The Department assigned the application number T-14237.
2. Notice of the application for transfer was published on May 16, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On March 13, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14237 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 12, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. On May 17, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14237 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on May 21, 2024, and in the East Oregonian newspaper on May 21 and May 28, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.

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

Certificate: 96669 in the name of WILLOW CREEK DISTRICT IMPROVEMENT CO. and BRIAN THOMPSON (confirmed by Willow Creek, Gilliam & Morrow Counties (F), 1910 Decree)

Use: IRRIGATION OF 45.0 ACRES

Priority Date: 1903

Rate: 0.75 CUBIC FOOT PER SECOND

Source: WILLOW CREEK, a tributary of COLUMBIA RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	25 E	WM	6	SW SW	POD 1 (ORIGINAL) - 180 FEET NORTH AND 510 FEET EAST FROM THE SE CORNER OF SECTION 1
2 S	26 E	WM	27	NE NW	WCDIC POD (ADDITIONAL) - 1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	1	SW NE	11.0
2 S	25 E	WM	1	NE SE	2.0
2 S	25 E	WM	1	NW SE	22.0
2 S	25 E	WM	1	SE SE	10.0
TOTAL					45.0

6. Transfer Application T-14237 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Glott	Acres
1 S	25 E	WM	36	SW SW		6.20
2 S	25 E	WM	1	NW NW	4	24.9
2 S	25 E	WM	1	SE NW		4.15
2 S	25 E	WM	1	SE SE		1.90
2 S	25 E	WM	12	NW SW		6.18
2 S	25 E	WM	12	SW SW		1.67
TOTAL						45.0

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

Certificate: 96670 in the name of WILLOW CREEK DISTRICT IMPROVEMENT CO. and BRIAN THOMPSON (confirmed by Willow Creek, Gilliam & Morrow Counties (F), 1910 Decree)

Use: IRRIGATION OF 64.75 ACRES

Priority Date: 1883 FOR TRACT 1 AND 1902 FOR TRACT 2

Rate: NO MORE THAN 1.11 CUBIC FEET PER SECOND (CFS), BEING 1883 FOR 0.5 CFS AND 1902 FOR 0.61 CFS, IF AVAILABLE AT THE ORIGINAL POINTS OF DIVERSION; SW NE AND SE SE, SECTION 1, T2S, R25E, W.M.

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-SIXTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

Source: WILLOW CREEK, a tributary of COLUMBIA RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	25 E	WM	1	SW NE	POINT 2 (SHATTUCK/BARROW) - 920 FEET NORTH AND 160 FEET EAST FROM THE C1/4 CORNER OF SECTION 1
2 S	25 E	WM	1	SW NE	POINT 3 (TEMPLE) - 910 FEET NORTH AND 140 FEET EAST FROM THE C1/4 CORNER OF SECTION 1
2 S	26 E	WM	27	NE NW	WCDIC POD (ADDITIONAL) - 1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
TRACT 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	1	NE NW	6.5
2 S	25 E	WM	1	NW NW	25.9
2 S	25 E	WM	1	SE NW	2.15
TOTAL					34.55

IRRIGATION					
TRACT 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	1	NW NW	2.4
2 S	25 E	WM	1	SW NW	2.4
2 S	25 E	WM	1	SE NW	24.4
2 S	25 E	WM	1	NE SW	1.0
TOTAL					30.2

8. Transfer Application T-14237 proposes an additional point of diversion with approximate distances from the existing points of diversion identified as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized POD's
2 S	26 E	WM	17	NW SE	POD #2 C96666 - 1915 FEET NORTH AND 2670 FEET EAST FROM THE SW CORNER OF SECTION 17	POINT 2 & 3 - 3.0 miles upstream WCDIC POD - 2.9 miles downstream

9. Transfer Application T-14237 also proposes to change the place of use of the right to:

IRRIGATION					
TRACT 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	12	NE SW	6.88
2 S	25 E	WM	12	NW SW	1.97
2 S	26 E	WM	7	NW NW	0.80
2 S	26 E	WM	7	SW NW	2.80
2 S	26 E	WM	7	SE NW	9.50
2 S	26 E	WM	7	NE SW	1.30
2 S	26 E	WM	17	NW NW	2.74
2 S	26 E	WM	17	SE NW	4.75
2 S	26 E	WM	17	NE SW	3.81
TOTAL					34.55

IRRIGATION					
TRACT 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	12	NE SW	18.50
2 S	25 E	WM	12	NW SW	1.10
2 S	25 E	WM	12	SW SW	3.70
2 S	25 E	WM	12	SE SW	6.90
TOTAL					30.2

10. The portion of the third right to be transferred is as follows:

Certificate: 96671 in the name of WILLOW CREEK DISTRICT IMPROVEMENT CO. and BRIAN THOMPSON (confirmed by Willow Creek, Gilliam & Morrow Counties (F), 1910 Decree)

Use: IRRIGATION OF 13.1 ACRES

Priority Date: 1890

Rate: 0.22 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-SIXTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 TO SEPTEMBER 1

Source: WILLOW CREEK, a tributary of the COLUMBIA RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	25 E	WM	1	SW NE	POD 3 (TEMPLE) – 910 FEET NORTH AND 140 FEET EAST FROM THE C1/4 CORNER OF SECTION 1
2 S	26 E	WM	27	NE NW	WCDIC POD (ADDITIONAL) - 1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	36	SW SW	10.4
2 S	25 E	WM	1	NW NW	2.7
TOTAL					13.1

11. Transfer Application T-14237 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	12	NW SW	13.1

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

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

13. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
14. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14237.
15. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
16. The proposed point of diversion for Certificate 96670 develops water from the same source as the authorized points of diversion, as required by OAR 690-380-2110(2).
17. The proposed changes, as conditioned, would not result in enlargement of the rights.
18. The proposed change, as conditioned, would not result in injury to other existing water rights.

19. All other application requirements are met.

Conclusions of Law

The additional point of diversion and change in place of use proposed in Transfer Application T-14237 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

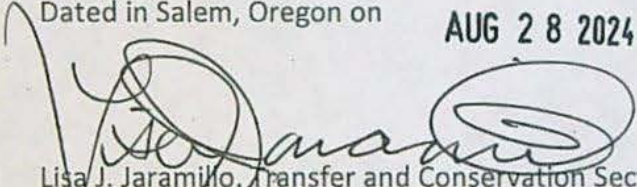
Now, therefore, it is ORDERED:

1. The additional point of diversion and change in place of use proposed in Transfer Application T-14237 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 96669, 96670, and 96671 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion and the new place of use.
4. Water right Certificates 96669, 96670, and 96671 are cancelled. New certificates will be issued for Certificates 96670 and 96671 describing those portions of the rights not affected by this transfer.
5. The quantity of water diverted at the new additional point of diversion (POD #2), together with that diverted at the original points of diversion (POINT 2, POINT 3, and WCDIC POD), shall not exceed the quantity of water lawfully available at the original points of diversion (POINT 2, POINT 3, and WCDIC POD).
6. Water shall be acquired from the same source as the original points of diversion.
7. The former places of use of the transferred rights shall no longer receive water under the rights.
8. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

9. Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.
10. The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.
11. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
12. After satisfactory proof of beneficial use is received, a new certificate confirming the rights transferred will be issued.

Dated in Salem, Oregon on

AUG 28 2024


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

Mailing Date: **AUG 29 2024**

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLOW CREEK DISTRICT IMPROVEMENT CO.
C/O BRIAN THOMPSON
55805 HWY 74
HEPPNER, OR 97836

BRIAN THOMPSON
55805 HWY 74
HEPPNER, OR 97836

confirms the right to use the waters of WILLOW CREEK, a tributary of COLUMBIA RIVER for IRRIGATION of 17.5 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Morrow County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 1, at Page 73. The date of priority is 1883.

The right is limited to no more than 0.26 CUBIC FOOT PER SECOND, if available at the original points of diversion; SW NE and SE SE, Section 1, T2S, R25E, W.M.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	25 E	WM	1	SW NE	POINT 2 (SHATTUCK/BARROW) - 920 FEET NORTH AND 160 FEET EAST FROM THE C1/4 CORNER OF SECTION 1
2 S	25 E	WM	1	SW NE	POINT 3 (TEMPLE) - 910 FEET NORTH AND 140 FEET EAST FROM THE C1/4 CORNER OF SECTION 1
2 S	26 E	WM	27	NE NW	WCDIC POD (ADDITIONAL) - 1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-SIXTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	36	SE SW	1.9
2 S	25 E	WM	1	NE NW	13.4
2 S	25 E	WM	1	SE NW	2.2
TOTAL					17.5

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each new point of diversion.
- B. 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.

The quantity of water diverted at the additional point of diversion, together with that diverted at the original points of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion.

In order to avoid enlargement of the right or injury to other rights, it is preferable to have a flowmeter installed that reads instantaneous, totalizes, and has real-time access so the Watermaster can access the flow data. However, if the flowmeter will not work and provide the real time data, the Watermaster can approve an alternative type of measuring device that will provide instantaneous data, totalizes, and will provide real time access to the flow data.

The water user shall maintain a headgate to control and regulate the quantity of water diverted as required by the Department.

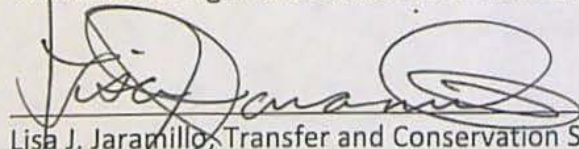
The water user shall operate and maintain the fish screen at the new point of diversion consistent with Oregon Department of Fish and Wildlife's (ODFW) operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the water user to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

This certificate describes that portion of water right Certificate 96670, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 28 2024, approving Transfer Application T-14237.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed AUG 28 2024.



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

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

WILLOW CREEK DISTRICT IMPROVEMENT CO.
C/O BRIAN THOMPSON
55805 HWY 74
HEPPNER, OR 97836

BRIAN THOMPSON
55805 HWY 74
HEPPNER, OR 97836

confirms the right to use the waters of WILLOW CREEK, a tributary of COLUMBIA RIVER for IRRIGATION of 12.7 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Morrow County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 1, at Page 73. The date of priority is 1890.

The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.21 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the points of diversion from the source.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1 S	25 E	WM	36	SW SW	POD 1 (TEMPLE) - 560 FEET NORTH AND 450 FEET EAST FROM THE SW CORNER OF SECTION 36
2 S	26 E	WM	27	NE NW	WCDIC POD (ADDITIONAL) - 1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-SIXTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, during the irrigation season March 1 to September 1 of each year.

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	35	SE SE	0.6
1 S	25 E	WM	36	SW SW	12.1
TOTAL					12.7

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each new point of diversion.
- B. 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.

In order to avoid enlargement of the right or injury to other rights, it is preferable to have a flowmeter installed that reads instantaneous, totalizes, and has real-time access so the Watermaster can access the flow data. However, if the flowmeter will not work and provide the real time data, the Watermaster can approve an alternative type of measuring device that will provide instantaneous data, totalizes, and will provide real time access to the flow data.

The quantity of water diverted at the additional point of diversion, together with that diverted at the original points of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion.

The water user shall maintain a headgate to control and regulate the quantity of water diverted as required by the Department.

