

Paused per
Lisa

T-13898

T-13898

Regular

HSN and
R28m

RA

Name Phillip & Penelope Knight

Address 34145 SW Cloudrest Lane
Hillsboro OR 97123

Change in PO USE, POA

Date Filed 1/24/2022

Initial notice date 2/18/2022

DPD issued date

PD issued date

PD notice date

Date of FO Vol Page

C-Date

COBU due date

COBU Received date

Certificate issued

DESCRIPTION OF WATER RIGHT

Name of Stream Well

Trib. of Crooked River basin

Use Irrigation

County Crook

Quantity of water (CFS)

No. of Acres

Name of ditch

App# G81025

Per # G7909

Cert # 93285

PR Date 1/25/1978

App# G14094

Per # G18070

Cert # 94893

PR Date 1/21/1977

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

FEES PAID

Date	Amount	Receipt #
1-24-2022	\$6,270.00	137307
1-24-2022	\$125.00	137308
3-7-2022	\$1,925.19	137624

FEES REFUNDED

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

removed 8/8/22

Assignments:

Irrigation District Central Oregon Irrigation district

Agent John Short johnshort@usa.com

CWRE

CC's list Jefferson County community development

☐ - Oversized map - Location

Regular

RA

Name Phillip & Penelope KnightAddress 34145 SW Claudrest Lane
Hillsboro OR 97123

DESCRIPTION OF WATER RIGHT(S)

Name of Stream wellTrib. of Crooked river basinUse IrrigationCounty Crook

Quantity of water (CFS)

No. of Acres

Name of ditch

App# G 81025Per # G 79009Cert # 93235PR Date 1/25/1978App# G 14094Per # G 81010Cert # 94893PR Date 4/7/1977

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

App#

Per #

Cert #

PR Date

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removed 8/8/22

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13898

Transfer Specialist: *Jon*

Transfer Type: Regular Transfer

Applicant: PHILIP KNIGHT 34645 SW CLOUDREST LANE HILLSBORO, OR 97123 Email: _____ Phone: _____		Agent: ☐ N/A JOHN A. SHORT PO BOX 1830 BEND, OR 97709 Email: _____ Phone: _____	
Irrigation District: ☐ N/A Central Oregon Irrigation District Email: _____		CWRE: ☐ N/A Email: _____	
Affected Local Gov'ts: ☐ N/A Jefferson County Community Development Email: _____		Affected Tribal Gov't: ☐ N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: Email: _____		Landowner: ☐ N/A	

Water Rights Affected

File Marked	App. File # or Decree N	R/CR Needed	RR/CR Nos.
☐	G8625 <i>Removed</i>	Yes ☐ No ☐	<i>0.3 acres</i>
☐	G1494 <i>thru</i>	Yes ☐ No ☐	2.8 acres
☐		Yes ☐ No ☐	

Deschutes!

Key Dates & Initial Actions:

Rec'd: January 24, 2022	VARIATION; PLACE OF USE; USE	
Fees Pd: 6270.00	QDFW District:	
Initial Public Notice: February 8, 2022	QDFW Review sent:	
Acknowledgement Letter Sent ☒	GW Review sent: ☐ N/A	
County sent cc: of Ack Letter ☐	BOR notified (date): ☐ N/A	<i>Bend Bulletin News p.</i>
Newspaper quote requested:	Request news \$ sent:	News \$ received:
Request to publish sent:	Affidavit received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____		CW Sent:	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____		Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____		Date: _____	Date: _____

*Jon
5/4/20
1st cut*

Special Issues: *2-7-22*

Special Order Volume: Vol. _____

WATER RIGHT TRANSFER COVER SHEET

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Transfer Specialist: *Jon*

Transfer Type: Regular Transfer

2A

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Current Landowner if other than Applicant: ☐ N/A Email: _____		Receiving Landowner: ☐ N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	G8625 <i>Removed 9/8/22</i>	G7909	93255	☒ Yes ☐ No	<i>0.3 acres</i>
☐	G1494 <i>this one removed</i>	G181016	94893	☒ Yes ☐ No	2.5 acres
☐				☐ Yes ☐ No	

Key Dates & Initial Actions:

Rec'd: January 24, 2022	Proposed Action(s): POINT OF APPROPRIATION; PLACE OF USE; USE	
Fees Pd: 6270.00	WM District: 11	ODFW District:
Initial Public Notice: February 8, 2022	WM Review sent: <i>6/26/22 (D+E)</i>	ODFW-Review-sent:
Acknowledgement Letter Sent ☒		GW Review sent: ☐ N/A
County sent cc: of Ack Letter ☐	BOR notified (date): ☐ N/A	<i>Bend Bulletin News p.</i>
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____

Special Issues: *2-7-22 report sent via email T 2 14893*

Special Order Volume: Vol. _____ Pages _____

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13898

GW Reviewer Joe Kemper Date Review Completed: 10/26/2022

Summary of Same Source Review:

- ☒ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

- ☒ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

- ☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Ground Water Review Form:

