

Temporary

T-14497

Name Eagle Ranch
c/o Arthur Prior
 Address 1333 Columbia Park Trail
Richland, WA 99350
arthur@eoni.com

Change in POU
 Date Filed 6/28/2024
 Initial notice date 7/16/2024
 DPD issued date _____
 PD issued date _____
 PD notice date _____
 Date of FO 12/26/2024 Vol 133 Page 10-613

C-Date _____
 COBU due date _____
 COBU Received date _____
 Certificate issued _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream A wellTrib. of Umatilla River BasinUse Irrigation, Supplemental Irrigation County Umatilla

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

Name of ditch _____

App# G-7138 Per # G-6588 Cert # 97540 PR Date 10-15-1975

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

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

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

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

FEES PAID

Date	Amount	Receipt #
<u>6-28-24</u>	<u>\$1,289.66</u>	<u>143213</u>

FEES REFUNDED

Date	Amount	Receipt #
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Assignments: _____

Irrigation District Westland Irrigation DistrictAgent William Porfily
wporfily@gmail.com

CWRE _____

CC's list Umatilla 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

www.oregon.gov/owrd

December 26, 2024

Eagle Ranch
C/O Arthur Prior
1333 Columbia Park Trail
Richland, WA 99350

REFERENCE: District Temporary Transfer Application T-14497

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

The temporary change shall be effective at the **beginning of the 2024 irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2024 irrigation season**.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Arla Davis, by telephone at (503) 979-3129 or by e-mail at Arla.I.davis@water.oregon.gov.

Sincerely,

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

cc: Gregory M. Silbernagel, Watermaster Dist. # 5 (via email)
William Porfily, Agent
Umatilla County Planning Department, Local Government
Irrigation District: Westland Irrigation District & Ann Reece (if in District)

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING A TEMPORARY
T-14497, UMATILLA County)	CHANGE IN PLACE OF USE

Authority

Oregon Revised Statute (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of appropriation authorized under an existing water right. Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

EAGLE RANCH
c/o ARTHUR PRIOR
1333 COLUMBIA PARK TRAIL
RICHLAND, WA 99350

Findings of Fact

1. On June 28, 2024, Eagle Ranch c/o Arthur Prior, filed an application to temporarily change the place of use and under Certificate 97540 for a period of 1 year. The Department assigned the application number T-14497.
2. Notice of the application for transfer was published on July 16, 2024, pursuant to OAR 690-380-4000.
3. On December 10 and 11, 2024, the Department contacted the applicant's agent via email regarding a deficiency in the application, specifically the applicant did not provide the Department's Supplemental Form U and an attachment referenced in the application that provides a description of the delivery system, demonstrating that the applicant is ready, willing and able, pursuant to OAR 690-380-3000(10).

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may petition for judicial review or petition the Director for reconsideration of this order. A petition for reconsideration may be granted or denied by the Director, and if no action is taken within 60 days following the date the petition was filed, the petition shall be deemed denied.

4. On December 11, 2024, the applicant's agent provided the attachment describing the water delivery system, satisfying the deficiency.
5. On December 17, 2024, the applicant's agent provided a Supplemental Form U, satisfying the deficiency.
6. The portion of the right to be transferred is as follows:

Certificate: 97540 in the name of EAGLE RANCH (perfected under Permit G-6588)
Use: IRRIGATION, of 125.8 ACRES
Priority Date: OCTOBER 15, 1975
Rate: 1.57 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: THREE WELLS in the UMATILLA RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	28 E	WM	1	SE NW	WELL NO. 4: 2640 FEET SOUTH AND 630 FEET WEST FROM THE N1/4 CORNER OF SECTION 1
2 N	28 E	WM	2	NE SE	WELL NO. 8: 2800 FEET SOUTH AND 500 FEET WEST FROM THE NE CORNER OF SECTION 2
2 N	28 E	WM	10	NW NE	WELL (ORIGINAL WELL): 1020 FEET SOUTH AND 1670 FEET WEST FROM THE NE CORNER OF SECTION 10

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	28 E	WM	3	NE NE	32.0
2 N	28 E	WM	3	NW NE	31.6
2 N	28 E	WM	3	SW NE	31.0
2 N	28 E	WM	3	SE NE	31.2
Total					125.8

7. Temporary Transfer Application T-14497 proposes to temporarily change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	28 E	WM	3	NE NE	31.1
2 N	28 E	WM	3	NW NE	33.4
2 N	28 E	WM	3	SW NE	35.3
2 N	28 E	WM	3	SE NE	26.0
Total					125.8

8. Temporary Transfer Application T-14497 proposes to temporarily transfer a water right within the boundaries of Westland Irrigation District. The district was notified of the proposed temporary transfer and did not provide any comments.
9. The authorized place of use as described in Finding of Fact #6, above, is appurtenant to lands described under Permits S-55061, S-55192, S-54633, and S-55401. These permits provide for pre-planned (only) annual use of water from the Columbia River, tributary to the Pacific Ocean, within certain constraints and permissions as outlined in the permits.
10. The proposed place of use as described in Finding of Fact #7, above, is appurtenant to lands described under Permits S-55061, S-55192, S-54633, and S-55401. These permits provide for pre-planned (only) use of water from the Columbia River, tributary to the Pacific Ocean, within certain constraints and permissions as outlined in the permits.