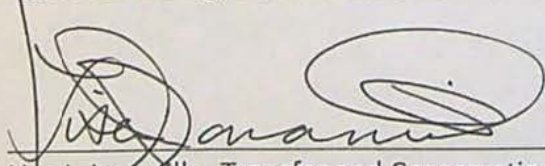
The water user shall operate and maintain the fish screen at the new point of diversion consistent with Oregon Department of Fish and Wildlife's (ODFW) operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful in working with the water user to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

This certificate describes that portion of water right Certificate 96671, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 28 2024, approving Transfer Application T-14237.

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

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director, affixed AUG 28 2024.



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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14237

Transfer Specialist: *Dante*

Transfer Type: Regular Transfer

Reimbursement Authority? ☒

Applicant: BRIAN THOMPSON 55805 HWY 74 HEPPNER, OR 97836	Agent: BILL PORFELY PO BOX 643 STANFIELD, OR 97875	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: County Of Morrow	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	DECREEE	V-1 PG 15	C96669	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	DECREEE	V-1 PG 15	C96670	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	DECREEE	V-1 PG 15	C96671	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions (Support Staff)

Rec'd: May 5, 2023	Proposed Action(s): PLACE OF USE	
Fees Pd: 4490.00	Acknowledgement Letter Sent <input type="checkbox"/>	Basin: 7 Umatilla
Initial Public Notice:	County sent cc: of Ack Letter <input type="checkbox"/>	County: MORROW
WM District: 21 Kenneth C. Thiemann	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

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

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <u>2-20-24</u> Initials: <u>AL</u>	Date: _____ Initials: _____	Date: <u>3-20-24</u> Initials: <u>SH</u>	Date: <u>3-21-24</u> Initials: <u>AL</u>	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: <u>4-22-24</u> Initials: <u>AL</u>	Date: _____ Initials: _____	Date: <u>4-25-24</u> Initials: <u>PRS</u>	Date: _____ Initials: _____ Data Review Date: <u>4-25-24</u>	Date: <u>5-15-24</u>	Date: <u>5/17/24</u>
FO	Date: <u>8-4-24</u> Initials: <u>AL</u>	Date: <u>8-6-24</u> Initials: <u>RF</u>	Date: <u>8-14-24</u> Initials: <u>SH</u>	Date: <u>8-22-24</u> Initials: <u>AL</u>	Date: <u>8-22-24</u> No. of docs for sig: <u>3</u>	Date: <u>8/28/24</u>

Special Issues: _____

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 # 142913

INVOICE # _____

RECEIVED FROM: Porfly Water Rights Consulting

BY: _____

CASH: ☐ CHECK: # 7276 OTHER: (IDENTIFY) ☐

APPLICATION _____

PERMIT _____

TRANSFER T-14237

TOTAL REC'D \$ 352.80

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____

0207 OTHER: (IDENTIFY) Newspaper Notice \$ 352.80

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) _____ \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER EXAM FEE \$ _____ 0202 RECORD FEE \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ _____

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ _____ 0219 LICENSE FEE \$ _____

LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____

0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

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

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT: 142913

DATED: 5/13/24 BY: [Signature]

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

A CSB Checking

For T-14237 NOTICE

Received
MAY 13 2024
OWRD

352.80

PORFLY WATER RIGHTS CONSULTING
Oregon Water Resources Department
For T-14237 NOTICE - Thompson

5/6/2024

352.80

7276

IN THE CIRCUIT COURT OF
THE STATE OF OREGON
FOR UNION/BAKER/UMATILLA/MORROW COUNTY

}AFFIDAVIT OF PUBLICATION

STATE OF OREGON

County of Union/Baker/Umatilla/Morrow} ss

I, Dayle Stinson being duly sworn, depose and say that I am the principal clerk of the publisher of the La Grande Observer, lagrandeobserver.com, Baker City Herald, bakercityherald.com, East Oregonian, eastoregonian.com, Northeast Oregon Weekender, Hermiston Herald, hermistonherald.com, a newspaper of general circulation, as defined by ORS 193.010 and 193.020;
that the

EO-13198 NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-14237 T- 14237 FILED BY BRIAN THOMPSON 55805 HWY 74 HEPPNER OR 97836 PROPOSES AN ADDITIONAL POINT OF DIVERSION AND TO CHANGE TH

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

5/21/24, 5/28/24

Subscribed and sworn to before me on this 28th day of May, A.D. 2024

Dayle Stinson
Kathryn Bedford Brown
Notary Public of Oregon

AdId: 433579

PO:

Tagline: EO-13198 T-14237



Received

JUN 03 2024

OWRD

**EO-13198
Notice of Preliminary
Determination for Water
Right Transfer
T-14237**

T- 14237 filed by Brian Thompson 55805 Hwy 74, Heppner, OR 97836, proposes an additional point of diversion and to change the place of use under Certificate 96670, and to change the place of use for Certificates 96669 and 96671. Certificate 96670 allows the use of 1.11 cubic feet per second from Willow Creek in Sec. 1, T2S, R25E, WM and Sec. 27, T2S, R26E, WM for irrigation in Sec. 1, T2S, R25E, WM. The applicant proposes an additional point of diversion in Sec. 17, T2S, R26E, WM and to change the place of use to Sec. 12, T2S, R25E, WM and Sects. 7 and 17, T2S, R26E, WM. Certificate 96669 allows the use of 0.75 cubic foot per second from Willow Creek in Sects. 6 and 27, T2S, R26E, WM. for irrigation in Sec. 1, T2S, R25E, WM. The applicant proposes to change the place of use to Sec. 36, T1S, R25E, WM and Sects. 1, and 12, T2S, R25E, WM. Certificate 96671 allows the use of 0.22 cubic foot per second from Willow Creek in Sec. 1, T2S, R25E, WM, and Sec. 27, T2S, R26E, WM for irrigation in Sec. 36, T1S, R25E, WM, and Sec. 1, T2S, R25E, WM. The applicant proposes to change the place of use to Sec. 12, T2S, R25E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 05/28/24. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.
Published: May 21, 28, 2024



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

May 17, 2024

VIA CERTIFIED MAIL AND E-MAIL

Applicant

BRIAN THOMPSON

55805 HWY 74

HEPPNER, OR 97836

SUBJECT: Water Right Transfer Application T-14237

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14237. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

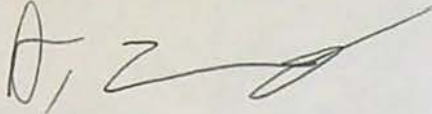
A public notice is being published in the Department's weekly publication and in the East Oregonian newspaper, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in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

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

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

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

Sincerely,

A handwritten signature in black ink, appearing to be 'D. Luongo', with a long horizontal stroke extending to the right.

Dante Luongo
Transfer Specialist
Transfer and Conservation Section

cc: T-14237
Kenneth C. Thiemann, District 21 Watermaster (*via e-mail*)
Bill Porfily, Agent for the applicant (*via e-mail*)

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14237, Morrow County)	PROPOSING APPROVAL OF AN
)	ADDITIONAL POINT OF DIVERSION AND A
)	CHANGE IN PLACES OF USE

Authority

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

Applicant

BRIAN THOMPSON
55805 HWY 74
HEPPNER, OR 97836

Findings of Fact

1. On May 5, 2023, Brian Thompson filed an application for an additional point of diversion and to change the place of use under Certificate 96670, and to change the place of use for Certificates 96669 and 96671. The Department assigned the application number T-14237.
2. Notice of the application for transfer was published on May 16, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On March 15, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14237 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 14, 2024, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. The first right to be transferred is as follows:

Certificate: 96669 in the name of WILLOW CREEK DISTRICT IMPROVEMENT CO. and BRIAN THOMPSON (confirmed by Willow Creek, Gilliam & Morrow Counties (F), 1910 Decree)

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

Use: IRRIGATION OF 45.0 ACRES
Priority Date: 1903
Rate: 0.75 CUBIC FOOT PER SECOND
Source: WILLOW CREEK, a tributary of COLUMBIA RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	25 E	WM	6	SW SW	POD 1 (ORIGINAL) - 180 FEET NORTH AND 510 FEET EAST FROM THE SE CORNER OF SECTION 1
2 S	26 E	WM	27	NE NW	WCDIC POD (ADDITIONAL) - 1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	1	SW NE	11.0
2 S	25 E	WM	1	NE SE	2.0
2 S	25 E	WM	1	NW SE	22.0
2 S	25 E	WM	1	SE SE	10.0
TOTAL					45.0

5. Transfer Application T-14237 proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Glott	Acres
1 S	25 E	WM	36	SW SW		6.20
2 S	25 E	WM	1	NW NW	4	24.9
2 S	25 E	WM	1	SE NW		4.15
2 S	25 E	WM	1	SE SE		1.90
2 S	25 E	WM	12	NW SW		6.18
2 S	25 E	WM	12	SW SW		1.67
TOTAL						45.0

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

Certificate: 96670 in the name of WILLOW CREEK DISTRICT IMPROVEMENT CO. and BRIAN THOMPSON (confirmed by Willow Creek, Gilliam & Morrow Counties (F), 1910 Decree)
Use: IRRIGATION OF 64.75 ACRES
Priority Date: 1883 FOR TRACT 1 AND 1902 FOR TRACT 2
Rate: NO MORE THAN 1.11 CUBIC FEET PER SECOND (CFS), BEING 1883 FOR 0.5 CFS AND 1902 FOR 0.61 CFS, IF AVAILABLE AT THE ORIGINAL POINTS OF DIVERSION; SW NE AND SE SE, SECTION 1, T2S, R25E, W.M.
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-SIXTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.
Source: WILLOW CREEK, a tributary of COLUMBIA RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	25 E	WM	1	SW NE	POINT 2 (SHATTUCK/BARROW) – 920 FEET NORTH AND 160 FEET EAST FROM THE C1/4 CORNER OF SECTION 1
2 S	25 E	WM	1	SW NE	POINT 3 (TEMPLE) - 910 FEET NORTH AND 140 FEET EAST FROM THE C1/4 CORNER OF SECTION 1
2 S	26 E	WM	27	NE NW	WCDIC POD (ADDITIONAL) - 1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
TRACT 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	1	NE NW	6.5
2 S	25 E	WM	1	NW NW	25.9
2 S	25 E	WM	1	SE NW	2.15
TOTAL					34.55

IRRIGATION					
TRACT 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	1	NW NW	2.4
2 S	25 E	WM	1	SW NW	2.4
2 S	25 E	WM	1	SE NW	24.4
2 S	25 E	WM	1	NE SW	1.0
TOTAL					30.2

7. Transfer Application T-14237 proposes an additional point of diversion with approximate distances from the existing points of diversion identified as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Authorized POD's
2 S	26 E	WM	17	NW SE	POD #2 C96666 - 1915 FEET NORTH AND 2670 FEET EAST FROM THE SW CORNER OF SECTION 17	POINT 2 & 3 – 3.0 miles upstream WCDIC POD – 2.9 miles downstream

8. Transfer Application T-14237 also proposes to change the place of use of the right to:

IRRIGATION					
TRACT 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	12	NE SW	6.88
2 S	25 E	WM	12	NW SW	1.97
2 S	26 E	WM	7	NW NW	0.80
2 S	26 E	WM	7	SW NW	2.80
2 S	26 E	WM	7	SE NW	9.50

IRRIGATION					
TRACT 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	26 E	WM	7	NE SW	1.30
2 S	26 E	WM	17	NW NW	2.74
2 S	26 E	WM	17	SE NW	4.75
2 S	26 E	WM	17	NE SW	3.81
TOTAL					34.55

IRRIGATION					
TRACT 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	12	NE SW	18.50
2 S	25 E	WM	12	NW SW	1.10
2 S	25 E	WM	12	SW SW	3.70
2 S	25 E	WM	12	SE SW	6.90
TOTAL					30.2

9. The portion of the third right to be transferred is as follows:

Certificate: 96671 in the name of WILLOW CREEK DISTRICT IMPROVEMENT CO. and BRIAN THOMPSON (confirmed by Willow Creek, Gilliam & Morrow Counties (F), 1910 Decree)

Use: IRRIGATION OF 13.1 ACRES

Priority Date: 1890

Rate: 0.22 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-SIXTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated during the irrigation season of each year.

