

T-14259

T-14259

Regular

RA

Name Skye and Penny KrebsAddress 73654 Hwy 74
One OR 97843Change in POV, APod, PodDate Filed 06-02-2023

Initial notice date

DPD issued date

PD issued date 10/18/2024PD notice date 10/22/2024Date of FO 1/23/2025 Vol 133 Page 744-750

C-Date

COBU due date

COBU Received date

Certificate issued

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Willow CreekTrib. of Columbia RiverUse IrrigationCounty Gilliam

Quantity of water (CFS)

No. of Acres

Name of ditch

App# Volume pg 1-73 Per #Cert # 88208 PR Date 12-31-1903App# Volume pg 1-15 Per #Cert # 67246 PR DateApp# Volume pg 1-73 Per # 4Cert # 91444 PR Date 12-31-1901 DateApp# E 4156 Per # E239Cert # 95946 PR Date 3-13-1915

App# Per #

Cert # PR Date

FEES PAID

Date	Amount	Receipt #
<u>6-2-2023</u>	<u>\$125.00</u>	<u>148850</u>
<u>6-2-2023</u>	<u>\$4,280.00</u>	<u>148854</u>
<u>10-22-23</u>	<u>\$1716.82</u>	<u>140971</u>

FEES REFUNDED

Date	Amount	Receipt #
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Assignments:

Irrigation District

Agent Dale VanShoiack

CWRE

CC's list Gilliam 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

January 23, 2025

Skye And Penny Krebs
73654 HWY 74
Ione, OR 97843

REFERENCE: Transfer Application T-14259

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,

David V. Jones Jr
Water Rights Services Support
Transfers and Conservation Section

cc: Kenneth C. Thiemann, Watermaster Dist. # 21 (via email)
Dale Vanshoiack, Agent
County of Gilliam

Enclosure

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING AN
T-14259, Gilliam County)	ADDITIONAL POINT OF DIVERSION,
)	CHANGES IN POINTS OF DIVERSION AND
)	CHANGES IN PLACES OF USE

Authority

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

Applicant

SKYE AND PENNY KREBS
73654 HWY 74
IONE, OR 97843

Findings of Fact

1. On June 2, 2023, Skye and Penny Krebs filed an application for an additional point of diversion under Certificate 88208, to move the points of diversion under Certificates 67246 and 91444 and to change the places of use under Certificates 67246, 88208, 91444, and 95946. The Department assigned the application number T-14259.
2. Notice of the application for transfer was published on June 13, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 2, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14259 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of June 1, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.

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

4. On May 15, 2024, the Department received a letter from Oregon Department of Fish and Wildlife (ODFW), indicating the applicant has a fish screen installed at the new points of diversion.
5. On May 16, 2024, the applicant's agent requested a new completion date of October 1, 2027, due to the complexities of the project. Pursuant to OAR 690-380-5140(3), the Department has modified the completion date of Transfer Application T-14259 to October 1, 2027.
6. On October 18, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14259 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 October 22, 2024, and in the East Oregonian newspaper on November 6 and 13, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notices.
7. On December 19, 2024, the Department determined there to be a scrivener's error in Condition #4 of the Preliminary Determination. Certificate 88208 will be cancelled, and no remaining right will be issued, as the entire right is affected by transfer T-14259. This condition was added as Condition #5 in this Order.
8. On December 30, 2024, ODFW provided the Department with a revised review for the fish screen condition, specifically to maintain the currently installed fish screen at the new points of diversion.
9. The portion of the first right to be transferred is as follows:

Certificate: 67246 in the name of JOHN RUEDY IRRIGATION DITCH COMPANY
(confirmed by decree of the Circuit Court of the State of Oregon for
Morrow County.

Use: IRRIGATION OF 17.31 ACRES

Priority Date: NOVEMBER 1896 AND DECEMBER 28, 1908

Rate: 0.29 CUBIC FOOT PER SECOND

Source: WILLOW CREEK, a tributary of COLUMBIA

Authorized Point of Diversion:

Authorized Point of Diversion Name
WILFRED CECIL DITCH AND JOHN RUEDY COMPANY DITCH NO. 2

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	22 E	WM	1	NE NW	10.09
2 N	22 E	WM	1	NW NW	7.22
TOTAL					17.31

10. The application provided additional information describing the authorized point of diversion as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	22 E	WM	1	SE NE	POD - 440 FEET NORTH AND 490 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 1

11. Transfer Application T-14259 proposes to move the authorized point of diversion approximately 1.0 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	22 E	WM	36	SW SW	POD 1 - 430 FEET NORTH AND 130 FEET EAST FROM THE SW CORNER OF SECTION 36

12. Transfer Application T-14259 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	22 E	WM	1	NE NW	3.80
2 N	22 E	WM	1	NW NW	6.51
3 N	22 E	WM	36	SW SW	5.10
3 N	22 E	WM	36	SE SW	1.90
TOTAL					17.31

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

Certificate: 88208 in the name of SKYE H. AND PENNY KREBS (confirmed by decree of the Circuit Court of the State of Oregon for Gilliam County.

Use: IRRIGATION OF 20.6 ACRES

Priority Date: 1903

Rate: 0.34 CUBIC FOOT PER SECOND (CFS)

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

Period of Use: MARCH 1 TO SEPTEMBER 1

Source: WILLOW CREEK, tributary to COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	22 E	WM	23	SW NW	POD - 1720 FEET SOUTH AND 650 FEET EAST FROM THE NW CORNER OF SECTION 23

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	22 E	WM	23	NW NW	13.5
3 N	22 E	WM	23	SW NW	7.1
TOTAL					20.6

14. Transfer Application T-14259 proposes an additional point of diversion approximately 6,500 feet upstream located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	22 E	WM	26	NE SW	POD 2 - 770 FEET SOUTH AND 1130 FEET WEST FROM THE C1/4 CORNER OF SECTION 26

15. Transfer Application T-14259 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	POD
3 N	22 E	WM	23	SW NW	2.6	POD
3 N	22 E	WM	26	SW SE	18.0	POD 2
TOTAL					20.6	

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

Certificate: 91444 in the name of O E. FARNSWORTH (confirmed by decree of the Circuit Court of the State of Oregon for Morrow County.

Use: IRRIGATION OF 14.0 ACRES

Priority Date: 1901

Rate: 0.23 CUBIC FOOT PER SECOND

Source: WILLOW CREEK, tributary to the COLUMBIA RIVER

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	22 E	WM	26	SW NW	7.0
3 N	22 E	WM	26	SE NW	7.0
TOTAL					14.0

17. Certificate 91444 does not describe the location of the authorized point of diversion however, the applicant has provided information indicating that the authorized point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Lot	TaxLot
2 N	23 E	WM	6	NW SW	6	700

18. Transfer Application T-14259 proposes to move the authorized point of diversion approximately 680 feet upstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	22 E	WM	26	NE SW	POD 2 - 770 FEET SOUTH AND 1130 FEET WEST FROM THE C1/4 CORNER OF SECTION 26

19. Transfer Application T-14259 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	22 E	WM	26	SW SE	8.80
3 N	22 E	WM	35	NW NE	5.20
TOTAL					14.0

20. The portion of the fourth right to be transferred is as follows:

Certificate: 95946 in the name of SKYE AND PENNY KREBS (perfected under Permit E-239)
Use: IRRIGATION OF 5.3 ACRES
Priority Date: MARCH 13, 1915
Rate: 0.07 CUBIC FOOT PER SECOND
Source: WILLOW CREEK, a tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	22 E	WM	36	SW SW	POD 1 - 430 FEET NORTH AND 130 FEET EAST FROM THE SW CORNER OF SECTION 36

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	22 E	WM	36	SW SW	5.3

21. Transfer Application T-14259 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	22 E	WM	36	SW SW	5.3

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

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and 690-380-2110(2), and 690-380-2200]

23. 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.
24. 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-14259.
25. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
26. The proposed points of diversion divert water from the same source of surface water as the authorized points of diversion, as required by OAR 690-380-2110(2).
27. The proposed changes, as conditioned, would not result in enlargement of the rights.

28. The proposed changes, as conditioned, would not result in injury to other existing water rights.
29. All other application requirements are met.

Conclusions of Law

The additional point of diversion, change in points of diversion and change in places of use proposed in Transfer Application T-14259 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional point of diversion, changes in points of diversion and changes in place of use proposed in Transfer Application T-14259 are approved.
2. The right to the use of the water is restricted to beneficial use at the places of use described and is subject to all other conditions and limitations contained in Certificates 67246, 88208, 91444, and 95946 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 points of diversion or the new places of use.
4. Water right Certificates 67246, 91444, and 95946 are cancelled. New certificates will be issued describing those portions of Certificates 67246, 91444, and 95946 not affected by this transfer.
5. Water right Certificate 88208 is cancelled.
6. Under Certificate 67246, the quantity of water diverted at the new point of diversion (POD 1) shall not exceed the quantity of water lawfully available at the original point of diversion (POD).
7. Under Certificate 88208, the quantity of water diverted at the new point of diversion (POD 2), together with the quantity diverted at the original points of diversion (POD), shall not exceed the quantity of water lawfully available at the original point of diversion (POD).
8. Under Certificate 91444, the quantity of water diverted at the new point of diversion (POD 2) shall not exceed the quantity of water lawfully available at the original point of diversion (POD).
9. Water shall be acquired from the same source of surface water as the original points of diversion.
10. The former places of use of the transferred rights shall no longer receive water under the rights.

11. Water use measurement conditions:

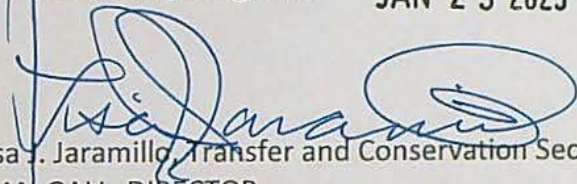
- a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
- b. The water user shall maintain the meters or measuring devices in good 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.

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

13. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. 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.

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

Dated in Salem, Oregon on **JAN 23 2025**


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

Mailing date: **JAN 24 2025**

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

JOHN RUEDY IRRIGATION DITCH COMPANY
CECIL, OREGON

confirms the right to use the waters of WILLOW CREEK, a tributary of COLUMBIA for IRRIGATION of 39.58 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 NOVEMBER 1896, DECEMBER 28, 1908.

The use is limited to 0.66 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

WILFRED CECIL DITCH AND JOHN RUEDY COMPANY DITCH NO. 2

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

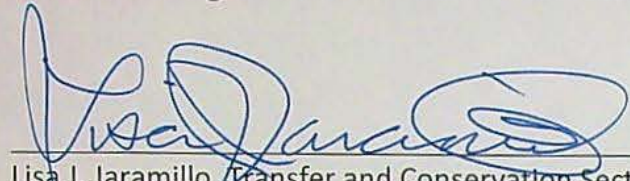
IRRIGATION					
wp	Rng	Mer	Sec	Q-Q	Acres
2 N	22 E	WM	1	NE NE	1.67
2 N	22 E	WM	1	NW NE	19.21
2 N	22 E	WM	1	SW NE	3.33
2 N	22 E	WM	1	SE NE	11.18
2 N	22 E	WM	1	NE SE	4.19
TOTAL					39.58

This certificate describes that portion of water right Certificate 67246, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 23 2025, approving Transfer Application T-14259.