- ☒ Water Right Transfer
☐ Permit Amendment
☐ GR Modification
☐ Other

Application: T-13898

Applicant Name: Philip and Penelope Knight

Proposed Changes: ☒ POA ☐ APOA ☐ SW→GW ☒ RA
☒ USE ☒ POU ☐ OTHER

Reviewer(s): Joe Kemper

Date of Review: 10/26/2022

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 11/7/22

The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- ☐ Other _____

1. Basic description of the changes proposed in this transfer: The applicant proposes to 1) move 20 acres of irrigation use (0.25 cfs) from CROO 1867 and CROO 1869 under certificate 93255 to JEFF 51644 and 2) move 113.8 acres of irrigation (1.42 cfs) from CROO 1999 and CROO 54411 under certificate 94893 to JEFF 51644. The transfer also proposes to change the place of use and the character of use from irrigation to nursery to allow for layering with COID water deliveries.
2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☐ Yes ☒ No Comments: "From" wells CROO 1867 and CROO 1869 develop groundwater from an aquifer hosted in alluvial fan deposits mantling Powell Buttes. "From" wells CROO 54411 and CROO 1999 access an aquifer hosted within the low-yielding silicic bedrock of Powell Buttes (considered part of the John Day Formation). These aquifers are recharged from precipitation falling directly onto Powell Buttes (Gannett, 1987). Groundwater level elevations in CROO 1867 and CROO 1869 are approximately 3100 feet AMSL. Groundwater levels in CROO 1999 and CROO 54411 are ~3700 feet amsl and 3300 feet amsl respectively. This is several hundred feet higher than the regional groundwater system hosted in the Deschutes Formation, which sits at approximately 2700 feet AMSL adjacent to Powell Buttes (see CROO 24). In summary, the "from" wells produce from an aquifer system hosted in geological material that is distinct from the Deschutes Formation, receives local recharge from Powell Buttes, and has high groundwater levels than the regional groundwater system hosted in the Deschutes Formation.

The "to" well JEFF 51644 is located approximately 15 miles NW of the "from" wells. It primarily accesses the regional groundwater system hosted in the Deschutes Formation. (It may also access some water hosted in secondary fractures and joints of the lower yielding John Day Formation at a depth of ~900 feet bls.) This regional aquifer system is recharged primarily from snow and rain in the Cascades mountains and Newberry crater. The "to" accesses a distinctly different aquifer (long regional flowpaths from the Cascades to the lower extent of the Deschutes Formation) than the "from wells (local flowpaths recharged from Powell Butte into associated volcanics and associated sediments).

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?

☒ Yes ☐ No Note: The applicant's "To Well" JEFF 51644 accesses WBZs in alluvial facies of the Deschutes Formation from 170-490 feet BLS and from a fractured zone of the John Day Formation at 880-900 feet BLS. The well log does not report a change in SWL when the driller encounters a WBZ within the John Day Fm. but these two geologic formations may be recharged from different sources.

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): The deepening log (JEFF 51672) estimates that the WBZ within the John Day Fm provides ~50 gpm and that the well's total yield is 150 gpm. However, the original well log (JEFF 51644) reported a yield of 150 gpm, so 50 GPM may be an overestimate of the water provided by the deep fractured zone within the John Day Formation. The John Day Formation may provide 5-30% of the total yield of the well. The Deschutes Formation likely provides well over 50% of the water to the applicant's "to" well.

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another ground water right?

☒ Yes ☐ No Comments: There are several exempt-use domestic wells adjacent to the "to" well that would not have been affected by pumping at the "from" wells. Specifically, JEFF 51644 is 2100 feet from JEFF 51433 and 2000 feet west of JEFF 51413. The proposed change will result in well-to-well interference with these domestic wells that did not occur previously. The Deschutes Formation has an approximate saturated thickness of 350 feet at this location.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?

☐ Yes ☒ No If yes, explain: Impacts to the adjacent wells are estimated using a Theis distance drawdown model assuming full appropriation of the requested 133.8 acres over a 244-day period with aquifer properties derived from published sources (Gannett et al., 2001; Gannett and Lite, 2004). Drawdowns at adjacent wells are not expected to exceed 10-30 feet. Considering the thickness of the target aquifer, the impacts are not expected to meet the definition of substantial or undue interference.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?

☒ Yes ☐ No Comments: The proposed changes will move production from wells accessing a locally recharged aquifer that has some hydraulic separation from the regional groundwater system. These wells are also approximately 15 miles from the point of regional groundwater discharge to the Crooked and Deschutes Rivers. The "To" well accesses the regional groundwater system and is located approximately 1 mile from the Crooked River where it begins to receive considerable groundwater recharge.

- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?

Stream: Crooked River

☐ Minimal ☒ Significant

Stream: _____

☐ Minimal ☐ Significant

Provide context for minimal/significant impact: Pumpage from "to" well JEFF 51644 well will quickly result in a high proportion of stream depletion. For comparison, the Osborne Canyon modeling scenario from Gannett and Lite (2004) simulated a pumping well between the Deschutes and Crooked Rivers at a distance of ~1.5 miles from each, which resulted in more than 50% stream depletion in the first year of pumping. Pumpage at the "from" wells would likely have resulted in some stream depletion over many years to the Crooked and Deschutes rivers as the locally recharged Powell Butte alluvial fan aquifer is not completely hydraulically separated from regional system. Considering 1) the well-documented, prompt hydraulic connection between groundwater and surface water in lower portion of the Deschutes Groundwater Study Area and 2) the proximity of JEFF 51644 to the Crooked River where groundwater discharges, the proposed change in location and aquifer will likely have a significant impact to the Crooked River.