Period of Use: MARCH 1 TO SEPTEMBER 1

Source: WILLOW CREEK, a tributary of the COLUMBIA RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	25 E	WM	1	SW NE	POD 3 (TEMPLE) – 910 FEET NORTH AND 140 FEET EAST FROM THE C1/4 CORNER OF SECTION 1
2 S	26 E	WM	27	NE NW	WCDIC POD (ADDITIONAL) - 1120 FEET SOUTH AND 1820 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
1 S	25 E	WM	36	SW SW	10.4
2 S	25 E	WM	1	NW NW	2.7
TOTAL					13.1

10. Transfer Application T-14237 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	25 E	WM	12	NW SW	13.1

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

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

12. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
13. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14237.
14. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
15. The proposed point of diversion for Certificate 96670 develops water from the same source as the authorized points of diversion, as required by OAR 690-380-2110(2).
16. The proposed changes, as conditioned, would not result in enlargement of the rights.
17. The proposed change, as conditioned, would not result in injury to other existing water rights.
18. All other application requirements are met.

Determination and Proposed Action

The additional point of diversion and change in place of use proposed in Transfer Application T-14237 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14237 is approved, the final order will include the following:

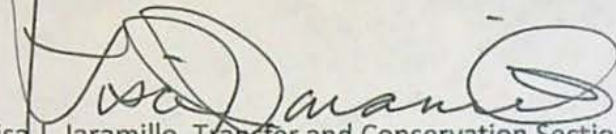
1. *The additional point of diversion and change in place of use proposed in Transfer Application T-14237 are approved.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 96669, 96670, and 96671 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of diversion and the new place of use.*
4. *Water right Certificates 96669, 96670, and 96671 are cancelled. New certificates will be issued for Certificates 96670 and 96671 describing those portions of the rights not affected by this transfer.*
5. *The quantity of water diverted at the new additional point of diversion (POD #2), together with that diverted at the original points of diversion (POINT 2, POINT 3, and WCDIC POD), shall not exceed the quantity of water lawfully available at the original points of diversion (POINT 2, POINT 3, and WCDIC POD).*
6. *Water shall be acquired from the same source as the original points of diversion.*
7. *The former places of use of the transferred rights shall no longer receive water under the rights.*
8. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
9. *Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.*
10. *The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.*

11. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
12. After satisfactory proof of beneficial use is received, a new certificate confirming the rights transferred will be issued.

Dated in Salem, Oregon on

MAY 17 2024



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

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

Protests

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

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

- The person's name, address, and telephone number;

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

Requests for Standing

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

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

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

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

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

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

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

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

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

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

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

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

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-14237 CPOU

Review Due Date: 06/09/2023

Applicant Name: Willow Creek District Improvement Co. c/o Brian Thompson

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

Reviewer(s): Kenneth C. Thiemann Jr.

Date of Review: 11/20/2023

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:

Annual Regulation for downstream seniors, early season call from Cal Farms ~ RM 15 (1897), late season call from McElligott ~ RM 36.8 (1878)
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
☐ Parshall Flume
☐ Other: _____

☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14237 CPOU



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: Kenneth C. Thiemann Jr.

District: 21

Address: PO Box 427

City/State/Zip: Condon, OR 97823

Phone: (541) 969-8799

Email: kenneth.c.thiemann@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

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

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

Reference Transfer #: T-14237, Brian Thompson

Date of review: 12/18/2023

A. The Oregon Department of Fish and Wildlife (ODFW) does not believe this proposed transfer will injure any instream water rights.

B. *Fish screen requirements pursuant to ORS 540.525 or 540.532:*

Screen Now

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

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

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

Jorden Smith (541)805-1990

East Region Hydropower and Water Rights Coordinator

Jorden Smith Digitally signed by Jorden Smith
Date: 2023.12.18 10:01:25 -08'00'

Signature

Oregon Department of Fish and Wildlife

Additional Fish Screening and Passage Information for the Applicant

(To be completed by ODFW for WRD to provide to the applicant.)

Transfer #: T-14237, Brian Thompson

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion

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

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

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening.

Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.

ODFW staff name: Nathaniel Ashley

Address: PO BOX 515; W HWY 26 PATTERSON RD

City/State/Zip: John Day, OR 97845

Phone: (541)575-0561

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

ODFW staff name: Taylor McCroskey

Address: 73471 Mytinger Ln

City/State/Zip: Pendleton, OR 97801

Phone: (541)276-2344

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # **141002**
725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172
(503) 986-0900 / (503) 986-0904 (fax)

INVOICE # _____

RECEIVED FROM: Thompson Land Company
BY: Brian S. Or Susan Thompson

APPLICATION
PERMIT
TRANSFER T-14237

CASH: ☐ CHECK: # 14186 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$1,247.15

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R-11-439-23 \$
0412 OTHER: (IDENTIFY) Transfer R.A. \$ 1,247.15

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____
OBJ. CODE _____ VENDOR # _____
DESCRIPTION _____ \$

RECEIPT: **141002** DATED 6-26-23 BY: Lisa D. Miller

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

Checking

Oregon Water Resources Department
transfer expiditing fee.

THOMPSON LAND COMPANY

BRIAN S. OR SUSAN THOMPSON

6/21/2023

1,247.15

14186

RECEIVED
JUN 26 2023
OWRD

1,247.15

JUN 26 2023

Salem, OR

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-439-23**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Brian Thompson, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes	Name: Brian Thompson	Name: Bill Porfily
Title: Transfer Advisor	Contact:	Contact:
Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266	Address: 55805 Highway 74 Heppner, OR 97836	Address: PO Box 643 Stanfield, OR 97875
Phone: 503 979-3511	Phone: (541) 980-5045	Phone: (541) 561-7259
Fax: 503 986-0901	Fax:	Fax:
Email: patrick.k.starnes@water.oregon.gov	Email:	Email: wporfily@gmail.com

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-14237)

1. **Authority.** The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.
4. **Consideration.**
 - a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is \$1,247.15. Applicant agrees to pay the full amount of \$1,247.15 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

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

For Applicant:

BST/Brian Thompson Owner
Name/Title:

6-29-23
Date

For OWRD:

Dwight French Administrator

6-30-23
Date

Mail signed Agreement to:

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

Received by OWRD

JUN 26 2023

Salem, OR



Search mail



6 of 4,440

RE: Transfer Application T-14237

Dear Brian Thompson,

Enclosed is the Reimbursement Authority Applicant Agreement (Agreement) for Transfer T-14237. To commence processing, the Agreement must be signed and accompanied with the full payment of the estimated maximum cost. A copy will be mailed via United States Postal Service to the Applicant.

Current average processing time for transfer applications under Reimbursement Authority (RA) is up to twelve months.

Please read the Agreement thoroughly and follow the instructions to proceed with the expedited RA transfer process. To complete the requested service, please mail the signed contract and a check made out for the full amount of the estimated maximum cost to:

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

IMPORTANT: Due to recent staffing changes and training of new staff, Department processes for Reimbursement Authority may be unavoidably delayed.

If you have any questions, please contact me at (503) 986-0898 or via email: stacy.h.phillips@water.oregon.gov.

Stacy H. Phillips
Sincerely,

Stacy H. Phillips
Natural Resource Specialist
Transfer and Conservation Section

RECEIVED
JUN 26 2023
OWRD

Step	Review Step	Est. Time	Hourly Multiplier	Total Est. Hours	Individual	Hourly Rate	Est. Cost
4b	Front Desk Staff receipts received AA funds						
4c	Transfer Support process Application						
5	Administrator signs AA						
6	NRS 1 enters workflow record in WRIS and updates RA spreadsheet						
7a	NRS 2 completes initial review of file for deficiencies						
7b	NRS 2 consults with Kelly and/or Lisa						
9	Watermaster completes review						
11	NRS 2 completes DPD, PN, RR						
12	Transfer staff peer reviews DPD, PN, cov ltr						
13	Transfer Analyst completes policy check at DPD stage						
14a	NRS 2 sends DPD to app/agent by email and/or mail						
15	NRS 2 reviews report of ownership						
16	NRS 2 completes PD						
17	Transfer Staff peer reviews PD						
17a	Transfer Analyst peer reviews PD						
17b	Data Center reviews PD (and RR where applicable)						
18a	Transfer Analyst completes peer review of PN review for newspaper noticin						
18b	Transfer Support requests newspaper quote for PN publishing						
18c	NRS 2 sends publishing fee request to applicant						
18d	Transfer Support processes fee and newspaper publishing						
18e	Transfer Support processes public notice (dept notice)						
19	Administrator signs PD						
20	Transfer Support issues PD, updates WRIS, copy to file, and mails hard copy to applicant						
21	NRS 2 completes FO						
22	Transfer Staff peer reviews FO						
22b	Transfer Analyst peer reviews FO						
23	Administrator signs FO						
24	Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy						
25	NRS 1 closes out RA Contract						
TOTAL ESTIMATED HOURS				22.84	OTAL ESTIMATE COST		
					10% OVERHEAD		
					TOTAL		\$1,247.15

RECEIVED
JUN 26 2023
OWRD

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 # 140644

INVOICE # _____

RECEIVED FROM: Thompson Land Company,
BY: Brian S. & Susan Thompson

APPLICATION _____
PERMIT _____
TRANSFER 7-14237

CASH: ☐ CHECK: # 14066 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47/24 R 114 37-23 \$ _____
0412 OTHER: (IDENTIFY) Transfer Reimbursement Authority \$ 125.00

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT: 140644

DATED: 5/5/2023 BY: MC. lag

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RECEIVED

MAY 05 2023

OWRD

THOMPSON LAND COMPANY
Oregon Water Resources Department
Fees

5/2/2023

125.00

BRIAN S. OR SUSAN THOMPSON

14066

125.00



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



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

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

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

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	This request is attached to the Transfer Application Transfer Number <u>T-14237</u>

Applicant Information		Applicant's Representative/Contact
Name:	Brian Thompson	Bill Porfily
Address:	55805 Highway 74 Heppner, OR 97836	P.O. Box 643 Stanfield, OR 97875
Phone:	541 980 5045	541 561 7259
Fax:		
E-Mail Address:		wporfily@gmail.com

I understand the following:

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

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

I certify that I am the (check one):

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

Name: Brian Thompson

Signature: BST

4-29-23

OWRD USE ONLY: Reimbursement Authority Number: R11-439 -23

RECEIVED
MAY 05 2023
OWRD



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

May 11, 2023

BRIAN THOMPSON

55805 HWY 74

HEPPNER, OR 97836

Reference: Application T-14237

On May 5, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$4490.00. Receipt number 140649 is enclosed.

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

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

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

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

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

If you have any questions, please contact the Transfer Section at (503) 986-0935.