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 JAN 23 2025.



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

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

O. E. FARNSWORTH
HEPPNER, OREGON

confirms the right to use the waters of WILLOW CREEK, tributary to the COLUMBIA RIVER, in Gilliam County, Oregon, for IRRIGATION of 7.2 ACRES (during the irrigation season).

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 1901.

The amount of water to which such right is entitled for the purposes aforesaid, is limited to an amount actually beneficially used for said purpose, and shall not exceed 0.12 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

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

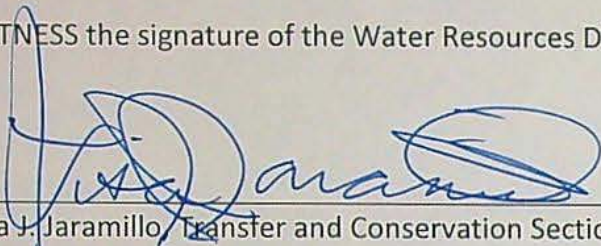
IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	22 E	WM	26	NE SW	6.3
3 N	22 E	WM	26	SE SW	0.9
TOTAL					7.2

This certificate describes that portion of water right Certificate 91444, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 23 2025, approving Transfer Application T-14259.

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

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

WITNESS the signature of the Water Resources Director, affixed JAN 23 2025.



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

STATE OF OREGON

COUNTY OF GILLIAM

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SKYE AND PENNY KREBS
73654 HWY 74
IONE, OR 97843

confirms the right to use the waters of WILLOW CREEK, a tributary of COLUMBIA RIVER for IRRIGATION of 17.0 ACRES.

This right was perfected under Enlargement Permit E-239 of the State Engineer, and that said right to the use of said waters has been perfected in accordance with laws of Oregon and duly confirmed by order of the State Water Board of Oregon, made and entered of record in the Record of Proceedings of said Board at Salem, in Volume 1, at Page 329 on the 26th of July, 1919. The priority of the right hereby confirmed dates from MARCH 13, 1915.

The amount of water to which this right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.21 CUBIC FOOT PER SECOND, or its equivalent in case of rotation. The use hereunder shall conform to any reasonable rotation system as may be ordered by the proper State Officer.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	22 E	WM	26	NE SW	POD 2 - 770 FEET SOUTH AND 1130 FEET WEST FROM THE C1/4 CORNER OF SECTION 26
3 N	22 E	WM	36	SW SW	POD 1 - 430 FEET NORTH AND 130 FEET EAST FROM THE SW CORNER OF SECTION 36

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

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	22 E	WM	35	SE SE	8.2
3 N	22 E	WM	36	SW SW	8.8
TOTAL					17.0

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meters or other suitable measuring devices 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 water user shall maintain and operate the fish screen at the new points of diversion consistent with the 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.

The quantity of water diverted at the new points of diversion shall not exceed the quantity of water lawfully available at the original point of diversion described as follows:

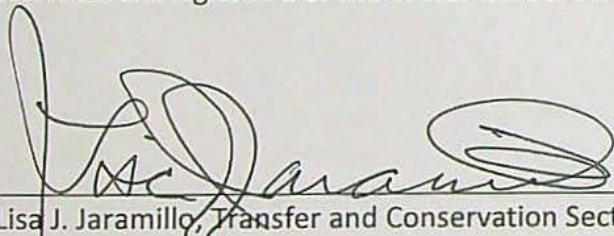
Twp	Rng	Mer	Sec	Q-Q
3 N	22 E	WM	35	NE SE

This certificate describes that portion of water right Certificate 95946, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JAN 23 2025, approving Transfer Application T-14259.

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

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

WITNESS the signature of the Water Resources Director, affixed JAN 23 2025.



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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14259

Transfer Specialist: Dante

Transfer Type: Regular Transfer

Reimbursement Authority? ☒

Applicant: PENNY KREBS 73654 HWY 74 IONE, OR 97843	Agent: DALE VANSHOIACK 2141 SOUTH LYLE ST KENNIWICK, WA 99337	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: County Of Gilliam	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"/>	VOLUME PG 1-73		88208	<input type="checkbox"/> Yes <input type="checkbox"/> No	
	VOLUME PG 1-15		67246		
<input type="checkbox"/>	VOLUME PG 1-73		91444	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	E4156	E239	95946	<input type="checkbox"/> Yes <input type="checkbox"/> No	

Key Dates & Initial Actions (Support Staff)

Rec'd: June 7, 2023	Proposed Action(s): POINT OF DIVERSION; ADDITIONAL POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 4280.00	Acknowledgement Letter Sent <input type="checkbox"/>	Basin: 7 Umatilla
Initial Public Notice:	County sent cc: of Ack Letter <input type="checkbox"/>	County: GILLIAM
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>12-19-23</u> Initials: <u>AK</u>	Date: _____ Initials: _____	Date: <u>5-24-24</u> Initials: <u>PKS</u>	Date: <u>5-27-24</u> Initials: <u>AK</u>	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: <u>8-27-24</u> Initials: <u>AK</u>	Date: <u>8-28-24</u> Initials: <u>AK</u>	Date: <u>10-3-24</u> Initials: <u>CL</u>	Date: <u>10-4-24</u> Initials: <u>AK</u> Data Review Date: <u>10-6-24</u>	Date: _____	Date: <u>10/18/24</u>
FO	Date: <u>12-7-24</u> Initials: <u>AK</u>	Date: <u>12-10-24</u> Initials: <u>AK</u>	Date: <u>1-9-25</u> Initials: <u>CL</u>	Date: <u>1-9-25</u> Initials: <u>AK</u>	Date: <u>1-9-25</u> No. of docs for sig: <u>4</u>	Date: <u>1/23/2025</u>

Special Issues: _____

Special Order Volume: Vol. 133 Pages 744-750

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 # 144074

INVOICE #

RECEIVED FROM: *Krebs Shap Company*
BY: *Bkip or Penny Krebs*

APPLICATION
PERMIT
TRANSFER T-14259

CASH: ☐ CHECK: # ☒ 16786 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 390.60

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES *46118* \$
0207 OTHER: (IDENTIFY) *Newspaper Notice* \$390.60

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 RECORD FEE
0203 GROUND WATER \$ 0202 \$
0205 TRANSFER \$ 0204 \$

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR EXAM FEE LICENSE FEE
LANDOWNER'S PERMIT \$ 0219 \$
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: 144074

DATED: 10/28/24 BY: *B*

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

Attached is a check in the amount of \$390.60 (PCA #46118) for Newspaper Notice for Transfer T-14259 made out to Oregon Water Resources Department (or WRD)

- "for T- 14259 NOTICE" written on front of check

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

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 # 144074

INVOICE #

RECEIVED FROM: *Krebs Shap Company*
BY: *Bkip or Penny Krebs*

APPLICATION
PERMIT
TRANSFER T-14259

CASH: ☐ CHECK: # ☒ 16786 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 390.60

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES *46118* \$
0207 OTHER: (IDENTIFY) *Newspaper Notice* \$390.60

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

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WELL CONSTRUCTION

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

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY)

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HYDRO APPLICATION \$

TREASURY OTHER / RDX

FUND TITLE

OBJ. CODE VENDOR #

DESCRIPTION \$

RECEIPT: 144074

DATED: 10/28/24 BY: *B*

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

Received
OCT 28 2024

OWRD

Caseworker: Dante Luongo

IN THE CIRCUIT COURT OF
THE STATE OF OREGON
FOR BAKER/GRANT/MORROW/UMATILLA/UNION/WALLOWA COUNTIES

}AFFIDAVIT OF PUBLICATION
STATE OF OREGON

Counties of Baker/Grant/Morrow/Umatilla/Union/Wallowa} ss


I, Audra Workman being duly sworn, depose and say that I am the principal clerk of the publisher of the East Oregonian, eastoregonian.com, bakercityherald.com, lagrandeobserver.com, hermistonherald.com, bluemountaineagle.com and wallowa.com, a newspaper of general circulation, as defined by ORS 193.010 and 193.020;
that the

EO-13498 NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-14259 T-14259 FILED BY SKYE AND PENNY KREBS 73654 HIGHWAY 74 IONE OR 97843 PROPOSES A CHANGE IN POINTS OF DIVERSION AND PLACES

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:

11/06/24, 11/13/24

Subscribed and sworn to before me on this 13th day of November, A.D. 2024



Dayle R Stinson
Notary Public of Oregon

Add: 456331

PO:

Tagline: EO-13498 T-14259



EO-13498
Notice of Preliminary
Determination for
Water Right Transfer T-14259

T-14259 filed by Skye and Penny Krebs, 73654 Highway 74, Lone, OR 97843, proposes a change in points of diversion and places of use under Certificates 67246 and 91444, an additional point of diversion and a change in place of use under Certificate 88208, and a change in place of use under Certificate 95946. Certificate 67246 allows the use of 0.29 cubic foot per second (cfs) from Willow Creek in Sec. 1, T2N, R22E, WM for irrigation in Sec. 1, T2N, R22E, WM. The applicant proposes to move the point of diversion to Sec. 36, T3N, R22E, WM and to change the place of use to Sec. 1, T2N, R22E, WM., and Sec. 36, T3N, R22E, WM. Certificate 88208 allows the use of 0.34 cfs from Willow Creek in Sec. 23, T3N, R22E, WM for irrigation in Sec. 23, T3N, R22E, WM. The applicant proposes an additional point of diversion in Sec. 26, T3N, R22E, WM and to change the place of use to Sects. 23 and 26, T3N, R22E, WM. Certificate 91444 allows the use of 0.23 cfs from Willow Creek in Sec. 6, T2N, R23E, WM for irrigation in Sec. 26, T3N, R22E, WM. The applicant proposes to move the point of diversion to Sec. 26, T3N, R22E, WM and to change the place of use to Sects. 26 and 35, T3N, R22E, WM. Certificate 95946 allows the use of 0.07 cfs from Willow Creek in Sec. 36, T3S, R22E, WM for irrigation in Sec. 36, T3N, R22E, WM. The applicant proposes to change the place of use within Sec. 36, T3N, R22E, 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, 11/13/2024. 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. Publish November 6, 13, 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

October 18, 2024

VIA CERTIFIED MAIL AND E-MAIL

SKYE AND PENNY KREBS

73654 HWY 74

IONE, OR 97843

SUBJECT: Water Right Transfer Application T-14259

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14259. 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,

Dante Luongo

Transfer Specialist

Transfer and Conservation Section

cc: Transfer Application file T-14259
Kenneth C. Thiemann, District 21 Watermaster (*via e-mail*)
Dale VanSchoiack, 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-14259, Gilliam County)	PROPOSING APPROVAL OF AN
)	ADDITIONAL POINT OF DIVERSION,
)	CHANGES IN POINTS OF DIVERSION AND
)	CHANGES IN PLACE OF USE

Authority

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

Applicant

SKYE AND PENNY KREBS
73654 HWY 74
IONE, OR 97843

Findings of Fact

1. On June 2, 2023, Skye and Penny Krebs filed an application for an additional point of diversion, to change points of diversion and to change the place of use under Certificates 67246, 88208, 91444, and 95946. The Department assigned the application number T-14259.
2. Notice of the application for transfer was published on June 13, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 2, 2024, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14259 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of June 1, 2024, for the applicants to respond. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.