Temporary Transfer Review Criteria

11. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
12. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
13. The proposed change would prevent the lands from which the water right is removed during the period of the temporary transfer from receiving water under the transferred right, as required by ORS 540.523(7).
14. The proposed change would not result in injury to other water rights.

Conclusions of Law

The temporary change in place of use proposed in Temporary Transfer Application T-14497 is consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

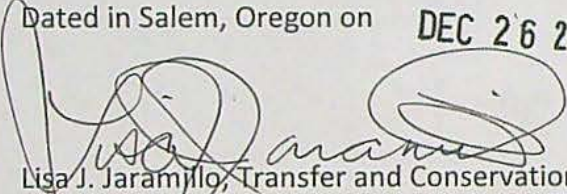
Now, therefore, it is ORDERED:

1. The temporary change in place of use proposed in Temporary Transfer Application T-14497 is approved.
2. The former place of use shall not be irrigated as part of this water right during the 2024 irrigation season.
3. The use shall revert to the authorized place of use at the end of the 2024 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.

5. A subsequent application for permanent transfer of Certificate 97540 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
9. The use of the remaining water right described by Certificate 97540 shall continue to be in accordance with the terms and conditions of Certificate 97540.

Dated in Salem, Oregon on

DEC 26 2024


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

Mailing Date: DEC 27 2024

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-14497

Review Due Date:

Applicant Name: Eagle Ranch C/O Arthur Prior

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

Reviewer(s): Greg Silbernagel

Date of Review: 12/17/2024

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:
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

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

☒ N/A

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

☒ N/A

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

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

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

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

☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

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

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

i. "Injury" will occur to other water rights that share the same source?
☐ Yes ☐ No If "Yes", explain:

ii. "Enlargement" of the water right being transferred will occur?
☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐ Weir
☐ Parshall Flume
☐ Other: _____

☐ Submerged Orifice
☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- 14497



In order to avoid enlargement of the right or injury to other rights, a totalizing flowmeter 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: Greg Silbernagel

District: 5

Address: 116 SE Dorion Avenue

City/State/Zip: Pendleton, Oregon 97801

Phone: 541-969-1677

Email: Greg.M.Silbernagel@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

**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 # **143213**

INVOICE # _____

RECEIVED FROM: Eagle Ranch
BY: _____

APPLICATION	_____
PERMIT	_____
TRANSFER	T-14497

CASH: ☐ CHECK: # 58200 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 1,289.66

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

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

0205 TRANSFER \$ 1,289.66

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE	\$ _____	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: **143213**

DATED: 6/28/24 BY: [Signature]

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

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



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

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

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

FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 1 List them here: 79672**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2024 End Year: 2024.**
- ☒ ☐ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

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

Received
JUN 28 2024
OWRD

Part 2 of 5 – Temporary Transfer Application Map Checklist

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

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

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

Received
JUN 28 2024
OWRD

[illegible]

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
	Enter the cfs for the portions of the rights to be transferred (see example below*): <div style="text-align: center;">_____ (2a)</div> Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » »		
2		2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » Transfer Fee:	3	

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

14497 - OWRD

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Eagle Ranch C/O Arthur Prior			PHONE NO. 541-561-4769	ADDITIONAL CONTACT NO.
ADDRESS 1333 Columbia Park Trail			FAX NO.	
CITY Richland	STATE WA	ZIP 99350	E-MAIL arthur@eoni.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.				

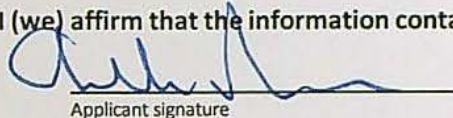
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

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

Explain in your own words what you propose to accomplish with this transfer application and why:
We plan to move the water rights off a crop that is growing fallow this year to a crop that will need the water.

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

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


Applicant signature

Arthur Prior
Print Name (and Title if applicable)

6-27-2024
Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

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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 rows to tables within the form.