Cc: Watermaster Dist. #21, Kenneth C. Thiemann (*via email*)
Bill Porfily, Agent
MORROW COUNTY

Enclosure

Oregon Water Resources Department

Transfer Fees

5/2/2023

4,490.00

14067

Checking

RECEIVED

MAY 05 2023

OWRD

4,490.00

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 # 140649

INVOICE # _____

RECEIVED FROM:

Thompson Land Company,
Brian S. OR Susan Thompson

BY:

APPLICATION

PERMIT

TRANSFER

T-14237

CASH:

CHECK: #

OTHER: (IDENTIFY)



14067



TOTAL REC'D

\$4,490.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES

\$

OTHER: (IDENTIFY)

\$

0243 I/S Lease

0244 Muni Water Mgmt. Plan

0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES

\$

0410 RESEARCH FEES

\$

0408 MISC REVENUE: (IDENTIFY)

\$

TC162 DEPOSIT LIAB. (IDENTIFY)

\$

0240 EXTENSION OF TIME

\$

WATER RIGHTS:

0201 SURFACE WATER

EXAM FEE

\$

0202

RECORD FEE

\$

0203 GROUND WATER

\$

0204

\$

0205 TRANSFER

\$4490.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR

\$

0219

LICENSE FEE

\$

LANDOWNER'S PERMIT

0220

\$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE

\$

CARD#

0210 MONITORING WELLS

\$

CARD#

OTHER (IDENTIFY)

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FW/WRD)

\$

0231 HYDRO LICENSE FEE (FW/WRD)

\$

HYDRO APPLICATION

\$

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION

\$

RECEIPT:

140649

DATED:

5/5/2023

BY:

mcalif

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

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? Three List them here: C 96669, C96670, C 96671**

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

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

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Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

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Part 2 of 5 – Transfer Application Map

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

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

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

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FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Brian Thompson			PHONE NO. 541 980 5045	ADDITIONAL CONTACT NO.
ADDRESS 55805 HIGHWAY 74				FAX NO.
CITY HEPPNER	STATE OR	ZIP 97836	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Bill Porfily			PHONE NO. 541 561 7259	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 643				FAX NO.
CITY Stanfield	STATE OR	ZIP 97875	E-MAIL wporfily@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
This transfer is to relocate/reconfigure the place of use of water rights authorized by Certificates C 96669, C 96670, and C 96671 from the existing place of use to new places of use in the same general area. The new place of use will allow use of circular irrigation machines for irrigating most of the ground.

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

Check One Box

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

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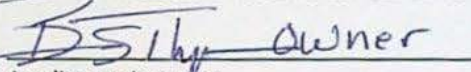
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By my signature below, I confirm that I understand:

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

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


Applicant signature

Brian Thompson, Owner
Print Name (and Title if applicable)

4-29-23
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 deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

Check the following boxes that apply:

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

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see:

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME NOT APPLICABLE			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

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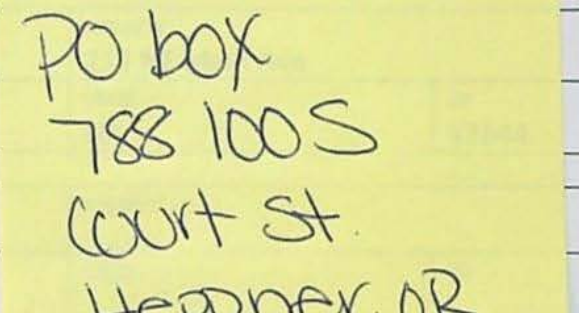
☒ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME Willow Creek District Improvement Co. c/o Brian Thompson	ADDRESS 55805 Highway 74	
CITY HEPPNER	STATE OR	ZIP 99836

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

NA 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.

 To meet State Land Use Consistency Requirements, you must list all county, city, municipal corporation, or tribal governments with which water rights have been conveyed or used.

ENTITY NAME Morrow County		
CITY Irrigon		
ENTITY NAME		
CITY		

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 96669

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Description of Water Delivery System

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System capacity: 0.75 cubic feet per second (cfs) OR

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 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is diverted from the east bank of Willow Creek at the WCDIC POD located in T2S, R25E, WM. In the NE NW of Section 27, From the diversion point water flows north 4.6 ± miles through the Heppner/Lexington pipeline where it is then diverted into an 8" branch pipeline that extends northwesterly 975 ± feet to a point where it crosses to the west side of Willow Creek and continues 1.4 ± in a northwesterly direction along the western side of the farmland. This branch pipeline is used to irrigate ground authorized for irrigation under Certificates C 96669, C 96670, and C 96671. There are riser pipes and valves located along the branch pipeline. Side roll irrigation machines and portable handlines are connected to the risers and are used to irrigate the farmland.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2 S	26 E	6	SW SW		180' N and 510' E from the SE Cor of Sec 1
WCDIC POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2 S	26 E	27	NE NW		1120' S and 1820' E from the NW Cor of Sec 27
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 96669

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
										POU	1	S	25	E	36	SW	SW	101	6.2	Irrigation	POD 1, WCDIC POD	1903	
										POU	2	S	25	E	1	NW	NW	101	Lot 4	24.9	Irrigation	POD 1, WCDIC POD	1903
										POU	2	S	25	E	1	SE	NW	101		4.15	Irrigation	POD 1, WCDIC POD	1903
										POU	2	S	25	E	1	SE	SE	301		1.9	Irrigation	POD 1, WCDIC POD	1903
										POU	2	S	25	E	12	NW	SW	300		6.18	Irrigation	POD 1, WCDIC POD	1903
										POU	2	S	25	E	12	SW	SW	300		1.67	Irrigation	POD 1, WCDIC POD	1903
TOTAL ACRES:											TOTAL ACRES:						45.0						

Additional remarks: None

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: **Not Applicable**

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

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

Ground water supplemental Permit or Certificate #: **Not Applicable**

Surface water primary Certificate #: **Not Applicable**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **Not Applicable**

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 96670

Description of Water Delivery System

System capacity: **1.37** cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is diverted from the east bank of Willow Creek at the WCDIC POD located in T2S, R25E, WM. In the NE NW of Section 27, From the diversion point water flows north 4.6 ± miles through the Heppner/Lexington pipeline where it is then diverted into an 8" branch pipeline that extends northwesterly 975 ± feet to a point where it crosses to the west side of Willow Creek and continues 1.4 ± in a northwesterly direction along the western side of the farmland. This branch pipeline is used to irrigate ground authorized for irrigation under Certificates C 96669, C 96670, and C 96671. There are riser pipes and valves located along the branch pipeline. Side roll irrigation machines and portable handlines are connected to the risers and are used to irrigate the farmland.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 2	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2 S	25 E	1	SW NE		920' N & 160' E from the Center 1/4 Cor of Sec 1
POD 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2 S	25 E	1	SW NE		910' N & 140' E from the Center 1/4 Cor of Sec 1
WCDIC POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2 S	26 E	27	NE NW		1120' S & 1820' E from the NW Cor of Sec 27
POD #2 C 96666	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2 S	26 E	17	NW SE		1915' N & 2670' E from the SW Cor of Sec 17

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

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

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☐ Surface Water POD to Ground Water
POA (SW/GW)

☐ Government Action POD (GOV)

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 96670

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acre	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
2	S	25	E 1	NE NW	101	Lot 3	6.5	Irrigation	PODs 2, 3, & WCDIC	1883	POU	2	S	25	E 12	NE SW	300		6.88	Irrigation	PODs 2, 3, & WCDIC	1883				
2	S	25	E 1	NW NW	101	Lot 4	25.9	Irrigation	PODs 2, 3, & WCDIC	1883	POU	2	S	25	E 12	NW SW	300		1.97	Irrigation	PODs 2, 3, & WCDIC	1883				
2	S	25	E 1	SE NW	101		2.15	Irrigation	PODs 2, 3, & WCDIC	1883	POU	2	S	26	E 7	NW NW	1202	Lot 1	0.8	Irrigation	PODs 2, 3, & WCDIC	1883				
2	S	25	E 1	NW NW	101		2.4	Irrigation	PODs 2, 3, & WCDIC	1902	POU	2	S	26	E 7	SW NW	1202	Lot 2	2.8	Irrigation	PODs 2, 3, & WCDIC	1883				
2	S	25	E 1	SW NW	101		2.4	Irrigation	PODs 2, 3, & WCDIC	1902	POU	2	S	26	E 7	SE NW	1202		9.5	Irrigation	PODs 2, 3, & WCDIC	1883				
2	S	25	E 1	SE NW	101		24.4	Irrigation	PODs 2, 3, & WCDIC	1902	POU	2	S	26	E 7	NE SW	1202		1.3	Irrigation	PODs 2, 3, & WCDIC	1883				
2	S	25	E 1	NE SW	101		1.0	Irrigation	PODs 2, 3, & WCDIC	1902	POU	2	S	26	E 17	NW NW	2100		2.74	Irrigation	PODs 2, 3, & WCDIC	1883				
											POU/APOD	2	S	26	E 17	SE NW	2100		4.75	Irrigation	PODs 2, 3, & WCDIC	1883				
											POU/APOD	2	S	26	E 17	NE SW	2100		3.81	Irrigation	PODs 2, 3, & WCDIC	1883				
											POU	2	S	25	E 12	NE SW	300		18.5	Irrigation	PODs 2, 3, & WCDIC	1902				
TOTAL ACRES:						64.75							TOTAL ACRES:													

--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--	--

Additional remarks: None

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: **Not Applicable**

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

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

Ground water supplemental Permit or Certificate #: **Not Applicable**

Surface water primary Certificate #: **Not Applicable**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **Not Applicable**

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 96671

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Description of Water Delivery System

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System capacity: 0.43 cubic feet per second (cfs) OR

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_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is diverted from the east bank of Willow Creek at the WCDIC POD located in T2S, R25E, WM. In the NE NW of Section 27, From the diversion point water flows north 4.6 ± miles through the Heppner/Lexington pipeline where it is then diverted into an 8" branch pipeline that extends northwesterly 975 ± feet to a point where it crosses to the west side of Willow Creek and continues 1.4 ± in a northwesterly direction along the western side of the farmland. This branch pipeline is used to irrigate ground authorized for irrigation under Certificates C 96669, C 96670, and C 96671. There are riser pipes and valves located along the branch pipeline. Side roll irrigation machines and portable handlines are connected to the risers and are used to irrigate the farmland.

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
POD 3	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2 S	25 E	1	SW NE		910' N & 140' E from the Center ¼ Cor of Sec 1
WCDIC POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2 S	26 E	27	NE NW		1120' S & 1820' E from the NW Cor of Sec 27

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

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 96671

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
1	S	25	E 36	SW	SW	101		10.4	Irrigation	POD 3, & WCDIC POD	1890	POU	2	S	25	E 12	NW	SW	300		13.1	Irrigation	POD 3, & WCDIC POD	1890
2	S	25	E 1	NW	NW	101	Lot 4	2.7	Irrigation	POD 3, & WCDIC POD	1890	POU												
TOTAL ACRES:						13.1						TOTAL ACRES:						13.1						

Additional remarks: None

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: **Not Applicable**

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

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

Ground water supplemental Permit or Certificate #: **Not Applicable**

Surface water primary Certificate #: **Not Applicable**

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **Not Applicable**

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss
County of (Morrow)

I, Brian Thompson, in my capacity as PROPERTY OWNER,
mailing address 55805 HWY 74, HEPPNER, OREGON 97836
telephone number (541) 980 5045, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the entire place of use for
Certificate # 96669, AND PORTIONS OF # 96670, AND # 96671 OR

☒ My knowledge specific to the use of water authorized under certificates # 96670 and # 96671 is at
the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
C 96670	2	S	25	E	WM	1	NE	NW	LOT 3	6.5
C 96670	2	S	25	E	WM	1	NW	NW	LOT 4	28.3
C 96670	2	S	25	E	WM	1	SW	NW		2.4
C 96670	2	S	25	E	WM	1	SE	NW		26.55
C 96670	2	S	25	E	WM	1	NE	SW		1.0
C 96671	1	S	25	E	WM	36	SW	SW		10.4
C 96671	2	S	25	E	WM	1	NW	NW		2.7

OR

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

(continues on reverse side)

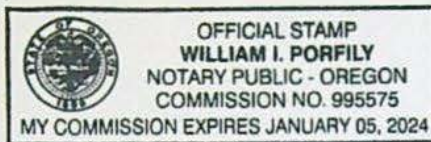
3. The water right was used for: (e.g., crops, pasture, etc.): WHEAT grain crops.