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.

4. On May 16, 2024, the applicant's agent requested a new completion date of October 1, 2027, due to the complexities of the project. Pursuant to OAR 690-380-5140(3), the Department has modified the completion date of Transfer Application T-14259 to October 1, 2027.
5. The portion of the first right to be transferred is as follows:

Certificate: 67246 in the name of JOHN RUEDY IRRIGATION DITCH COMPANY
(confirmed by WILLOW CREEK, GILLIAM MORROW COUNTIES (F), 1910 Decree)

Use: IRRIGATION OF 17.31 ACRES

Priority Date: NOVEMBER 1896 AND DECEMBER 28, 1908

Rate: 0.29 CUBIC FOOT PER SECOND

Source: WILLOW CREEK, a tributary of COLUMBIA

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	22 E	WM	1	SE NE	WILFRED CECIL DITCH AND JOHN RUEDY COMPANY DITCH NO. 2

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	22 E	WM	1	NE NW	10.09
2 N	22 E	WM	1	NW NW	7.22
TOTAL					17.31

6. The application provided additional information describing the authorized point of diversion as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	22 E	WM	1	SE NE	POD - 440 FEET NORTH AND 490 FEET WEST FROM THE EAST 1/4 CORNER OF SECTION 1

7. Transfer Application T-14259 proposes to move the authorized point of diversion approximately 1.0 mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	22 E	WM	36	SW SW	POD 1 - 430 FEET NORTH AND 130 FEET EAST FROM THE SW CORNER OF SECTION 36

8. Transfer Application T-14259 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	22 E	WM	1	NE NW	3.80
2 N	22 E	WM	1	NW NW	6.51
3 N	22 E	WM	36	SW SW	5.10
3 N	22 E	WM	36	SE SW	1.90
TOTAL					17.31

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

Certificate: 88208 in the name of SKYE H. AND PENNY KREBS (confirmed by WILLOW CREEK, GILLIAM AND MORROW, 1910 Decree)
Use: IRRIGATION OF 20.6 ACRES
Priority Date: 1903
Rate: 0.34 CUBIC FOOT PER SECOND (CFS)
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-SIXTIETH of one cubic foot per second, 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, tributary to COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	22 E	WM	23	SW NW	POD - 1720 FEET SOUTH AND 650 FEET EAST FROM THE NW CORNER OF SECTION 23

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	22 E	WM	23	NW NW	13.5
3 N	22 E	WM	23	SW NW	7.1
TOTAL					20.6

10. Transfer Application T-14259 proposes an additional point of diversion approximately 6,500 feet upstream located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	22 E	WM	26	NE SW	POD 2 - 770 FEET SOUTH AND 1130 FEET WEST FROM THE C1/4 CORNER OF SECTION 26

11. Transfer Application T-14259 also proposes to change the place of use of the right to:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	POD
3 N	22 E	WM	23	SW NW	2.6	POD
3 N	22 E	WM	26	SW SE	18.0	POD 2
TOTAL					20.6	

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

Certificate: 91444 in the name of O E. FARNSWORTH (confirmed by Willow Creek, Gilliam and Morrow, 1910 Decree)
Use: IRRIGATION OF 14.0 ACRES
Priority Date: 1901
Rate: 0.23 CUBIC FOOT PER SECOND
Source: WILLOW CREEK, tributary to the COLUMBIA RIVER

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	22 E	WM	26	SW NW	7.0
3 N	22 E	WM	26	SE NW	7.0
TOTAL					14.0

13. Certificate 91444 does not describe the location of the authorized point of diversion however, the applicant has provided information indicating that the authorized point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q-Q	Lot	TaxLot
2 N	23 E	WM	6	NW SW	6	700

14. Transfer Application T-14259 proposes to move the authorized point of diversion approximately 680 feet upstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	22 E	WM	26	NE SW	POD 2 - 770 FEET SOUTH AND 1130 FEET WEST FROM THE C1/4 CORNER OF SECTION 26

15. Transfer Application T-14259 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	22 E	WM	26	SW SE	8.80
3 N	22 E	WM	35	NW NE	5.20
TOTAL					14.0

16. The portion of the fourth right to be transferred is as follows:

Certificate: 95946 in the name of SKYE AND PENNY KREBS (perfected under Permit E-239)

Use: IRRIGATION OF 5.3 ACRES

Priority Date: MARCH 13, 1915

Rate: 0.07 CUBIC FOOT PER SECOND

Source: WILLOW CREEK, a tributary of COLUMBIA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	22 E	WM	36	SW SW	POD 1 - 430 FEET NORTH AND 130 FEET EAST FROM THE SW CORNER OF SECTION 36

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	22 E	WM	36	SW SW	5.3

17. Transfer Application T-14259 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	22 E	WM	36	SW SW	5.3

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

Transfer Review Criteria [OAR 690-380-0100(14), 690-380-4010(2) and 690-380-2110(2), and 690-380-2200]

19. 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.
20. 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-14259.
21. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
22. The proposed points of diversion divert water from the same source of surface water as the authorized points of diversion, as required by OAR 690-380-2110(2).
23. The proposed changes, as conditioned, would not result in enlargement of the rights.
24. The proposed changes, as conditioned, would not result in injury to other existing water rights.
25. All other application requirements are met.

Determination and Proposed Action

The additional point of diversion, change in points of diversion and change in place of use proposed in Transfer Application T-14259 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

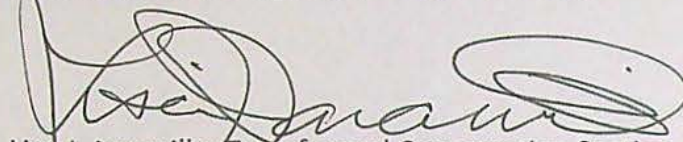
If Transfer Application T-14259 is approved, the final order will include the following:

1. *The additional point of diversion, changes in points of diversion and changes in place of use proposed in Transfer Application T-14259 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 67246, 88208, 91444, and 95946 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 points of diversion or the new places of use.*
4. *Water right Certificates 67246, 88208, 91444, and 95946 are cancelled. New certificates will be issued describing those portions of the rights not affected by this transfer.*
5. *Under Certificate 67246, the quantity of water diverted at the new point of diversion (POD 1) shall not exceed the quantity of water lawfully available at the original point of diversion (POD).*
6. *Under Certificate 88208, the quantity of water diverted at the new point of diversion (POD 2) shall not exceed the quantity of water lawfully available at the original point of diversion (POD).*
7. *Under Certificate 91444, the quantity of water diverted at the new point of diversion (POD 2) shall not exceed the quantity of water lawfully available at the original point of diversion (POD).*
8. *Water shall be acquired from the same source of surface water as the original points of diversion.*
9. *The former place of use of the transferred rights shall no longer receive water under the rights.*
10. *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.*
11. *The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.*

12. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2027**. 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.*
13. *After satisfactory proof of beneficial use is received, a new certificate confirming the rights transferred will be issued.*

Dated in Salem, Oregon on **OCT 18 2024**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, 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>.



Oregon

Tina Kotek, Governor

Department of Fish and Wildlife

Grande Ronde Watershed

107 20th St

La Grande, OR 97850

(541)963-2138



May 15th, 2024

Penny and Skye Krebs
73654 Hwy 74
Ione, OR 97843

RE: Fish Passage for T-14259

To whom it may concern,

The Oregon Department of Fish and Wildlife (ODFW) is submitting this letter regarding fish screening and passage for the transfer T-14259 in the name of Penny and Skye Krebs. ODFW submitted a review on 6/21/2023, indicating that the point of diversion must be screened, and the transfer may trigger fish passage requirements. On 5/7/2024 OWRD reached out about an ODFW screen certification letter for the two existing PODs, dated June 10, 2021. On 5/8/2024 Water Program staff coordinated with Fish Screening Program staff and determined that the approved fish screens can accommodate the increased rate of diversion from T-14259.

ODFW has also determined that the proposed point of diversion related to T-14259 is existing and does not trigger fish passage requirements. However, the permittee shall maintain adequate passage of native migratory fish at all times (ORS 509.610) at the point of diversion and shall not construct, operate, or maintain any dam or artificial obstruction to fish passage across any waters of the state that are inhabited, or were historically inhabited, by native migratory fish (ORS 509.585).

Sincerely,

Jorden Smith
East Region Hydro & Water Rights Coordinator
Jorden.D.Smith@odfw.oregon.gov
(541)805-1990

CC via email: Dante Luongo, OWRD Transfer Specialist
Nathaniel Ashley, ODFW Fish Screening & Passage Coordinator
Taylor McCroskey, ODFW Umatilla/Walla Walla District Fish Biologist
Danette Faucera, ODFW Water Policy Coordinator
OWRD Transfer Section
ODFW Passage Program

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-14259 CPOD, APOD, CPOL

Review Due Date: 07/07/2023

Applicant Name: Skye and Penny Krebs

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

Reviewer(s): Kenneth C. Thiemann Jr.

Date of Review: 12/08/2023

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 upstream seniors. Early season calls Cal Farms ~ RM 15 (1897), Late season calls 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:

Well defined pivots and WL fields. Easy to see "Off Acre" compliance.

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:

Use of a portable pump.

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

A dedicated totalizing flow meter for each portable pump system

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- 14259 CPOD, APOD,
CPODIn 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

PHILLIPS Stacy H * WRD

From: dalevconsulting@gmail.com
Sent: Thursday, July 06, 2023 9:21 AM
To: PHILLIPS Stacy H * WRD
Cc: 'Kip Krebs'; 'skye krebs'; wporfily@gmail.com
Subject: Transfer T-14259 Skye Krebs

Categories: Project

Good morning Stacy,

I have been assisting Skye Krebs with water right transfer application T-14259. I am listed on the application form as an agent.

The purpose of this email is to inform the department that I will be leaving on a trip next week and will not be available until September.

Should there be question regarding the application during In my absence, please make sure any questions regarding the transfer application are copied to Skye Krebs son, Kip Krebs, (krebs@hotmail.com) phone 541 805 8761.

Kip_krebs@hotmail.com

If you are not the correct contact person regarding the transfer please pass this message on to the correct contact person.

Thank you,

Dale

DGV Consulting, PLLC
Dale VanSchoiack, PE, CWRE
2141 S. Lyle, Kennewick, WA 99337
509 627 8717
dalevconsulting@gmail.com

**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 # **140971**

INVOICE # _____

RECEIVED FROM: Krebs Sheep Company;
BY: Skylar Penhy Krebs

APPLICATION	
PERMIT	
TRANSFER	T-14259

CASH: ☐ CHECK: # X 15746 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,716.82

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES RA 47124 R11449-23 \$
OTHER: (IDENTIFY) Transfer RA \$ 1,716.82

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: **140971**

DATED: 6-22-2023 BY: mcg

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-449-23**

Received by OWRD

JUN 22 2023

Salem, OR

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Skye and Penny Krebs**, hereafter Applicant, hereafter known together as the parties.