Water Right Certificate # 79672

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Description of Water Delivery System

System capacity: 3.34 cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. [Please See Attached Delivery Map](#)

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, DLCor Gov't Lot	Measured Distances (from a recognized survey corner)
UMAT 476	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	ORIGINAL WELL	2	N	28	E	10	NW	NE	2100	1020 FT S & 1670 FT WEST FROM THE NE COR OF SEC 10
UMAT 468	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WELL 4	2	N	28	E	1	SE	NW	200	2640 FT S & 630 FT WEST FROM THE N ¼ COR OF SEC 1
UMAT 1285	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed	WELL 8	2	N	28	E	2	NE	SE	500	2800 FT S & 500 FT WEST FROM THE NE COR OF SEC 2

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

- | | |
|---|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> 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) | |

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

- | | |
|---|---|
| <input type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Diversion (APOD) |

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 79672

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.																
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DL C	Acres	Type of USE listed on Cert	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DL C	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date					
2	N	28	E	3	NE	NE	700		32.0	IRR	WELL, WELL 4&8	10/15/1975	POU	3	N	28	E	9	NE	SE		31.1	SUPP IRR	WELL, WELL 4&8	10/15/1975				
2	N	28	E	3	NW	NE	700		31.6	IRR	WELL, WELL 4&8	10/15/1975	POU	3	N	28	E	9	NW	SE		33.4	SUPP IRR	WELL, WELL 4&8	10/15/1975				
2	N	28	E	3	SW	NE	700		31.0	IRR	WELL, WELL 4&8	10/15/1975	POU	3	N	28	E	9	SW	SE		35.3	SUPP IRR	WELL, WELL 4&8	10/15/1975				
2	N	28	E	3	SE	NE	700		31.2	IRR	WELL, WELL 4&8	10/15/1975	POU	3	N	28	E	9	SE	SE		26.0	SUPP IRR	WELL, WELL 4&8	10/15/1975				
TOTAL ACRES									125.8																				
										TOTAL ACRES															125.8				

Additional remarks: _____

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For Place of Use Changes

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

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

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

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

- ☐ Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation N/A

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

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

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☒ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME Westland Irrigation District	ADDRESS 77096 OR-207	
CITY Echo	STATE OR	ZIP 97826

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME Umatilla County	ADDRESS 216 E 4 th ST	
CITY Pendleton	STATE OR	ZIP 97801

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Application for Water Right Transfer

Evidence of Use Affidavit



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

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

State of Oregon)
) ss
County of UMATILLA

I, EAGLE RANCH C/O ART PRIOR, in my capacity as OWNER,
mailing address 1333 COLUMBIA PARK TRAIL, RICHLAND, WA 99350
telephone number (541)561-4769, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

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

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Tax Lot	Acres (if applicable)
76972	2	N	28	E	W.M	3	NE	NE	700	32.0
76972	2	N	28	E	W.M	3	NW	NE	700	31.6
76972	2	N	28	E	W.M	3	SW	NE	700	31.0
76972	2	N	28	E	W.M	3	SE	NE	700	31.2

OR

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

(continues on reverse side)

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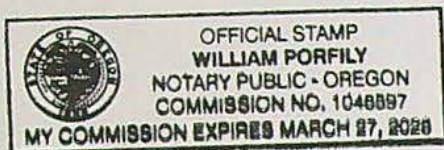
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS

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

[Signature]
Signature of Affiant

6-24-2024
Date

Signed and sworn to (or affirmed) before me this 24 day of June, 2024.



William Porfily
Notary Public for Oregon

My Commission Expires: march 27, 2028

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 <u>GOOGLE EARTH AERIAL PHOTO 4/14/2021</u>	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU — www.oregonexplorer.info/imagery OWRD — www.wrd.state.or.us Google Earth — earth.google.com TerraServer — www.terra-server.com
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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Vey Rd

Vey Rd

SECTION 3

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QUIT CLAIM DEED

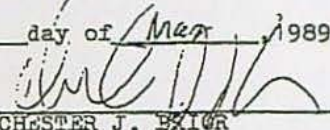
145148

CHESTER J. PRIOR, and ROSALIE PRIOR, husband and wife individually, and CHESTER J. PRIOR, TRUSTEE FOR THE MICHAEL WILLIAM PRIOR TRUST, the ARTHUR RAY PRIOR TRUST, and the DAVID CHESTER PRIOR TRUST, in consideration for the transfer to a family partnership do hereby release, and quit claim to EAGLE RANCH, GRANTEE, all right, title and interest in and to these real properties situated in the County of Umatilla, State of Oregon, as more particularly described on Exhibit "A" attached hereto which by this reference is made a part hereof.

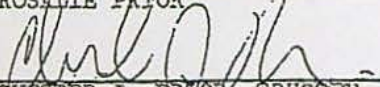
THIS DEED will not allow use of the property described in this instrument in violation of applicable land use laws and regulations. Before signing or accepting this instrument, the person acquiring fee planning department to verify approved uses. *Consideration \$1*

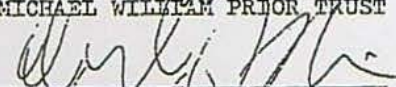
UNTIL a change is requested, all tax statements shall be sent to the following address: Eagle Ranch, Star Route, Echo, Oregon 97826.


DATED THIS 29 day of May, 1989.