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.

BSI
Signature of Affiant

4-29-23
Date

Signed and sworn to (or affirmed) before me this 29 day of April, 2023.



William I. Porfily
Notary Public for Oregon

My Commission Expires: Jan 05, 2023

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

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Supplemental Form D

Water Right Transfers Within the Boundaries of or Served by an Irrigation District or other Water Supplier (Association, Ditch Co., etc.)

[For transfers submitted under OAR Chapter 690 Division 380]



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

The Department requires non-district applicants to communicate with districts/water suppliers during the planning and preparation of transfer applications involving water rights having a point of diversion or appropriation (POD/POA) or place of use (POU) served by or located within the boundaries of an irrigation district, or other type of water supplier to which assessments are paid. In some cases consent will be required from the district or water supplier.

This form must be included with any transfer application that involves rights served by or located within the boundaries of a district or other type of water supplier.

1. APPLICANT INFORMATION

NAME BRAIN THOMPSON			PHONE (HM)
PHONE (WK)	CELL 541 980 5045	FAX	
ADDRESS 55805 HIGHWAY 74			
CITY HEPPNER	STATE OR	ZIP 97836	E-MAIL**

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME WILLOW CREEK DISTRICT IMPROVEMENT COMPANY			PHONE (HM)
PHONE (WK)	CELL 541 980 5045	FAX	
ADDRESS 55805 HIGHWAY 74			
CITY HEPPNER	STATE OR	ZIP 97836	E-MAIL**

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** By providing an e-mail address, the applicant and/or the district/water supplier consents to receive all correspondence from the Department electronically. Copies of final order documents will also be mailed.

3. WATER RIGHTS ISSUED IN THE NAME OF, or LOCATED WITHIN, or SERVED BY AN IRRIGATION DISTRICT, OTHER DISTRICT, OR WATER SUPPLIER

a. List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	C 96666	YES <input type="checkbox"/>
2.		-	A portion of C 96670	YES <input type="checkbox"/>
3.		-	A portion of C 96671	YES <input type="checkbox"/>

- b. Determine a district's/water supplier's connection to your points of diversion (POD) or appropriation (POA) and places of use (POU). [You may need to consult with your district/water supplier.]

CURRENT ASSOCIATIONS Please answer the following "yes" or "no" questions:

- YES ☐ NO ☒ One or more of the current POD(s) / POA(s) involved in the transfer are served by a district/water supplier or rely on BOR water.
- YES ☐ NO ☒ All or a portion of the current POU involved in this proposed transfer receives water for either primary or supplemental irrigation from the district/water supplier; i.e., the POU is currently layered with a district or BOR water supplied water right(s).

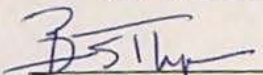
PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

- YES ☐ NO ☒ One or more of the proposed POD(s) / POA(s) involved in the transfer are currently served or will be served by a district/water supplier if the transfer is approved, or rely on BOR water.
- YES ☐ NO ☒ All or a portion of the proposed POU involved in this proposed transfer currently receives or will receive either primary or supplemental irrigation from the district/water supplier; i.e., the POU will be layered with a district/water supplier or BOR water supplied water right(s).

COMMENTS OR ADDITIONAL INFORMATION

4. APPLICANT'S SIGNATURE

- (1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:
☐ email, ☐ phone, ☐ postal mail, ☒ in person, or ☐ other (please specify) _____
- (2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.


Applicant Signature

Brian Thompson
Name (print)

4-29-23
Date

5. (WHEN REQUIRED) DISTRICT or WATER SUPPLIER CONSENT TO THE PROPOSED WATER RIGHT TRANSFER

District Manager or Water Supplier consent is required if any box on this form is marked "YES."

The district/water supplier certifies the following:

- (1) The district/water supplier has reviewed the applicant's proposed water right transfer application and maps; and
- (2) The district/water supplier consents to the proposed water right transfer application.

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- YES ☐ NO ☒ After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.
- YES ☐ NO ☒ The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Signature of District Manager /Water Supplier

Name (print), Title

Date

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Land Use Information Form

Applicant(s): **Brian Thompson**

Mailing Address: **55805 Hwy 74**

City: **Heppner**

State: **OR**

Zip Code: **97836**

Daytime Phone: **1 541 980 5045**

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

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:
T2S	R26E	27	NENW	601	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T2S	R26E	27	NWNW	601	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T2S	R26E	28	NENE	400	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T2S	R26E	21	SESE	800	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T2S	R26E	21	SWSE	800	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T2S	R26E	21	NWSE	800	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T2S	R26E	21	NESW	800, 801, 2200	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T2S	R26E	21	SENW	2200	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T2S	R26E	21	SWNW	2200	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T2S	R26E	21	NWNW	2200	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T2S	R26E	16	SWSW	2000	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T2S	R26E	17	SESE	2200	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T2S	R26E	17	NWSE	2200	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T2S	R26E	17	NESW	2100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
T2S	R26E	17	SWSW	2100	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
T2S	R26E	17	SESW	2100	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
T2S	R26E	17	SENW	2100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
T2S	R26E	17	NENW	2100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
T2S	R26E	17	NWNW	2100	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
T2S	R26E	17	SWNW	2100	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU

T2S	R26E	8	<u>SWSW</u>	1201	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	EFU
T2S	R26E	7	<u>SESE</u>	1201	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R26E	7	<u>NESE</u>	1201	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input type="checkbox"/> Used	EFU
T2S	R26E	7	<u>NWSE</u>	1202	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R26E	7	<u>SWNE</u>	1202, 1203	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R26E	7	<u>NENE</u>	1203	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R26E	7	<u>NWNE</u>	1203	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R26E	7	<u>SENE</u>	1203	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R26E	7	<u>NENW</u>	1202, 1203	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R26E	7	<u>NENW</u>	1202	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R26E	7	<u>SENW</u>	1202	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R26E	7	<u>NESW</u>	1202	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R25E	12	<u>NESE</u>	300	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R25E	12	<u>NWSE</u>	300	<u>EFU</u>	<input type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R25E	12	<u>SWSE</u>	300	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R25E	12	<u>SESE</u>	300	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R25E	12	<u>NESW</u>	300	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU
T2S	R25E	12	<u>SESW</u>	300	<u>EFU</u>	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	EFU

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

MORROW

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) Willow Creek

Revised 2/8/2010

Land Use Information Form - Page 3 of 5

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Estimated quantity of water needed: 2.05 ☒ 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:

I am relocating and combining water rights to be able to locate them in a manner that will allow use of circular machines for irrigation.

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. →

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): MCZO 3.010
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

Name: Stephanie Case Title: Planner II

Signature: Stephanie Case Phone: 541 922-4624 Date: 5/1/2023

Government Entity: Morrow 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: _____

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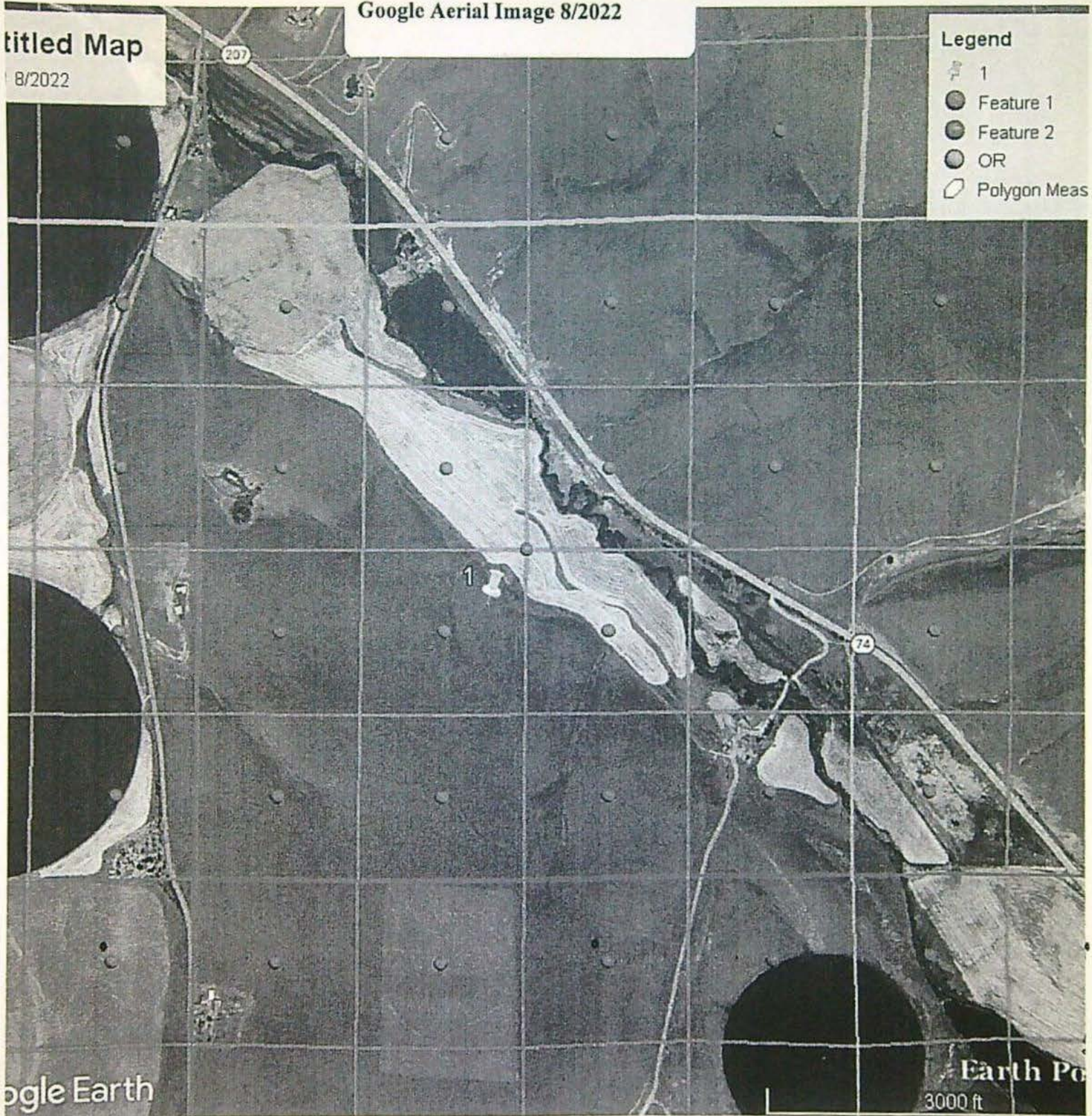
Brian Thompson Transfer
Evidence of Use
C 96669, C 96670, & C 96671
Google Aerial Image 8/2022

itled Map

8/2022

Legend

- 1
- Feature 1
- Feature 2
- OR
- Polygon Meas



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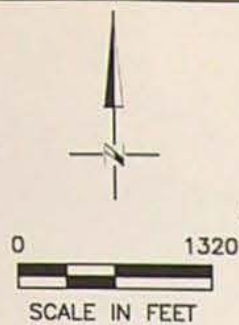
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TRANSFER APPLICATION MAP(S)
INVOLVING CERTIFICATES 96669, AND PORTIONS OF CERTIFICATES 96670, & 96671
T1S & 2S, R25E & R26E, W.M., MORROW COUNTY
SHEET 2 OF 3