OWRD Information	Applicant's Information	Applicant's Representative
Contact: Kelly Starnes Title: Transfer Advisor Address: 725 Summer Street, NE, Suite A Salem, OR 97301-1266 Phone: 503 979-3511 Fax: 503 986-0901 Email: patrick.k.starnes@water.oregon.gov	Name: Skye and Penny Krebs Contact: Address: 73654 Hwy 74 Ione, OR 97843 Phone: (541) 422-7558 Fax: Email: skyekrebs@yahoo.com	Name: Dale VanSchoiack Contact: Address: 2141 S. Lyle St. Kennewick, WA 99337 Phone: (509) 627-8717 Fax: Email: dalevconsulting@gmail.com

Purpose The purpose of this Agreement is to expedite the processing of the **Transfer Application**. (Application Number: T-14259)

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 **\$1,716.82**. Applicant agrees to pay the full amount of **\$1,716.82** 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.

- **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: Steph H Krebs Partner
Name/Title:

6/19/2023
Date

For OWRD: Dwight French
Dwight French - Administrator

6-28-2023
Date

Mail signed Agreement to:

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

Received by OWRD

JUN 22 2023

Salem, OR

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

Reference Transfer #: T-14259, Krebs

Date of review: 06/21/2023

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

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

(Please attach any available supporting information.)

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

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

☐ **1. Screen Maintain**

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

Note: This option will yield the following:

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

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

☒ **2. Screen Now**

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

Note: This option will yield the following:

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

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

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

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

☐ **3. Screen 2 Year**

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

Note: This option will yield the following:

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

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

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

☐ **4. Screen Future**

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

Note: This option will yield the following:

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

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

☐ **5. No Screen Needed**

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

Jorden D Smith

Digitally signed by Jorden D Smith
Date: 2023.06.21 14:27:40 -0700

Signature

Jorden Smith
Printed Name

(541) 805-1990

Phone

East Region Hydro and Water Rights Coordinator
Title

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

Transfer #: T-14259, Krebs

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

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

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

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

ODFW staff name: Nathaniel Ashley

Address: 357 Patterson Bridge Rd

City/State/Zip: John Day, OR 97845

Phone: (541) 575-0561

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

ODFW staff name: Taylor McCroskey

Address: 73471 Mytinger Lane,

City/State/Zip: Pendleton, OR 97801

Phone: (541) 276-2344

**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 # **140850**

INVOICE #

RECEIVED FROM: Krebs Shag Company
BY: Shag or Penny Krebs

APPLICATION	
PERMIT	
TRANSFER	<u>T-14259</u>

CASH: ☐ CHECK: # 15621 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R11449-23 \$

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:

0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$		

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$

RECEIPT: **140850**

DATED: 6-2-23 BY: Lyc D. Nunez



OREGON WATER RESOURCES DEPARTMENT
TRANSFER REIMBURSEMENT AUTHORITY
ESTIMATE APPLICATION



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

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

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

REQUEST	TYPE	FILE NUMBER
<input checked="" type="checkbox"/>	Transfer Application	Transfer Number <u>T-14259</u>

	Applicant Information	Applicant's Representative/Contact
Name:	<u>Skye and Penny Krebs</u>	<u>Dale VanSchoiack</u>
Address:	<u>73654 Hwy 74</u>	<u>2141 S Lyle St.</u>
	<u>Ione, OR 97843</u>	<u>Kennewick, WA 99337</u>
Phone:	<u>541 422 7558</u>	<u>509 627 8717</u>
Fax:		
E-Mail Address:	<u>Skyekrebs@yahoo.com</u>	<u>dalevconsulting@gmail.com</u>

I understand the following:

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

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

RECEIVED

JUN 02 2023

OWRD

I certify that I am the (check one):

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

Name: Skye Krebs

Signature: Skye Krebs

4/21/2023

OWRD USE ONLY: Reimbursement Authority Number: R11-449 -23



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

June 7, 2023

PENNY KREBS and SKYE KREBS

73654 HWY 74

IONE, OR 97843

Reference: Application T-14259

On June 7, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$4280.00. Receipt number 140854 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

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 for in the new place of use from the new point of diversion until a final order approving the transfer application has been issued by the Department. In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

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

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

Cc: Watermaster Dist. #21, Kenneth C. Thiemann (*via email*)

Dale Vanshoiack, Agent

Gilliam County

Enclosure

**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 # **140854**

INVOICE # _____

RECEIVED FROM: Krebs Sheep Company;
BY: State of Oregon Krebs

APPLICATION	
PERMIT	
TRANSFER	T-14259

CASH: ☐ CHECK: # 15622 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 4,280.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 4,280.00

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **140854**

DATED: 6-2-23 BY: [Signature]

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

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- ☒ 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? Four** List them here: **88208, 67246, 91444, and 95946**

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

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

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

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

Part 3 of 5 – Fee Worksheet

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	
	Types of change proposed: <input checked="" type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u> 2 (2a) </u> Subtract 1 from the number in line 2a = <u> 1 (2b) If only one change, this will be 0</u>				
2	Multiply line 2b by \$1090 and enter »		2	\$1090	
	Number of water rights included in transfer <u> 4 (3a)</u> Subtract 1 from the number in line 3a above: <u> 3 (3b) If only one water right this will be 0</u>				
3	Multiply line 3b by \$610 and enter »		3	\$1830	
	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: enter \$480 for the 1 st well to be added or changed _____ (4a) Do you propose to add or change additional wells? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 _____ (4b) Add line 4a to line 4b and enter »				
4			4	\$0	
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 <input checked="" type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see below*): <u>-0.93 (5a)</u> Subtract 1.0 from the number in line 5a above: <u>-0.07 (5b)</u> 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 \$410, then enter on line 5 »				
5			5	\$0	
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:		6	\$4280	
	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 »				
7	If no box is applicable, enter 0 on line 7 »		7	\$0	
8	Subtract line 7 from line 6 » Transfer Fee:		8	\$4280	

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*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

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

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

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Skye and Penny Krebs			PHONE NO. 541 422 7558	ADDITIONAL CONTACT NO.
ADDRESS 73654 Hwy 74				FAX NO.
CITY Ione	STATE OR	ZIP 97843	E-MAIL skyekrebs@yahoo.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Dale VanSchoiack			PHONE NO. 509 627 8717	ADDITIONAL CONTACT NO.
ADDRESS 2141 SOUTH LYLE ST.				FAX NO.
CITY Kennewick	STATE WA	ZIP 99337	E-MAIL dalevconsulting@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:
We are combining water rights to be able to locate them in a manner that will allow them to be used with circular irrigation machines.

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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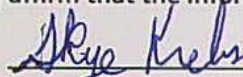
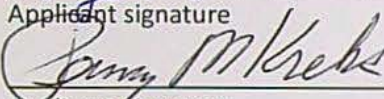
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By my signature below, I confirm that I understand:

- 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

Applicant signature

Skye Krebs
Print Name (and Title if applicable)

4/21/2023
Date
4/21/2023
Date

Penny Krebs
Print Name (and Title if applicable)

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

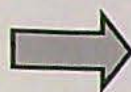
RECEIVING LANDOWNER NAME NOT APPLICABLE			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO. RECEIVED	
CITY	STATE	ZIP	E-MAIL JUN 02 2023	
Describe any special ownership circumstances:			OWRD	
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

NA 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 Not Applicable	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.

ENTITY NAME Not Applicable	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Gilliam County	ADDRESS 221 S. Oregon St.	
CITY Condon	STATE OR	ZIP 97823

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # **88208**

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Description of Water Delivery System

System capacity: **0.34** 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.

Irrigation water is pumped from Willow Creek with a 7.5 horsepower electrical pump. The water is used to irrigate two fields. The southerly field is the smaller of the two in is somewhat irregular in shape. The northerly field is the larger of the two and is generally rectangular in shape.

The pump discharges into a buried 4" PVC pipeline that extends 160 feet +/- in a northwesterly direction across the northerly end of the smaller field to the northwesterly edge of the field. The northwesterly edge of the farm field is the southeasterly edge of the yard around the farmhouse. At this point there is a 90 degree bend to the southwest and the pipeline continues for 70 feet +/- and then bends the northwest and continues another 70 feet +/- . There are riser valves along the above described pipeline. A combination of a 480 foot +/- wheel line and portable hand lines are used to irrigate the southerly field.

There is a tee pipe fitting in the buried pump discharge line. It is located 60 feet +/- from the pump. The branch of the tee is oriented to extend in a northeasterly direction. A 170 foot +/- 4" buried PVC pipeline connects to the tee. The end of the 170 foot +/- pipe line connects to a 600" +/- pipeline that extends in a northwesterly direction along the southerly end of the larger field. This pipeline serves as the main line for the larger field. There are riser valves along this mainline. The majority of this field is irrigated with a 1/4 mile wheel line. The southeasterly corner of this field is irrigated with portable hand lines.

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)
Cert 88208 POD	<input checked="" type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		3 N	22 E	23	SW NW		1720' S & 650' E from the NW Cor of Sec 23
POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		3 N	22 E	26	NE SW		770' S & 1130' W from the C1/4 Cor of Sec 26
	<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 checked="" 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 # 88208

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
										POU	3	N	22	E	23	SW	NW	1900	2.6	Irrigation	Cert 88208 POD	1903
										POU/APOD	3	N	22	E	26	SW	SE	2203	18.0	Irrigation	POD 2	1903
TOTAL ACRES:											TOTAL ACRES:						20.6					

Additional remarks: None

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Certificate # 88208

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 # _____

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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 wai
NA										

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 91444

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Description of Water Delivery System

System capacity: 6.68 cfs (PTO driven pump) 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 out of the Willow Creek at various points along the fields using a portable pump. The pump is a Dyna Flo Pump driven by a tractor PTO. It has a capacity of 3000 gpm (6.68 cfs). The pump discharges into a network of small canals that are used to distribute the water to locations where it is released to flood irrigate the property.

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)
Cert 91444 POD Farnhurst Ditch	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2	N	23	E	6	NW	SW	Lot 6 TL 700	NW¼SW¼ of Sec 6, T2N, R23E, W.M.
POD 2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		3	N	22	E	26	NE	SW		770' S & 1130' W from the C1/4 Cor of Sec 26
	<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 checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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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 # 91444

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
3	N	22	E 26	SW NW	2202	7.0	Irrigation	Cert 91444 POD Farnhurst Ditch	1901	POU/POD	3	N	22	E 26	SW SE	2203	8.8	Irrigation	POD 2	1901
3	N	22	E 26	SE NW	2202	7.0	Irrigation	Cert 91444 POD Farnhurst Ditch	1901	POU/POD	3	N	22	E 35	NW NE	700	5.2	Irrigation	POD 2	1901
TOTAL ACRES:						14.0					TOTAL ACRES:						14.0			

Additional remarks: None

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Certificate # 91444

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 # _____

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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

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

CERTIFICATE # 95946

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Description of Water Delivery System

JUN 02 2023

System capacity: **0.99** 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.

Irrigation water is pumped from Willow Creek with a 15.0 horsepower electrical pump. The pump discharges into a buried pipe distribution system that extends in both a northwesterly direction and a southeasterly direction. Two half circle circular irrigation machines connect to the buried distribution system. The southerly most half circle is used to irrigate ground authorized under Certificate 95946 that is part of this transfer.