CHESTER J. PRIOR


ROSALIE PRIOR


CHESTER J. PRIOR, TRUSTEE
MICHAEL WILLIAM PRIOR TRUST


CHESTER J. PRIOR, TRUSTEE
ARTHUR RAY PRIOR TRUST


CHESTER J. PRIOR, TRUSTEE
DAVID CHESTER PRIOR TRUST

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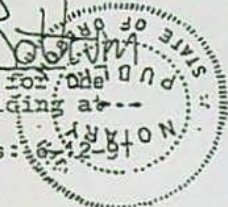
STATE OF OREGON

County of UMATILLA

} ss.

On this 29th day of March, 1989, before me a
Notary Public in and for the said State, Personally appeared,
CHESTER J. PRIOR and ROSALIE PRIOR, husband and wife individually,
known to me to be the persons whose names are subscribed to the
within instrument, and acknowledged to me that they executed the
same.

Cyril Edward Robinson
NOTARY PUBLIC IN and for the
State of OREGON, Residing at --
Echo, Oregon.
My Commission Expires: 6-12-91



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EXHIBIT "A"

TO QUIT CLAIM DEED BETWEEN Chester J. Prior
and Rosalie Prior grantors in favor of Eagle
Ranch a Partnership as Grantee.

TOWNSHIP 2 NORTH. RANGE 23. E. W. M.

Section 1: West half.

Section 2: North half.
Southeast Quarter.

Section 3: North half.

TOWNSHIP 3 NORTH. RANGE 23. E. W. M.

Section 9: All

Section 10: West half.

Section 14: South Half of Northwest Quarter.
West Half of Southwest quarter.
Northeast Quarter of Southwest Quarter.

ALSO, beginning at a point on North line of Southeast
Quarter of Southwest Quarter of said Section 14, at a
point 158.5 feet East of Northwest corner of said
Southeast Quarter of Southwest Quarter of said Section
14: thence in a Southwesterly direction a distance of
346 feet to a point on West line of Southeast Quarter
of Southwest Quarter of said Section 14, a distance of
303 feet South of Northwest corner of Southeast Quarter
of Southwest Quarter of said Section 14: thence North
along said west line a distance of 303 feet to Northwest
corner of said Southeast Quarter of Southwest Quarter of
said Section 14: thence East a distance of 158.5 feet
to the point of beginning.

Section 15: East Half of Northeast Quarter.
Southeast Quarter.
West half.

Section 16: All

Section 17: East Half of Northeast Quarter or Northeast Quarter.
West Half of Northwest Quarter of Northeast Quarter.

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South Half of Northeast Quarter.

Southeast Quarter of Northwest Quarter.
Southwest Quarter of the Northeast Quarter of the Northeast
Quarter.
South Half.

Northeast Quarter of Northwest Quarter or Northeast
Quarter, excepting therefrom that tract conveyed to
State of Oregon, by and through its State Highway
Commission, by Deed recorded in Book 130, Page 564.
Deed Records:

Southeast Quarter of the Northwest Quarter of the
Northeast Quarter.

Section 18: Southeast Quarter of Southeast Quarter.

Section 19: East Half of Northeast Quarter.

Section 21: All

Section 22: Northwest Quarter.

Section 25: All

Section 26: South Half.

Section 29: North Half.

Section 30: All that portion of Northeast Quarter lying Easterly
of State Highway No. 207:

EXCEPTING THEREFROM, commencing at Southwest corner
of said Section 30; thence North 50° 36' 55" East a
distance of 5295.62 feet to a point on East right of
way line of Oregon State Highway No. 207, said point
being the true point of beginning for this description;
thence along said East right of way line along a 1 curve
to the left, the chord bears North 23° 00' East 298.76
feet a distance of 298.88 feet; thence leaving said East
right of way line East a distance of 259.93 feet; thence
South 275 feet; thence West a distance of 376.46 feet to
the true point of beginning:

Section 35: All

Section 36: All

TOWNSHIP 3 NORTH, RANGE 29. E. W. M.

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Section 18: A tract of land located in Northwest Quarter of said Section 18, described as beginning at West Quarter corner of said Section 18: thence North 88° 07' 58" East along East-West centerline of said Section a distance of 1851.41 feet to the true point of beginning of this description, which is Southwest corner of Andrews Tract: thence North 1° 08' 45" West along West line of said Andrews Tract a distance of 289.06 feet to intersection with the arc of a radial sprinkler line who's radius is 1339.75 feet: thence along said arc of said radial sprinkler line which curves to the right a distance of 534.79 feet, the long chord of which bears South 58° 52' 59" East a distance of 531.25 feet, to a point of intersection with East-West centerline of said Section 18: thence South 88° 07' 58" West along said East-West centerline a distance of 449.27 feet to the point of beginning:

Also that portion of West Half of Northwest Quarter of said Section 18, lying and being Southerly of Southerly line of the Hinkle Ditch:

Section 18: Southwest Quarter.