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"FROM MAP" - CERT 96670



LEGEND

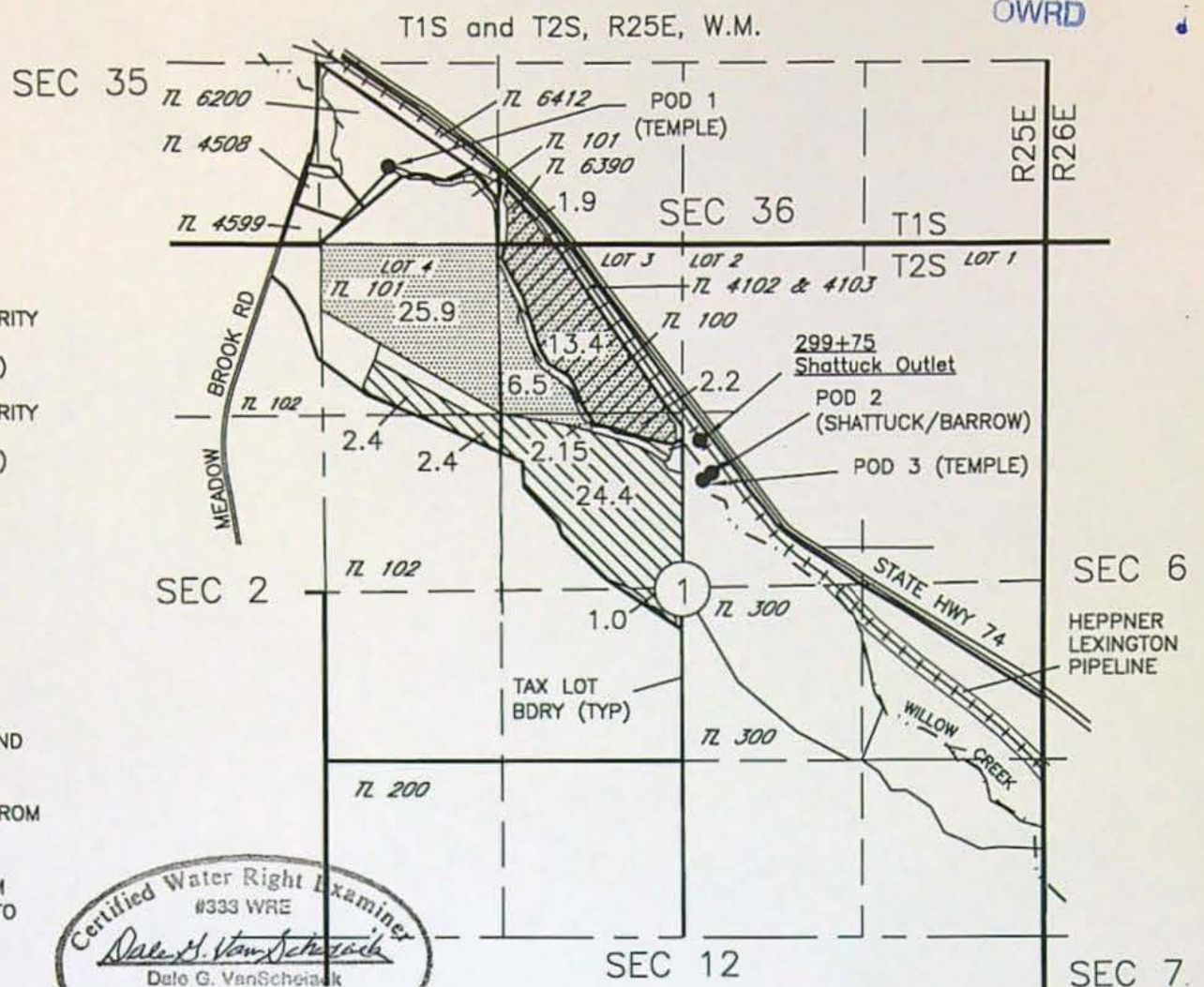
- PORTION OF CERT 96670, TRACT 1 PRIORITY 1883, Involved in this Transfer, 34.55 ACRES (POD 2, POD 3, AND WCDIC POD)
- PORTION OF CERT 96670, TRACT 2 PRIORITY 1902, Involved in this Transfer, 30.2 ACRES (POD 2, POD 3, AND WCDIC POD)
- PORTION OF CERT 96670 Not Involved in this Transfer, TRACT 1 PRIORITY 1883, 17.5 ACRES (POD 2, POD 3, AND WCDIC POD)

LOCATION OF PODs

POD 2 (SHATTUCK/BARROW); LOCATED 920'N AND 160'E FROM THE CENTER 1/4 COR OF SEC 1

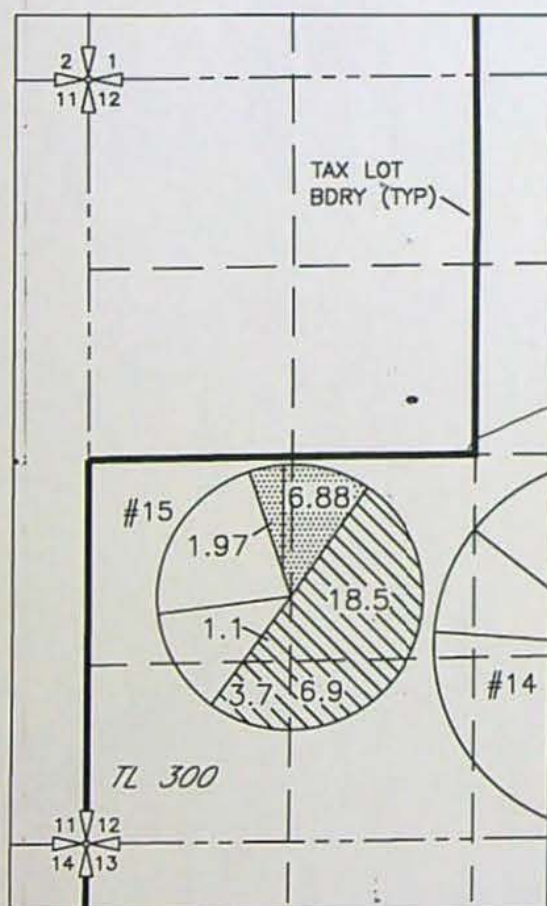
POD 3 (TEMPLE); LOCATED 910'N AND 140'E FROM THE CENTER 1/4 COR OF SEC 1

WCDIC POD; LOCATED 1120'S AND 1820'E FROM THE NW COR SEC 27 T2S, R26E, WM (REFER TO SHEET 3)

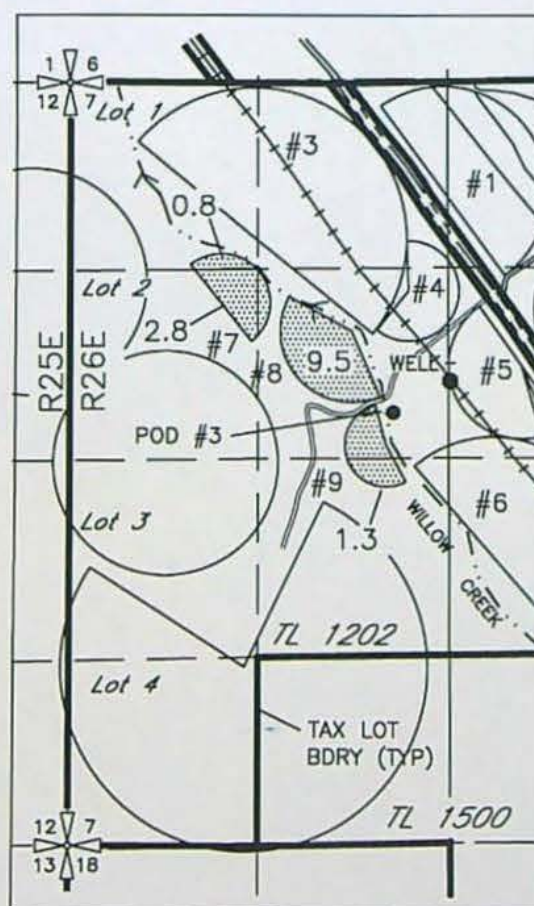


"TO MAP" - CERT 96670

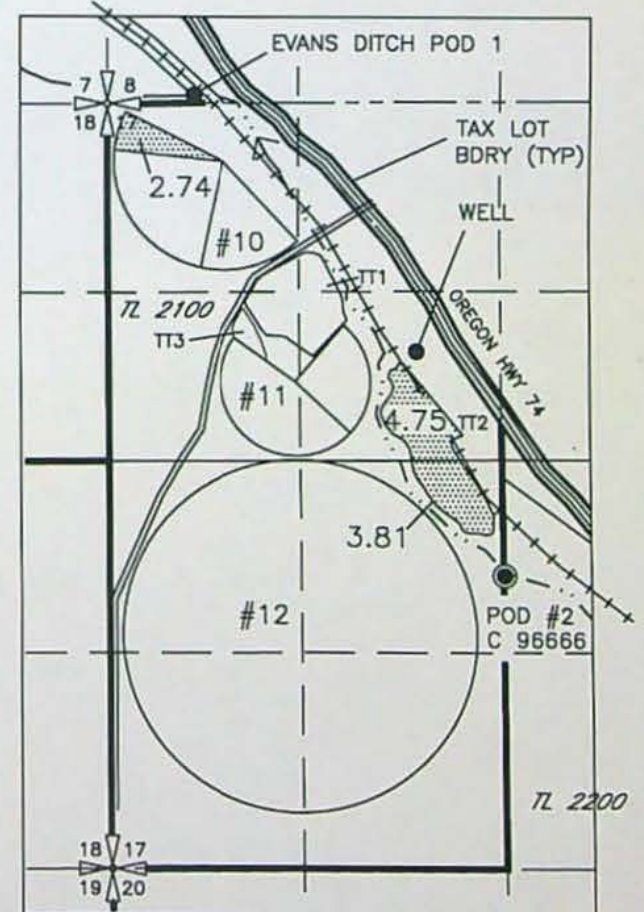
T2S, R25E, W.M.



T2S, R26E, W.M.



T2S, R26E, W.M.