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		3	N	22	E	36	SW SW	430' N & 130' E from the SW Cor of Sec 36
	<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) |

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 # 95946

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						
3	N	22	E	36	SW	SW	702		5.3	Irrigation	POD 1	Mar 13 1915	POU	3	N	22	E	36	SW	SW	702		5.3	Irrigation	POD 1	Mar 13 1915
TOTAL ACRES:									5.3				TOTAL ACRES:									5.3				

Additional remarks: None

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Certificate # 95946

For Place of Use or Character of Use Changes

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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

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Identify the primary certificate to be cancelled. Certificate # _____

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

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

CERTIFICATE # 67246

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Description of Water Delivery System

JUN 02 2023

System capacity: 0.95 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.

Irrigation water is diverted from Willow Creek into the Wilfred Cecil Ditch and the John Ruedy Ditch No. 2 from a point in the SE1/4 of the NE1/4 of Section 1, T2N, R22E, W.M. The ditch flows north 330 feet ± and then bends to the northwest and more or less parallels Highway 74 for 1970 feet ±. From this point it bends around some farmstead buildings for 810 feet ± where it continues paralleling Highway 74 for an additional 730 feet ±. Water is diverted out of the ditch and flooded across the fields to irrigate the ground. In instances where the water will not gravity flow from the ditch the water user uses a PTO driven pump to pump the water from the ditch onto the farmland. The pump is a Dyna Flo Pump driven by a tractor PTO. It has a capacity of 3000 gpm (6.68 cfs).

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)
Cert 67246 POD	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2 N	22 E	1	SE NE		440' N & 490' W from the East ¼ Cor of Sec 1
POD 1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		3 N	22 E	36	SW SW		430' N & 130' E from the SW Cor of Sec 26
	<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 checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |

☐ 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 # 67246

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
2	N	22	E 1	NE NW	100	10.09	Irrigation	Cert 67246 POD	Nov 1896 & Dec 1908	POU/POD	2	N	22	E 1	NE NW	100	3.8	Irrigation	POD 1	Nov 1896 & Dec 1908
2	N	22	E 1	NW NW	100	7.22	Irrigation	Cert 67246 POD	Nov 1896 & Dec 1908	POU/POD	2	N	22	E 1	NW NW	100	6.51	Irrigation	POD 1	Nov 1896 & Dec 1908
										POU/POD	3	N	22	E 36	SW SW	702	5.1	Irrigation	POD 1	Nov 1896 & Dec 1908
										POU/POD	3	N	22	E 36	SE SW	702	1.9	Irrigation	POD 1	Nov 1896 & Dec 1908
TOTAL ACRES:						17.31					TOTAL ACRES:						17.31			

Additional remarks: None

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Certificate # 67246

APR 27 2023

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 # _____

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										

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
County of Gilliam) ss

I, Skye Krebs, in my capacity as PROPERTY OWNER,
mailing address 73654 HWY 74, IONE, OREGON 97843
telephone number (541) 422 7558, 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 # 88208, # 95946, AND # 67246 AND A PORTION OF # 91444; OR

☒ My knowledge specific to the use of water authorized under Certificate # 91444 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)
91444	3	N	22	E	W.M.	26	NE	NW		7.0
91444	3	N	22	E	W.M.	26	NW	NW		7.0

OR

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

(continues on reverse side)

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

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

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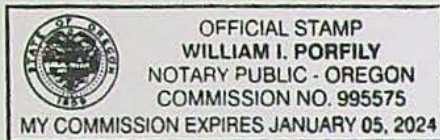
JUN 02 2023

Skye Krebs
Signature of Affiant

4/21/2023
Date

OWRD

Signed and sworn to (or affirmed) before me this _____ day of _____, 20____.



William I. Porfily
Notary Public for Oregon

My Commission Expires: Jan 5, 2024

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input 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 checked="" 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

Land Use Information Form

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

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Applicant(s): Skye and Penny Krebs

Mailing Address: 73654 Hwy 74

City: Ione

State: OR

Zip Code: 97843

Daytime Phone: 1 541 422 7588

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:
T3N	R22E	23	SWNW	1900	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
T3N	R22E	26	NESW	700	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T3N	R22E	26	SESW	700	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	EFU
T3N	R22E	26	SWSE	2203	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
T3N	R22E	35	NWNE	700	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
T3N	R22E	36	SWSW	702	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
T3N	R22E	36	SESW	702	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
T2N	R22E	1	NENW	100	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU
T2N	R22E	1	NWNW	100	EFU	<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	EFU

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

Gilliam

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OWRD

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

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Estimated quantity of water needed: 0.93 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

JUN 02 2023

Intended use of water: ☒ Irrigation ☐ Commercial ☐ Industrial ☐ Domestic for _____ household(s)
☐ Municipal ☐ Quasi-Municipal ☐ Instream ☐ Other _____

OWRD

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. →

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For Local Government Use Only

OWRD

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

Please check the appropriate box below and provide the requested information

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

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

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

Gilliam County Comprehensive Plan Goal 3: To preserve and maintain agricultural lands; Goal 6: To maintain and improve the quality of the air, water and land resources of the state.

RE: Skye & Penny Krebs: Willow Creek Irrigation Water Rights, combining water rights for irrigation efficiency. Certificate # 88208 and # 91444 and # 95946 and # 67246

Name: Michelle L. Colby Title: Planning Director

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Signature: Michelle L. Colby Phone: 541-351-9517 Date: 3-28-2023

JUN 02 2023

Government Entity: Gilliam County

OWRD

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: _____

DGV Consulting, PLLC

2141 South Lyle, Kennewick, WA 99337

May 23, 2023

1039.190

Dante J. Luongo
Transfer Specialist
Transfer and Conservation Section
Water Resources Department
725 Summer St NE, Suite A
Salem, Oregon 97301

RECEIVED

JUN 02 2023

OWRD

RE: Skye and Penny Krebs Transfer Application

Dear Mr. Luongo

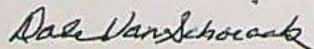
I am assisting Skye and Penny Krebs with their water right transfer application that includes a portion of Certificate 91444. This letter is in response to your May 2, 2023 letter to them.

With this letter an updated transfer application is being submitted. The application documents are the original documents with updated evidence of use images for Certificate 91444. In this submittal there are three colored images in support of Evidence of use for Certificate 91444. Two of the images are the same images that were included with the original transfer application. The labels on the images have been updated to include a designation of Photo 1 or Photo 2. The third image is a colored google image that covers the area of Certificate 91444, the SWNW and the SENW of Section 26, T3N R22E W.M. On this image there are tacks identifying the locations where Photo 1 and Photo 2 were taken. In the background of Photo 1 and Photo 2 you can see a bridge structure. This is the Rhea Lane bridge that crosses Willow Creek. Although the bridge is not labelled on the google image, Rhea Lane is. Using the bridge as a reference you can determine where Photos 1 and 2 were taken and the direction of the photos. Hopefully this addresses the issues you identified in your letter.

The owner's son, Kip Krebs, has numerous pictures showing water being diverted from Willow Creek for irrigation of the land authorized under Certificate 91444. The water is routed down historical channels and allowed to flood irrigate the ground. Sheep are then grazed on the ground.

Kip Krebs has informed me he has coordinated his efforts of diverting water for flood irrigation with the watermaster, Ken Thiemann. He suggested if you need any additional confirmation on the use of water from Willow Creek for irrigation under C 91444, please confer with Ken Thiemann. Ken's phone number is 1 541 969 8799.

Sincerely,



Dale VanSchoiack
DGV Consulting, PLLC

Cc Skye Krebs, Kip Krebs, Ken Thiemann

Phone 509 627 8717

Email dalevconsulting@gmail.com

14259 -

Evidence of Use C 91444
Photo 1
May 2021 Photo
Taken by Owner

RECEIVED

JUN 02 2023

DWRD



14259 -

Evidence of Use C 91444
Photo 2
May 2021 Photo
Taken by Owner

RECEIVED
JUN 02 2023
OWIRD



14259 -

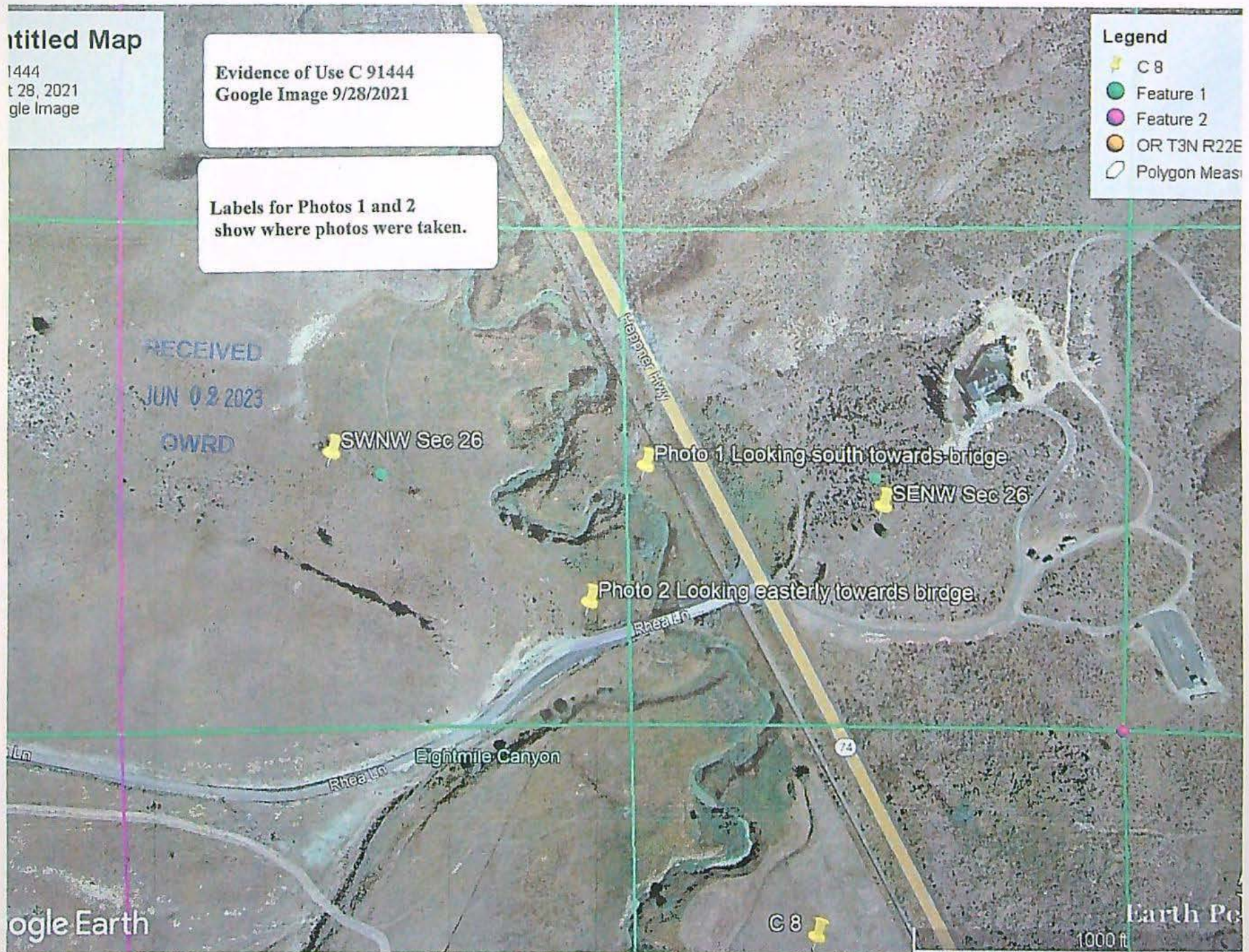
Untitled Map

1444
t 28, 2021
gle Image

Evidence of Use C 91444
Google Image 9/28/2021

Labels for Photos 1 and 2
show where photos were taken.