EXCEPTING a tract of land located in Southwest Quarter of said Section 18, described as beginning at South Quarter corner of said Section: thence South 87° 21' 44" West along South line of said Section a distance of 658.81 feet to intersection with the arc of a radial sprinkler line who's radius is 1290 feet: thence along said arc of said radial sprinkler line which curves to the right a distance of 1235.06 feet, the long chord of which bears North 34° 33' 40" East a distance of 1138.43 feet, to intersection with North-South centerline of said Section: thence South 1° 00' 38" East along said North-South centerline a distance of 1066.76 feet to the point of beginning.

All bearings shown herein are from Oregon State Highway Grid bearings, North Zone.

ALSO EXCEPTING a tract of land described as beginning at South 1/16 corner center to center of said Section 18: thence South 01° 00' 38" East a distance of 80 feet: thence South 87° 44' 53" West a distance of 474.71 feet: thence North 00° 03' 40" East 528.93 feet: thence North 15° 40' 10" West a distance of 580.90 feet: thence North 32° 19' 33" West a distance of 340 feet: thence North 88° 47' 45" East a distance of 779 feet: thence South 00° 29' 35" East a distance of 1257.61 feet to the point of beginning:

Section 19: that portion of said Section 19, lying North of Oregon State Highway No. 320.

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EXCEPTING a track or lane located in North half of said Section 19 described as beginning at North Quarter corner of said Section; thence North 87° 21' 44" East along North line of said Section a distance of 1909.13 feet to intersection with the arc of a radial sprinkler line whose radius is 1290 feet; thence along said arc of said radial sprinkler line which curves to the right a distance of 4254.94 feet to a point intersection with North line of said Section, said point bears South 87° 21' 44" West along North line of said Section a distance of 2567.94 feet; thence North 87° 21' 44" East along North line of said Section a distance of 658.81 feet to the point of beginning;

ALL bearings shown herein are from Oregon State Highway grid bearings, North Zone.

ALSO EXCEPTING a tract of land described as commencing at Northeast corner of said Section 19, thence South 1° 22' 23" East along East line of said Section 19 a distance of 622.01 feet to centerline of Oregon State Highway No. 320; thence along said centerline the following courses and distances: South 57° 31' 25" West 993.04 feet; thence along the arc of a 2864.93 foot radius curve to the right, the chord of which bears South 63° 39' 02" West 611.35 feet a distance of 612.72 feet; thence South 69° 46' 40" West a distance of 166 feet to the true point of beginning; thence continuing South 69° 47' 40" West a distance of 943.51 feet; thence leaving said centerline and at a right angle North 20° 13' 20" West 341.95 feet; thence South 68° 54' 52" West 448 feet; thence North 21° 05' 08" West 154 feet; thence North 68° 54' 52" East 409.14 feet to an intersection with the crop line of a 1320.14 foot radius irrigated agriculture circle; thence along said crop line and along the arc of a 1320.14 foot radius curve to the left the chord of which bears South 86° 06' 16" East 1076.86 feet a distance of 1111.39 feet; thence South 20° 13' 20" East a distance of 54.41 feet to the true point of beginning;

ALSO EXCEPTING a tract of land described as beginning at Northeast corner of said Section 19; thence South 01° 22' 23" East along East line of said Section 19 a distance of 622.01 feet to centerline of Oregon State Highway No. 320; thence South 57° 31' 25" West along centerline of said Highway No. 320 a distance of 993.04 feet; thence continuing along said highway centerline along the arc of a 2864.93 foot radius curve to the right, the chord of which bears South 63° 39' 02" West 611.35 feet a distance of 612.72 feet; thence continuing along centerline of said highway South 69° 46' 40" West a distance of 166 feet; thence at a right angle North 20° 13' 21" West a distance of 54.41 feet to an intersection with crop line of 1320.14 foot radius agriculture irrigated

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circle: thence along said arc line and along the arc of a 1320.14 foot radius curve to the left. the chord of which bears North 31° 21' 38" East 1640.62 feet a distance of 1770.32 feet to intersection with North line of said Section 19: thence along said North line North 87° 21' 44" East a distance of 642.34 feet to the point of beginning for this description.

ALSO EXCEPTING a tract described as commencing at the Northeast corner of said Section 19: thence South 1° 22' 23" East along East line of said Section 19 a distance of 622.01 feet to centerline of Oregon State Highway No. 320: thence along said centerline the following courses and distances: South 57° 31' 25" West 993.04 feet: thence along the chord of which bears South 63° 39' 02" West 611.55 feet a distance of 612.72 feet: thence South 69° 46' 40" West a distance of 166 feet: thence continuing South 69° 46' 40" West a distance of 943.51 feet to the true point of beginning of this description; thence South 69° 46' 40" West along said centerline a distance of 446.20 feet: thence leaving said centerline and at a right angle North 20° 13' 20" West a distance of 125 feet: thence North 69° 46' 40" East and parallel with said centerline a distance of 446.30 feet: thence South 20° 13' 20" East to said centerline a distance of 125 feet to the true point of beginning:

SUBJECT to a 50 foot highway right of way along Southernly boundary.