LEGEND

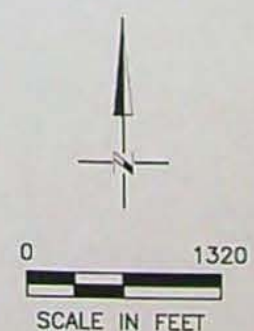
- PORTION OF CERT 96670, TRACT 1 PRIORITY 1883, Involved in this Transfer, 34.55 ACRES (POD 2, POD 3, AND WCDIC POD)
- PORTION OF CERT 96670, TRACT 2 PRIORITY 1902, Involved in this Transfer, 30.2 ACRES (POD 2, POD 3, AND WCDIC POD)

POD 2 (SHATTUCK/BARROW); LOCATED 920'N AND 160'E FROM THE CENTER 1/4 COR OF SEC 1 (REFER TO FROM MAP)

POD 3 (TEMPLE); LOCATED 910'N AND 140'E FROM THE CENTER 1/4 COR OF SEC 1 (REFER TO FROM MAP)

PROPOSED APOD, POD #2 C 96666; LOCATED 1915'N AND 2670'E FROM THE SW CORNER OF SEC 17

WCDIC POD; LOCATED 1120'S AND 1820'E FROM THE NW COR SEC 27 T2S, R26E, WM (REFER TO SHEET 3)



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

DGV Consulting, PLLC
PHONE (509) 627-8717
dalevconsulting@gmail.com
Date: April 25, 2023

14237

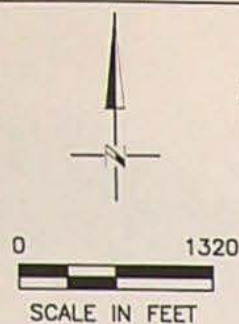
TRANSFER APPLICATION MAP(S)
INVOLVING CERTIFICATES 96669, AND PORTIONS OF CERTIFICATES 96670, & 96671
T1S & 2S, R25E & R26E, W.M., MORROW COUNTY
SHEET 3 OF 3

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"FROM MAP" - CERT 96671



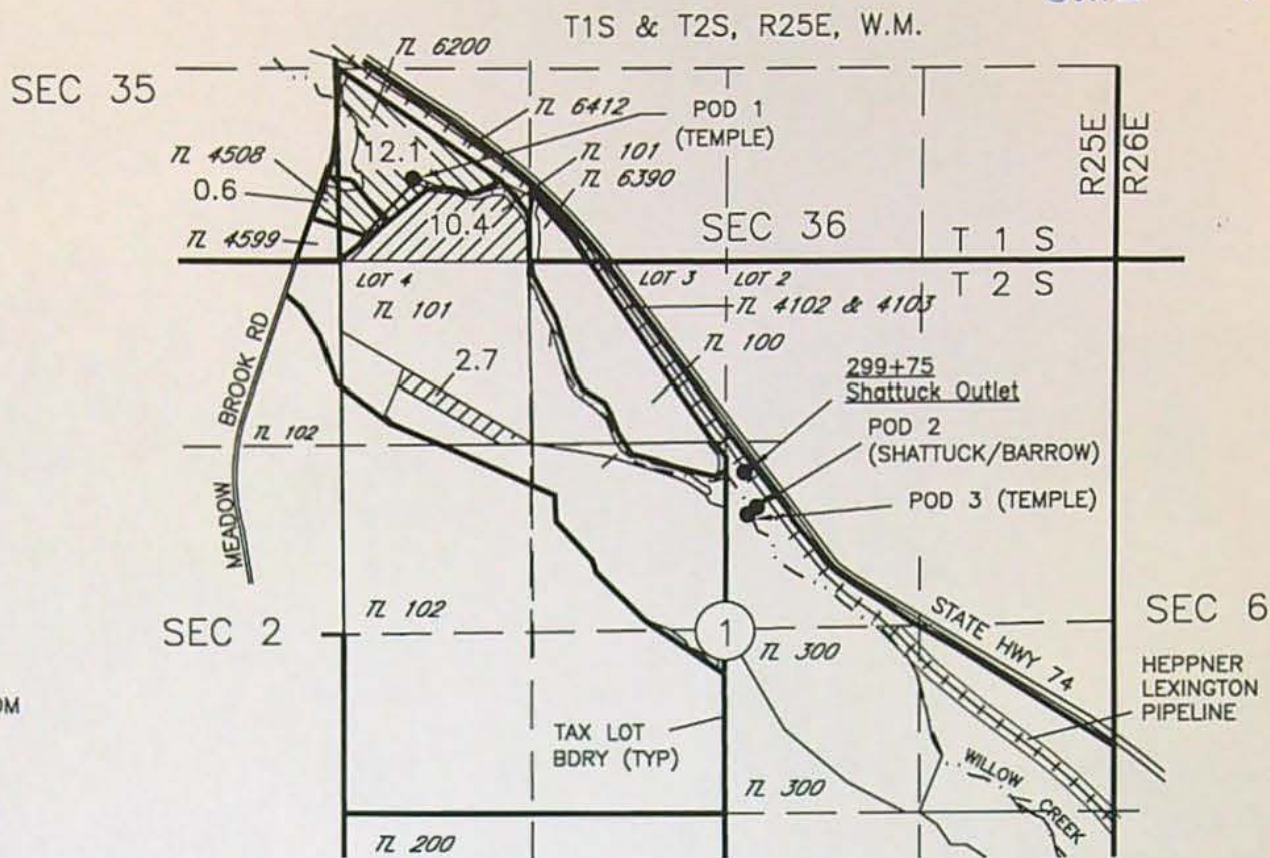
LEGEND

- PORTION OF CERT 96671 Involved in this Transfer, 13.1 ACRES (POD 3 (TEMPLE), AND WCDIC POD)
- PORTION OF CERT 96671 Not Involved in this Transfer, 12.7 ACRES

LOCATION OF PODS

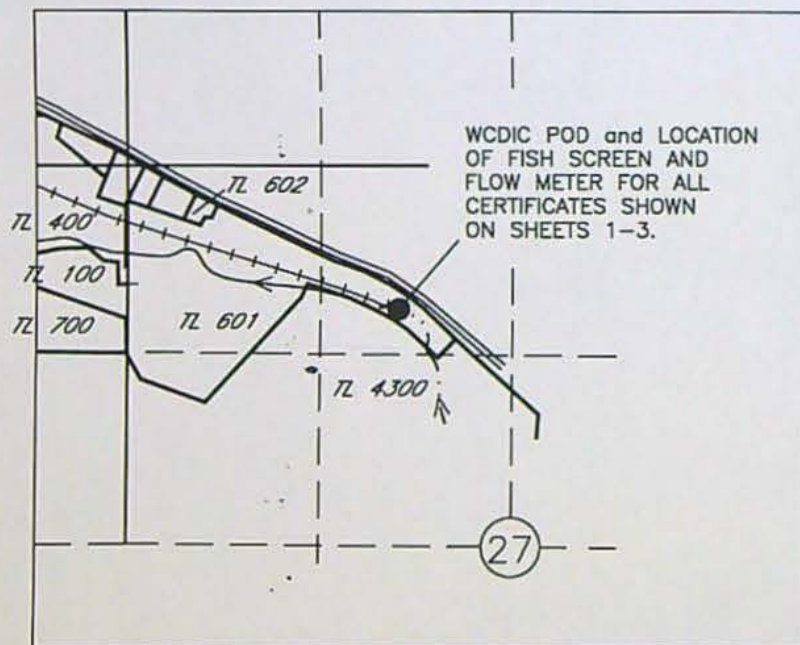
POD 3 (TEMPLE); LOCATED 910'N AND 140'E FROM THE CENTER 1/4 COR OF SEC. 1

WCDIC POD; LOCATED 1120'S AND 1820'E FROM THE NW COR SEC 27 T2S, R26E, WM (REFER TO SHEET 3)



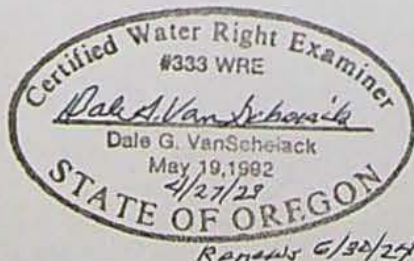
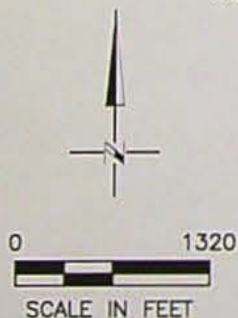
AUTHORIZED AND PROPOSED WCDIC POD FOR ALL CERTIFICATES

T2S, R26E, W.M.



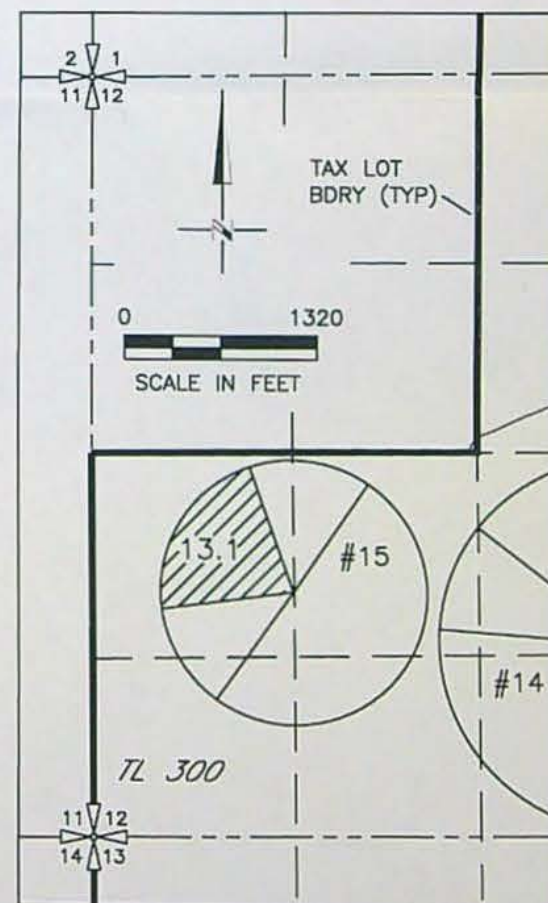
LOCATION OF WCDIC POD

WCDIC POD; LOCATED 1120'S AND 1820'E FROM THE NW COR SEC 27 T2S, R26E, WM



"TO MAP" - CERT 96671

T2S, R25E, W.M.