- Legend
- C 8
 - Feature 1
 - Feature 2
 - OR T3N R22E
 - Polygon Meas

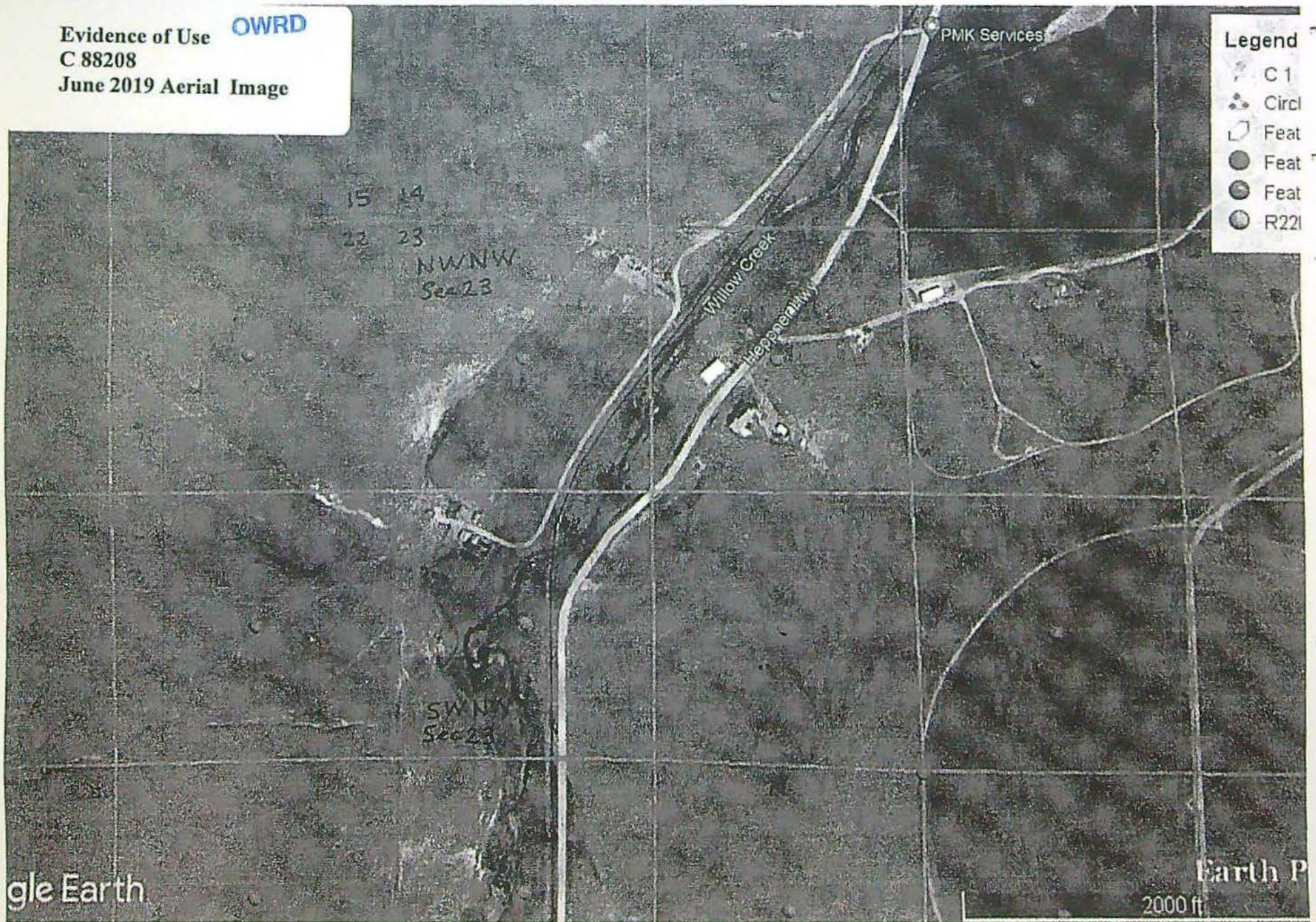


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Evidence of Use C 88208

Evidence of Use **OWRD**
C 88208
June 2019 Aerial Image



APR 27 2023
OWRD

14259 -

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Evidence of Use C 95946 and C 67246

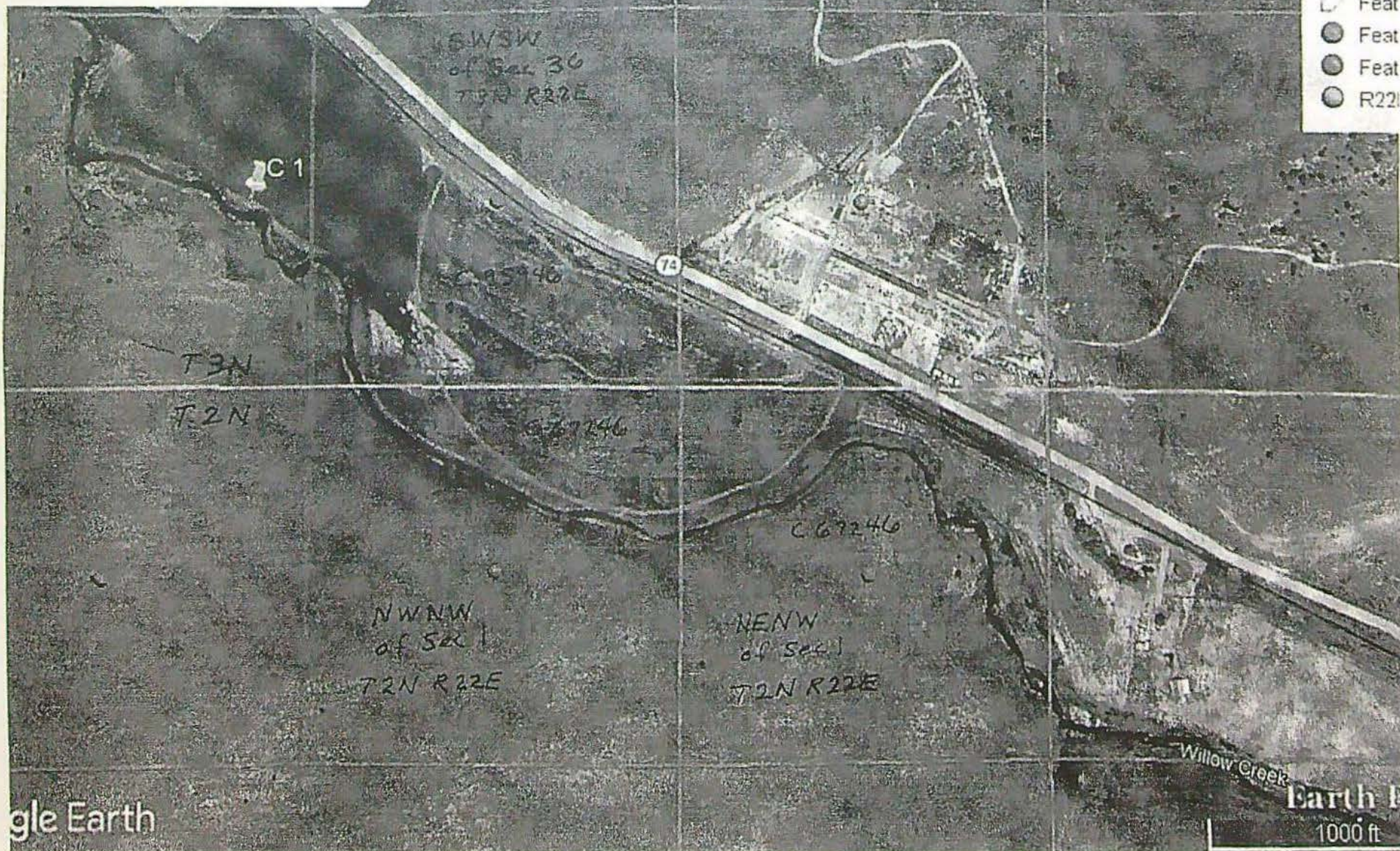
Evidence of Use

C 95946 and C 67246

June 2019 Aerial Image

JUN 02 2023

OWRD



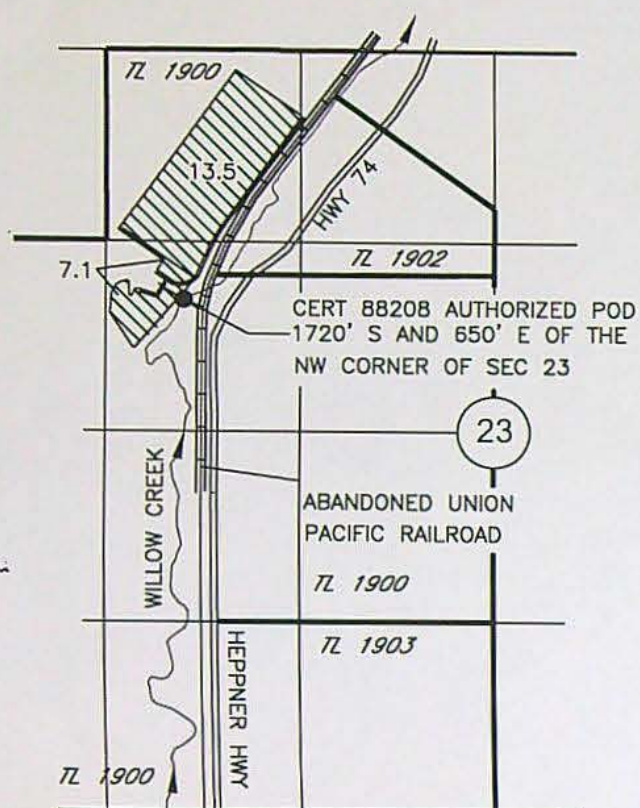
- 65271

APR 27 2023

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"FROM LANDS"
CERT 88208



0 1320

SCALE IN FEET

WATER RIGHT BEING TRANSFERRED
"FROM LANDS"

 CERT 88208, 20.6 AC

2.6

CERT 88208 AUTHORIZED POD
1720' S AND 650' E OF THE
NW CORNER OF SEC 23

TL 1902

TL 1900

WILLOW CREEK

HEPPNER HWY

ABANDONED UNION
PACIFIC RAILROAD

TL 1900

TL 1903

TL 1900

TL 2300

TL 2202

POD 2, PROPOSED APOD FOR WATER
RIGHT TRANSFERRED TO HALF CIRCLE.
770' S AND 1130' W OF THE
CENTER 1/4 CORNER OF SEC 26

26

TL 2202

RHEA RD

POD 2

TL 700

TL 2502

WILLOW CREEK

TL 2200

TL 2201

18.0

TL 2203


TL 2100

TL 700

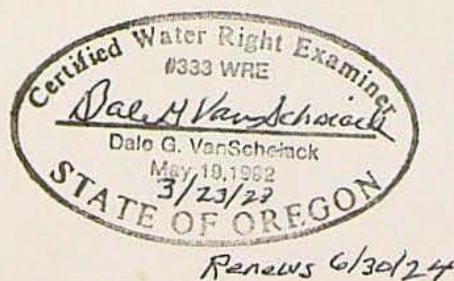
SEC 35

0 1320
SCALE IN FEET

WATER RIGHT BEING TRANSFERRED
"TO LANDS"