SUBJECT to any and all water rights of way and roads:

All being East of the Willamette Meridian, Umatilla County, Oregon.

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J. DEAN FOUQUETTE
COUNTY CLERK
1989 MAR 29 P 2:23

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STATE OF OREGON, } ss
COUNTY OF UMATILLA.
I, J. Dean Fouquette, Sr., County Clerk,
certify that this instrument was received and
recorded
ON MAR 29 1989
at 2:23 o'clock P. M. in the record
of DEEDS of said County in
Book Page
R177 1580
J. DEAN FOUQUETTE, SR.
County Clerk
By Betty J. Brown Deputy
Fees \$ 45.00 No. 145148

Chester J. Prior
Star Rte
Echo, Ar 97826

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Land Use Information Form



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

NAME Eagle Ranch C/O Arthur Prior			PHONE 541-561-4769		
MAILING ADDRESS 1333 Columbia Park Trail					
CITY Richland	STATE WA	ZIP 99350	EMAIL arthur@eoni.com		

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:
2N	28E	3	NE	700	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input type="checkbox"/> Used	IRR
3N	28E	9	SE	3000	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
3N	28E	9	SE	2900	EFU	<input type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	IRR
						<input type="checkbox"/> Diverted	<input type="checkbox"/> Conveyed	<input type="checkbox"/> Used	

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

UMATILLA COUNTY

NOTE: A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 3.34
☒ cubic feet per second
☐ gallons per minute
☐ acre-feet

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

Briefly describe:

IRRIGATION FOR THE 2024 CORN CROP

Note to applicant: For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 →

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): UCDC 152.054(A)
- ☐ Land uses to be served by the proposed water use(s), 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

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

Name: CAROL JOHNSON Title: Planner

Signature: Carol Johnson Date: 07/03/2024

Governmental Entity: Umatilla County Phone: 541-278-10252

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: _____

Staff Name: _____ Title: _____

EAGLE RANCH 2024 TEMP TRANSFER
T2N RANGE 28 E WM
FROM MAP



125.8 AC
79672 CERT
PRIMARY
PRIOR 1975

POINTS OF APPROPRIATION

ORIGINAL WELL

2N, 28E, SEC 10, NW NE, 1020 FT S & 1670
FT WEST FROM THE NE COR OF SEC 10

WELL 4

2N, 28E SEC 1, SE NW, 2640 FT S. & 630 FT
W. FROM THE N $\frac{1}{4}$ COR OF SEC 1

WELL 8

2N, 28E SEC 2, NE SE, 2800 FT S. & 500 FT
W. FROM THE NE COR OF SEC 2



EAGLE RANCH 2024 TEMP TRANSFER
T3N RANGE 28 E WM
TO MAP



125.8 AC
79672 CERT
SUPPLEMENTAL
PRIOR 1975

POINTS OF APPROPRIATION

ORIGINAL WELL

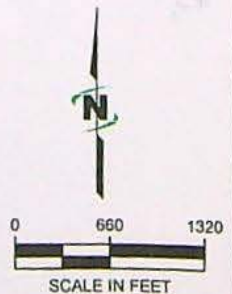
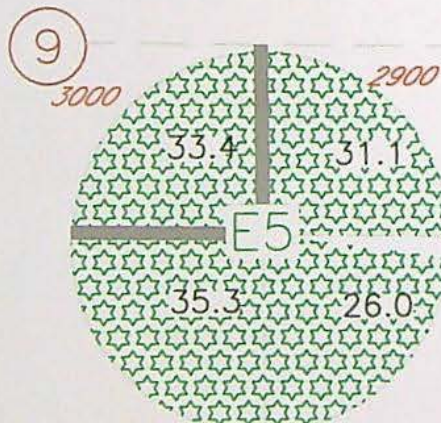
2N, 28E, SEC 10, NW NE, 1020 FT S & 1670
FT WEST FROM THE NE COR OF SEC 10