LEGEND

- PORTION OF CERT 96671 Involved in this Transfer, 13.1 ACRES (POD 3 (TEMPLE), AND WCDIC POD)

LOCATION OF PODS

POD 3 (TEMPLE); LOCATED 910'N AND 140'E FROM THE CENTER 1/4 COR OF SEC 1 (REFER TO FROM MAP)

WCDIC POD; LOCATED 1120'S AND 1820'E FROM THE NW COR SEC 27 T2S, R26E, WM (REFER TO SHEET 3)

NOTE:
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DGV Consulting, PLLC
PHONE (509) 627-8717
dalevconsulting@gmail.com
Date: April 25, 2023

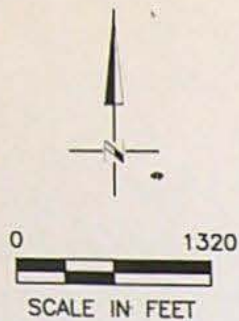
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TRANSFER APPLICATION MAP(S)
INVOLVING CERTIFICATES 96669, AND PORTIONS OF CERTIFICATES 96670, & 96671
T1S & 2S, R25E & R26E, W.M., MORROW COUNTY
SHEET 1 OF 3

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LEGEND

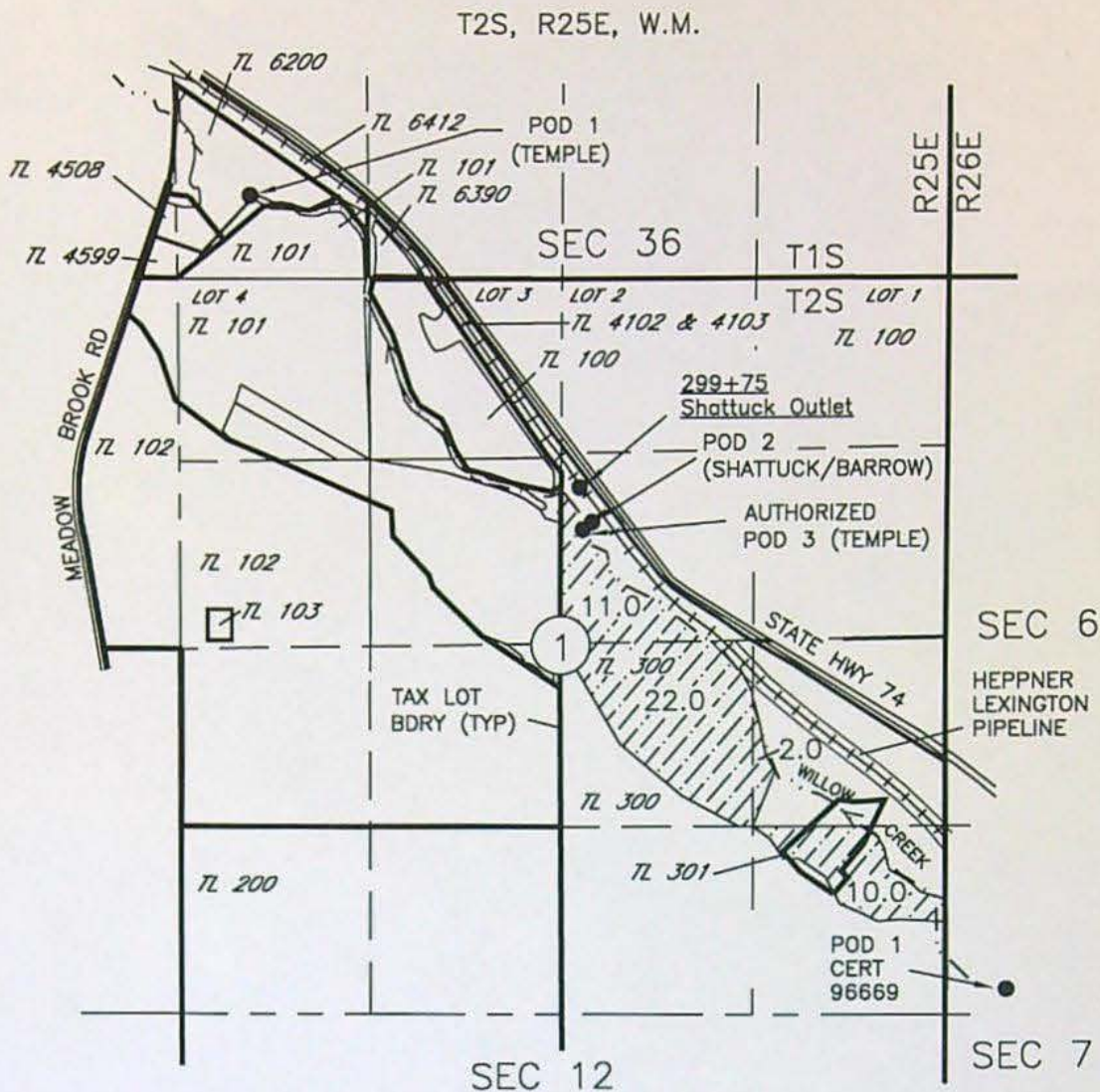
CERT 96669, 45.0 ACRES
(POD 1, AND WCDIC POD)

LOCATION OF PODs

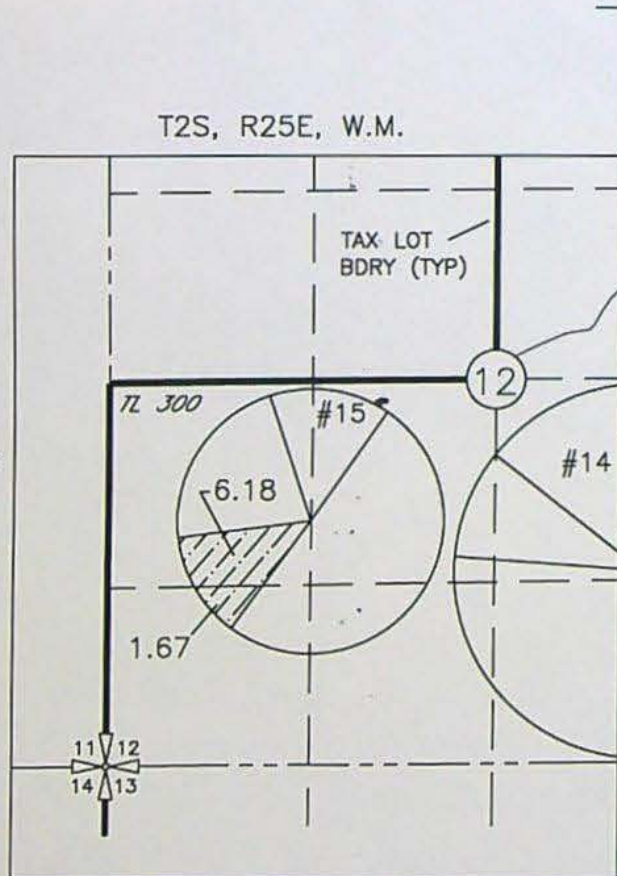
POD 1; LOCATED 180'N AND 510'E FROM
THE SE COR OF SEC 1

WCDIC POD; LOCATED 1120'S AND 1820'E FROM
THE NW COR SEC 27 T2S, R26E, WM (REFER TO
SHEET 3)

"FROM MAP" – CERT 96669



"TO MAP" – CERT 96669



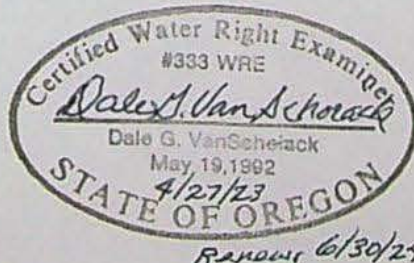
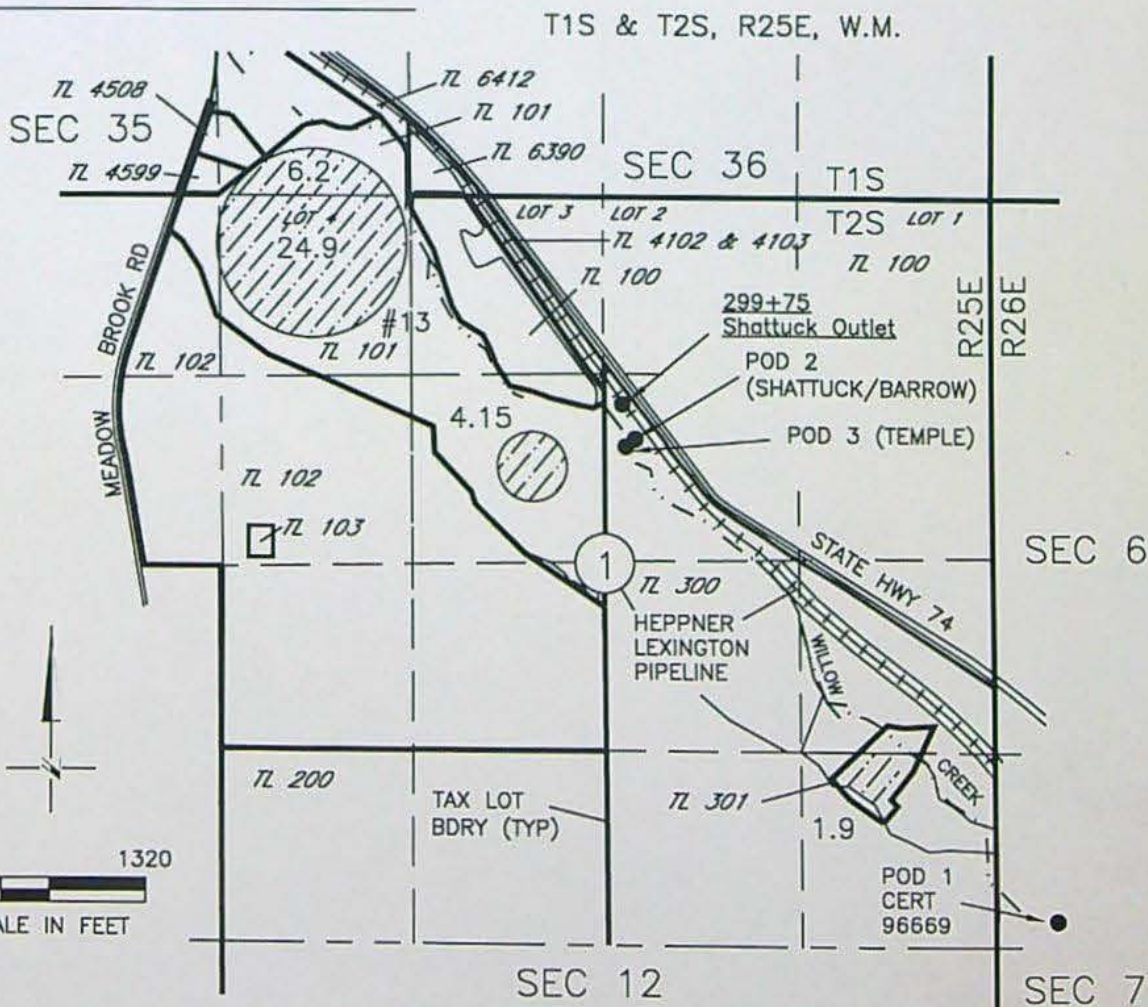
LEGEND

CERT 96669, 45.0 ACRES
(POD 1, AND WCDIC POD)

LOCATION OF PODs

POD 1; LOCATED 180'N AND 510'E FROM
THE SE COR OF SEC 1

WCDIC POD; LOCATED 1120'S AND 1820'E FROM
THE NW COR SEC 27 T2S, R26E, WM (REFER TO
SHEET 3)



Random 6/30/24

GV Consulting, PLLC
PHONE (509) 627-8717
dalevconsulting@gmail.com
Date: April 25, 2023

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

14237



Oregon

Permanent Transfer Application Checklist

Water Resources Department
North Mall Office Building
726 Summer Street NE, Suite A
Salem, OR 97301

Check the Certificates in WRIS

Transfer # T-14237

Phone: 503-986-0900
Fax: 503-986-0904

www.Oregon.gov/OWRD

Checked by <u>Dante</u>	Type of Change(s) Proposed: <u>NO</u> other changes allowed other than those listed	
Date <u>5/9/2023</u>		
Fee Received: \$4490	<input checked="" type="checkbox"/> POU <input type="checkbox"/> POD <input checked="" type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE	
Calculated Fee: \$4490		How many rights to be Transferred? <u>3</u>
Deficiencies and Observations: District involved		Certificate #(s) <u>9669, 96670, 96671</u>

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

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

OR:

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

Actions taken:

_____ date _____

Revised 12/2022.krf



Permanent Transfer Application Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
2	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) <i>If only one change, this will be 0</i> Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
3	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in line 3a above: _____ (3b) <i>If only one water right this will be 0</i> Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
4	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$410 »	4	0
5	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 » » » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
7	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 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:	8	