 CERT 88208, 20.6 AC
(POD 88208 & POD 2)

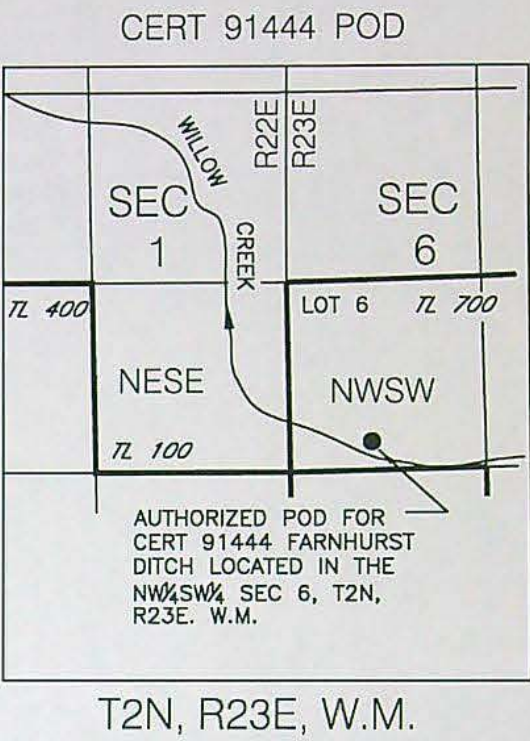
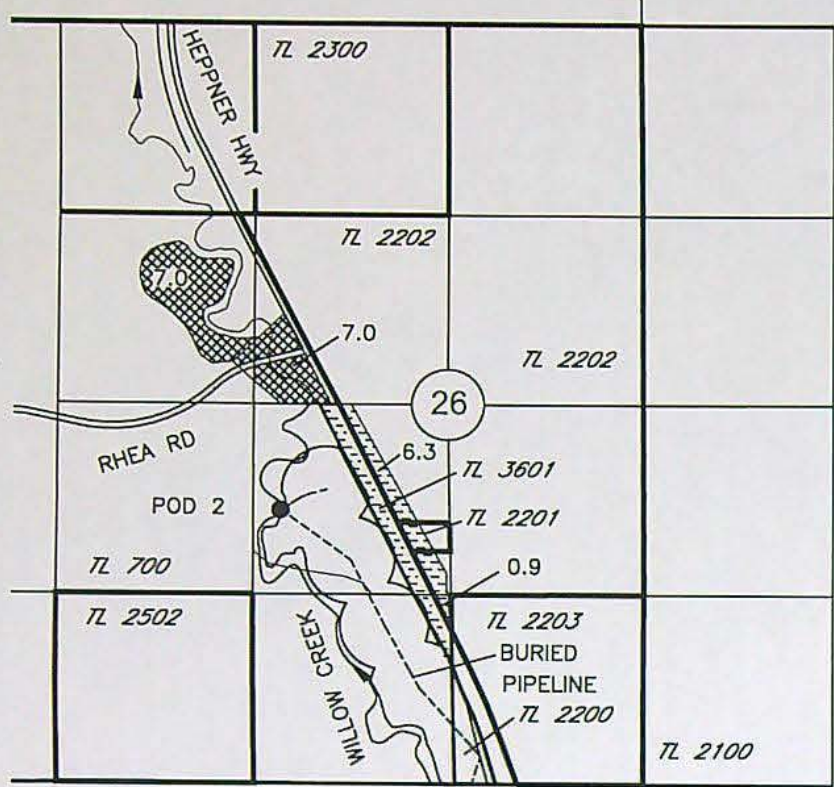
OWRD



DGV Consulting, PLLC
 PHONE (509) 627-8717
 dalevconsulting@gmail.com
 Date: Mar 11, 2023

TRANSFER APPLICATION MAP ASSOCIATED WITH CERT 88208
AND PORTIONS OF OF CERT 91444, 95946, & 67246 IN THE NAME OF SKYE KREBS
T2N, T3N, R22E, W.M. IN GILLIAM COUNTY
SHEET 2 OF 4

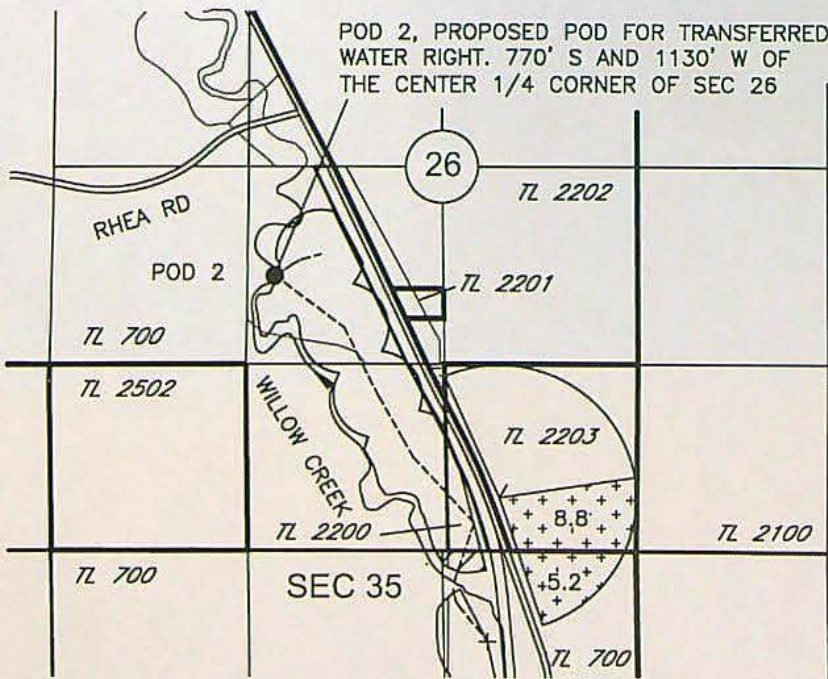
"FROM LANDS"
A PORTION OF CERT 91444



T3N, R22E, W.M.
LEGEND

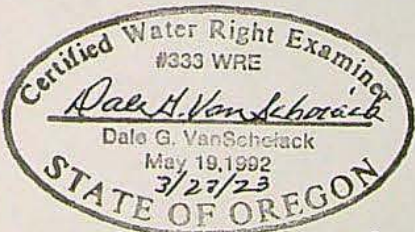
- WATER RIGHT BEING TRANSFERRED
"FROM LANDS"
- PORTION OF WATER RIGHT
NOT INVOLVED IN TRANSFER
- CERT 91444, 14.0 AC
- PORTION OF CERT 91444
NOT INVOLVED IN
TRANSFER 7.2 AC

"TO LANDS"
CERT 91444"



LEGEND

- WATER RIGHT BEING TRANSFERRED
"TO LANDS"
- CERT 91444, 14.0 AC
(POD 2)



Renews 6/30/24

T3N, R22E, W.M.

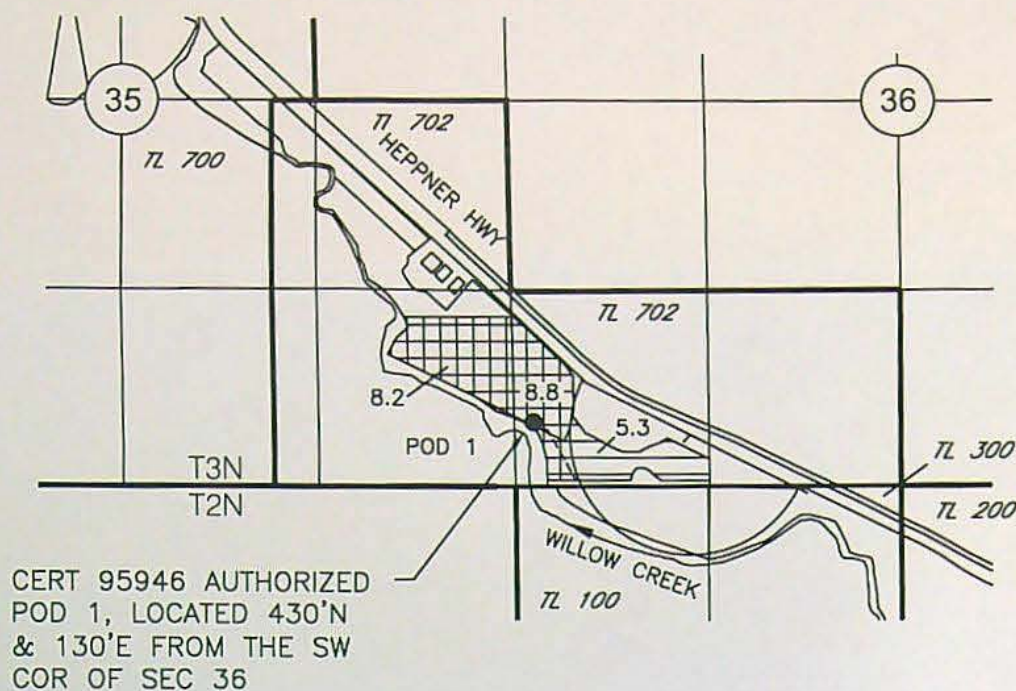
RECEIVED
JUN 02 2023
OWRD

DGV Consulting, PLLC
PHONE (509) 627-8717
dalevconsulting@gmail.com
Date: Mar 11, 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. PIPELINE LOCATIONS AND SIZES WERE PROVIDED BY THE WATER USER AND HAVE NOT BEEN VERIFIED.

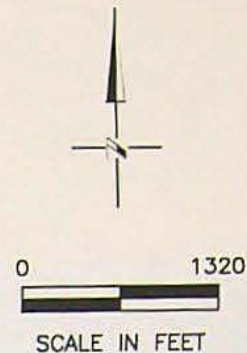
TRANSFER APPLICATION MAP ASSOCIATED WITH CERT 88208
AND PORTIONS OF OF CERT 91444, 95946, & 67246 IN THE NAME OF SKYE KREBS
T2N, T3N, R22E, W.M. IN GILLIAM COUNTY
SHEET 3 OF 4

"FROM LANDS"
A PORTION OF CERT 95946




CERT 95946 AUTHORIZED
POD 1, LOCATED 430'N
& 130'E FROM THE SW
COR OF SEC 36

R22E, W.M.