WELL 4

2N, 28E SEC 1, SE NW, 2640 FT S. & 630 FT
W. FROM THE N $\frac{1}{4}$ COR OF SEC 1

WELL 8

2N, 28E SEC 2, NE SE, 2800 FT S. & 500 FT
W. FROM THE NE COR OF SEC 2



14497 -

DRAWING:C:\Users\Bill Porfily\Desktop\2024 NON DISTRICT TEMP TRANSFER.dwg

Received
JUN 28 2024

OWRD

EAGLE RANCH 2024 TEMP TRANSFER
T2N RANGE 28 E WM
FROM MAP

125.8 AC
79672 CERT
PRIMARY
PRIOR 1975

POINTS OF APPROPRIATION

ORIGINAL WELL

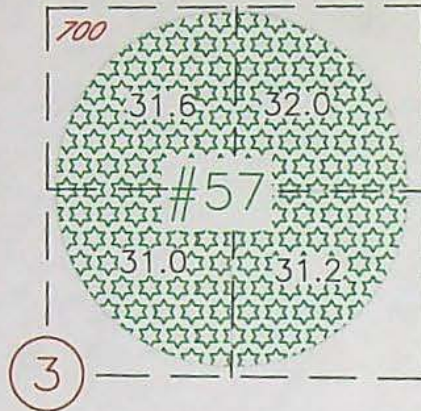
2N, 28E, SEC 10, NW NE, 1020 FT S & 1670
FT WEST FROM THE NE COR OF SEC 10

WELL 4

2N, 28E SEC 1, SE NW, 2640 FT S. & 630 FT
W. FROM THE N $\frac{1}{4}$ COR OF SEC 1

WELL 8

2N, 28E SEC 2, NE SE, 2800 FT S. & 500 FT
W. FROM THE NE COR OF SEC 2



EAGLE RANCH 2024 TEMP TRANSFER
T3N RANGE 28 E WM
TO MAP

125.8 AC
79672 CERT
SUPPLEMENTAL
PRIOR 1975

POINTS OF APPROPRIATION

ORIGINAL WELL

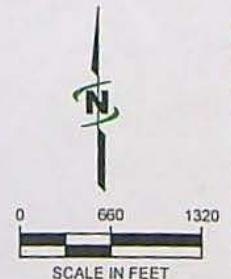
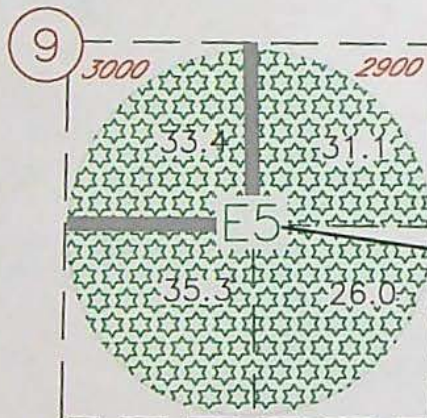
2N, 28E, SEC 10, NW NE, 1020 FT S & 1670
FT WEST FROM THE NE COR OF SEC 10

WELL 4

2N, 28E SEC 1, SE NW, 2640 FT S. & 630 FT
W. FROM THE N $\frac{1}{4}$ COR OF SEC 1

WELL 8

2N, 28E SEC 2, NE SE, 2800 FT S. & 500 FT
W. FROM THE NE COR OF SEC 2



14497 -

Supplemental Form D

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

[For transfers submitted under OAR Chapter 690 Division 380]



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

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

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

1. APPLICANT INFORMATION

NAME Eagle Ranch C/O Arthur Prior		PHONE (HM) 541-561-4769	
PHONE (WK)	CELL	FAX	
ADDRESS 1333 Columbia Park Trail			
CITY Richland	STATE WA	ZIP 99350	E-MAIL** arthur@conl.com

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME Westland Irrigation District		PHONE (HM) 541-667-2030	
PHONE (WK)	CELL	FAX	
ADDRESS 77096 OR-207			
CITY Echo	STATE OR	ZIP 97826	E-MAIL** CURTIS@WESTLANDIRRIGATION.COM

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

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

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

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.	G 7138	G-6588	97540	YES <input type="checkbox"/> NO <input checked="" type="checkbox"/>
2.	-	-	-	YES <input type="checkbox"/>
3.	-	-	-	YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

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

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

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

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

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

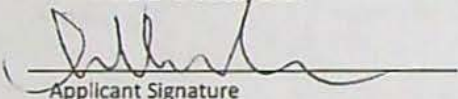
COMMENTS OR ADDITIONAL INFORMATION

4. APPLICANT'S SIGNATURE

- (1) I certify that I have notified the district/water supplier about the proposed water right transfer application by [check one]:

☐ email, ☐ phone, ☐ postal mail, ☒ in person, or ☐ other (please specify) _____

- (2) I certify that to the best of my knowledge the information contained in this Supplemental Form D is true and accurate.


Applicant Signature

ART P RINA
Name (print)

7-8-2024
Date

SIGN HERE

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

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

The district/water supplier certifies the following:

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

- (2) The district/water supplier consents to the proposed water right transfer application.

YES ☐ NO ☐ After proof of completion, the confirming water right certificate is to remain in the name of the U.S. Bureau of Reclamation or the district/water supplier.

YES ☐ NO ☐ The district/water supplier will be responsible for submitting the claim of beneficial use prepared by a Certified Water Rights Examiner (CWRE).

Signature of District Manager /Water Supplier

Name (print), Title

Date

SMITH Joan M * WRD

From: wporfily@gmail.com
Sent: Monday, July 8, 2024 3:49 PM
To: SMITH Joan M * WRD
Subject: Eagle Ranch
Attachments: Signed Supp Form D.pdf; Signed Land Use.pdf; MAP.pdf

Joan,

Here is the Supplemental Form D and the Land Use form for the transfer sent in for Eagle Ranch. I have also attached edited maps with darker lines. In the transfer application I wrote down Certificate 79672 however, it was meant to be Certificate 97540 which replaced 79672 after it was canceled. Please let me know if you need anything else.

Thank you

William Porfily
PO Box 643
Stanfield, OR 97875
Cel (541)561-7259
E-Mail: wporfily@gmail.com

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14497

Transfer Specialist:

Transfer Type: Temporary Transfer

DROUGHT? ☐

Applicant: Arthur Prior 1333 Columbia Park Trail Richland, WA 99350	Agent: William Porfily PO Box 643 Stanfield, OR 97875	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District: Westland Irrigation District
Affected Local Gov'ts: Umatilla County	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

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

Key Dates & Initial Actions (Support Staff)

Rec'd: June 28, 2024	Proposed Action(s): PLACE OF USE	
Fees Pd: 1289.66	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 7 Umatilla
Initial Public Notice: 7/16/2024	County sent cc: of Ack Letter <input checked="" type="checkbox"/>	County: UMATILLA
WM District: 5 Gregory M. Silbernagel	WM Review request sent:	WM Review date received:
Groundwater	GW Review sent:	GW Review date received:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ No. of docs for sig: _____ WM Sheet <input type="checkbox"/>	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

July 9, 2024

Arthur Prior
1333 Columbia Park Trail
Richland, WA 99350

Reference: Application T-14497

On June 28, 2024, the Department received your water right Temporary Transfer Application. The application was accompanied by \$1289.66. Receipt number 143213 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.

Except as provided under ORS 540.510(3) for municipalities, you may not *temporarily* use water at the new place of use until a final order approving the temporary transfer application has been issued by the Department. Additionally, pursuant to OAR 690-380-8010, the lands from which an irrigation water right is to be temporarily transferred and the land to which the right is to be temporarily transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

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

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

Cc: Watermaster Dist. #5, Gregory M. Silbernagel (via email)
William Porfily, Agent
Irrigation District: Westland Irrigation District & Ann Reece (if in District)
Umatilla County Planning Department, Local Government

Enclosure

Temporary Transfer Application Intake Checklist

Transfer # T-14497

Reviewer Corie	Type of Change(s) Proposed: <u>MUST INCLUDE A CHANGE IN PLACE OF USE</u>		
Date 7/1/24	<input checked="" type="checkbox"/> POU	<input type="checkbox"/> POU/POD	<input type="checkbox"/> POU/APOD <input type="checkbox"/> POU/POA <input type="checkbox"/> POU/APOA
Calculated Fee \$		Fee Received \$1289.66	
Certificate(s): 79672 / 97540		Check <u>ALL</u> Certs in WRIS to confirm they are not cancelled	
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs			<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Notes: Certificate is cancelled.			

Application: OAR 690-380-3000; OAR 690-380-3220			
1.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Have <u>ALL</u> of the applicant's signed and dated the application? If no, whose signature is missing?	
2.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Part 5 of application: Does the information match the description of the explanation on Part 4 of the application?	
3.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	For multiple certificates: Each certificate proposed for transfer has their own separate completed Part 5, Tables 1 & 2? If no, which certificate(s) are missing separate Part 5, Tables 1 & 2?	

Map Requirements: OAR 690-380-3100			
4.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	Map included and meets mapping requirements?	
5.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	Map Waiver? The map waiver must be issued by the Department	
Notes:			

Attachments: OAR 690-380-3000			
6.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Evidence of Use included, signed, & notarized w/supporting documentation?	
	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO	Current recorded deed for the land from which the authorized place of use is temporarily being moved included?	
	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	Affidavit of Consent from Landowner(s) described on the deed?	
7.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A	Land Use Form included and signed by the County?	
8.	<input checked="" type="checkbox"/> YES <input type="checkbox"/> NO <input type="checkbox"/> N/A	District: Place of use is in <u>or</u> near an irrigation district?	
	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO	If Yes, is Form D included? Name of the District Westland Irrigation District	
9.	<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A	For changes in POA/APOA – are the well logs included?	
10.	<input type="checkbox"/> YES <input checked="" type="checkbox"/> NO <input type="checkbox"/> N/A	For change in POU within Umatilla County, Supplemental Form U included?	

<input type="checkbox"/>	Application complete: no deficiencies identified, assign a T-number and put this checklist in T-folder.
<input checked="" type="checkbox"/>	Application DEFICIENT: DO NOT accept - return to applicant with letter explaining deficiencies identified.