LEGEND

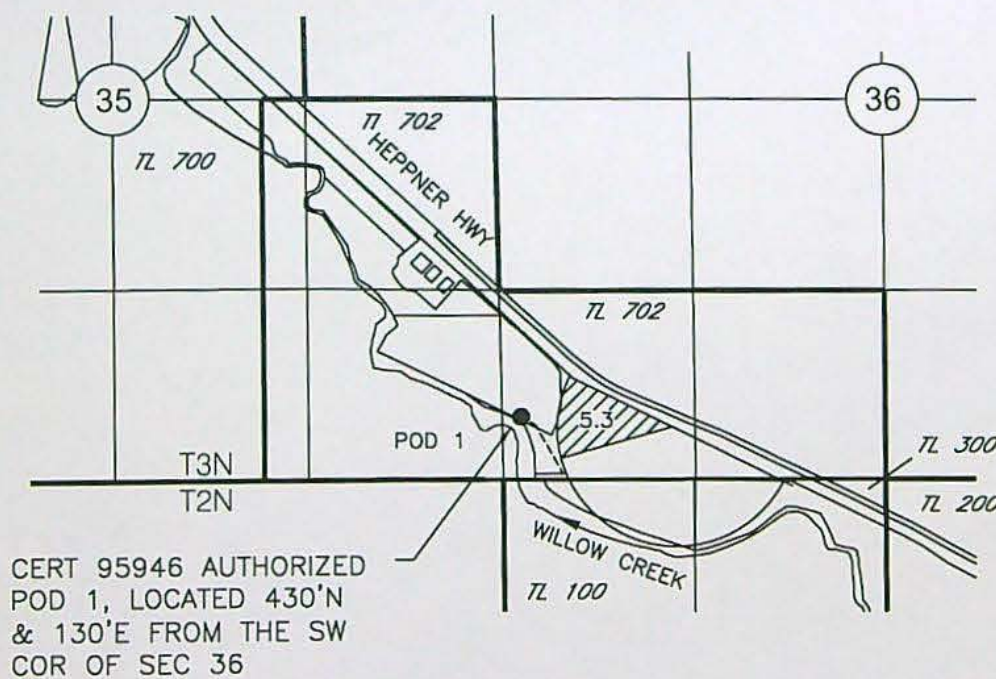
WATER RIGHT BEING TRANSFERRED
"FROM LANDS"

 CERT 95946, 5.3 AC

PORTION OF WATER RIGHT
NOT INVOLVED IN TRANSFER

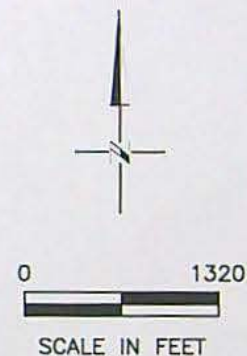
 PORTION OF CERT 95946
NOT INVOLVED IN TRANSFER
17.0 AC

"TO LANDS"
A PORTION OF CERT 95946




CERT 95946 AUTHORIZED
POD 1, LOCATED 430'N
& 130'E FROM THE SW
COR OF SEC 36

R22E, W.M.



LEGEND

WATER RIGHTS BEING TRANSFERRED
"TO LANDS"

 CERT 95946, 5.3 AC
(POD 1)

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. PIPELINE LOCATIONS AND SIZES WERE PROVIDED BY THE WATER USER AND HAVE NOT BEEN VERIFIED.



Received 6/30/23

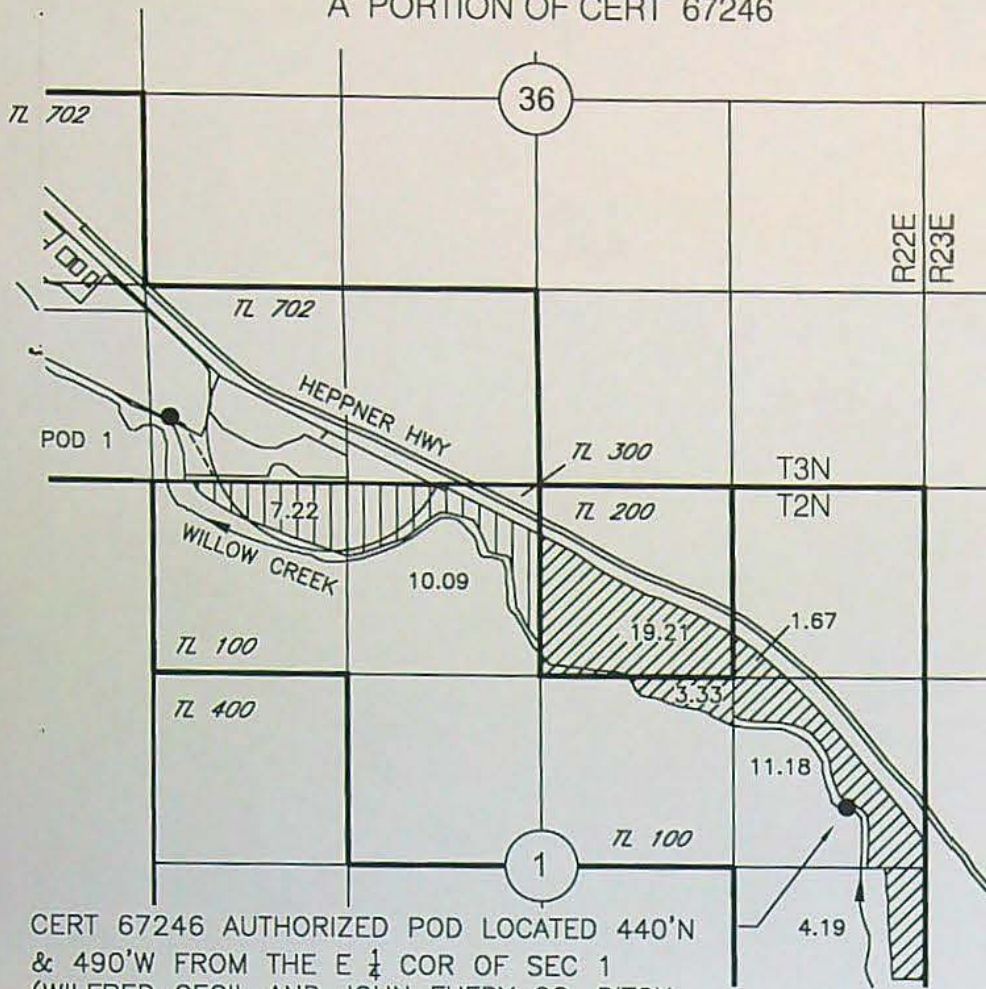
RECEIVED
JUN 02 2023
OWRD

DGV Consulting, PLLC
PHONE (509) 627-8717
dalevconsulting@gmail.com
Date: Mar 1, 2023

TRANSFER APPLICATION MAP ASSOCIATED WITH CERT 88208
AND PORTIONS OF OF CERT 91444, 95946, & 67246 IN THE NAME OF SKYE KREBS
T2N, T3N, R22E, W.M. IN GILLIAM COUNTY
SHEET 4 OF 4

"FROM LANDS"

A PORTION OF CERT 67246



CERT 67246 AUTHORIZED POD LOCATED 440'N
& 490'W FROM THE E 1/4 COR OF SEC 1
(WILFRED CECIL AND JOHN FUEDY CO. DITCH
NO. 2)

LEGEND

WATER RIGHT BEING TRANSFERRED
"FROM LANDS"



CERT 67246, 17.31 AC

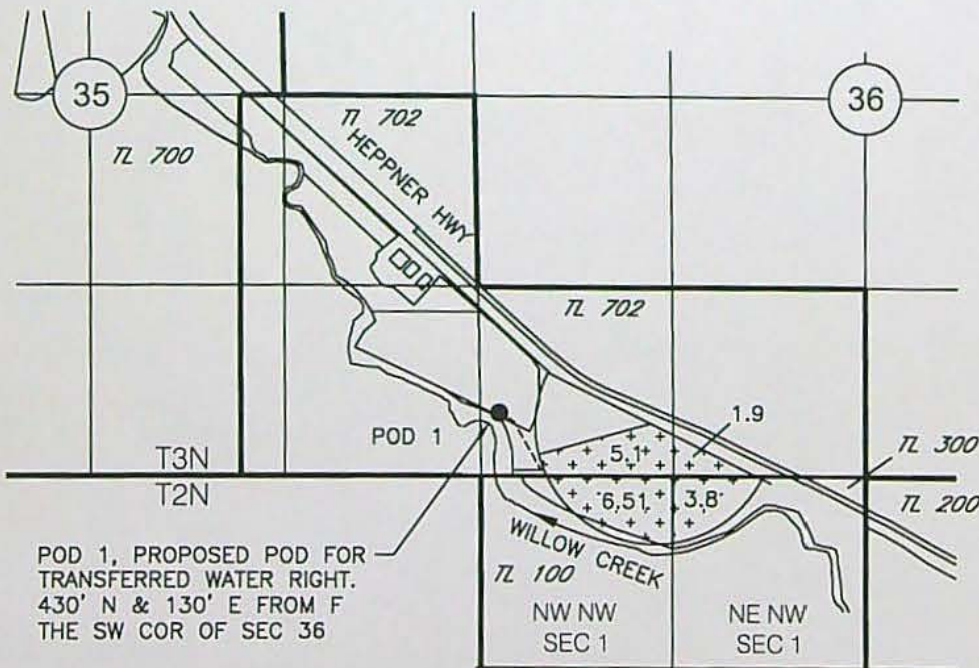
PORTION OF WATER RIGHT
NOT INVOLVED IN TRANSFER



PORTION OF CERT 67246 NOT
INVOLVED IN TRANSFER 39.58 AC

"TO LANDS"

CERT 67246



POD 1, PROPOSED POD FOR
TRANSFERRED WATER RIGHT.
430' N & 130' E FROM F
THE SW COR OF SEC 36

R22E, W.M.

RECEIVED
JUN 02 2023
OWRD

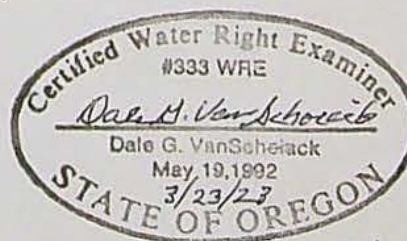
LEGEND

WATER RIGHT BEING TRANSFERRED
"TO LANDS"



CERT 67246, 17.31 AC
(POD 1)

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. PIPELINE LOCATIONS AND SIZES WERE PROVIDED BY THE WATER USER AND HAVE NOT BEEN VERIFIED.



Renew 6/30/24

DGV Consulting, PLLC
PHONE (509) 627-8717
dalevconsulting@gmail.com
Date: Mar 11, 2023



Oregon

Tina Kotek, Governor

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

May 2, 2023

Skye and Penny Krebs
73654 Highway 74
Ione, OR 97843

RECEIVED

JUN 02 2023

OWRD

Dear Sky and Penny Krebs:

On March 28, 2022, the Department received your application for permanent transfer for Certificates 88208, 67246, 91444, and 95946.

We are returning your application for supporting documentation for Evidence of Use that does not contain sufficient detail to establish location of the photographs (per OAR 690-380-3000(12)(a)(C)).

Please provide dated aerial photos sufficient to determine the location of the field for Certificate 91444

Sincerely,

Dante J. Luongo
Transfers Specialist
Transfers and Conservation Section

P.S. To help out the future caseworker, if possible, please submit aerial photos with color.

Enclosure:

Transfer Application and Attachments

Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer # T-14259

Checked by <u>Dante</u>	Type of Change(s) Proposed: <u>NO</u> other changes allowed other than those listed	
Date <u>6/6/2023</u>		
Fee Received: \$4280	<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: \$4280		How many rights to be Transferred? <u>4</u>
Deficiencies and Observations:		Certificate #(s) <u>88208, 67246, 91444, and 95946</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 _____
- ☒ 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 _____

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
	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>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	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		4	0
	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		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
	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 »		
7	If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	