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?

☐ Yes ☐ No Comments: NA

7. What conditions or other changes in the application are necessary to address any potential issues identified above: NA

8. Any additional comments: NA

References

Ferns, M., and McClaughry, J. (2006). Preliminary Geologic Map Of The Powell Buttes 7.5' Quadrangle, Crook County, Oregon. Department of Geology and Mineral Industries. OFR O-06-24

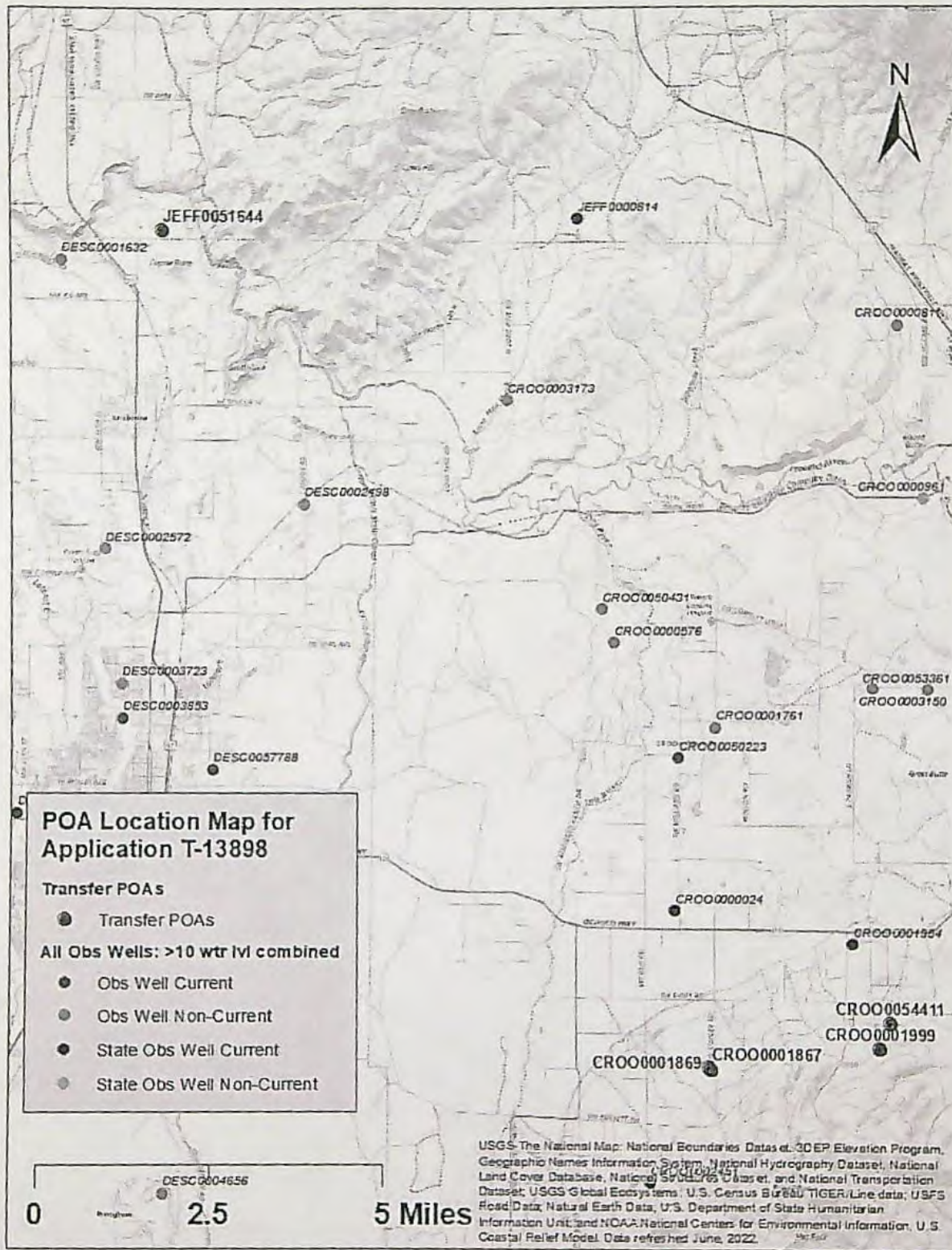
Gannett, M. (1987). Groundwater Availability in the Powell Buttes Area, Central Oregon. Oregon Water Resources Department. GW Report No. 32 Deschutes Basin: Powell Buttes Area.

Gannett, M.W., Lite, Jr., K.E., Morgan, D.S., and Collins, C.A., 2001, Ground-water hydrology of the upper Deschutes Basin, Oregon: U.S. Geological Survey Water-Resources Investigations Report 00-4162, 74 p.

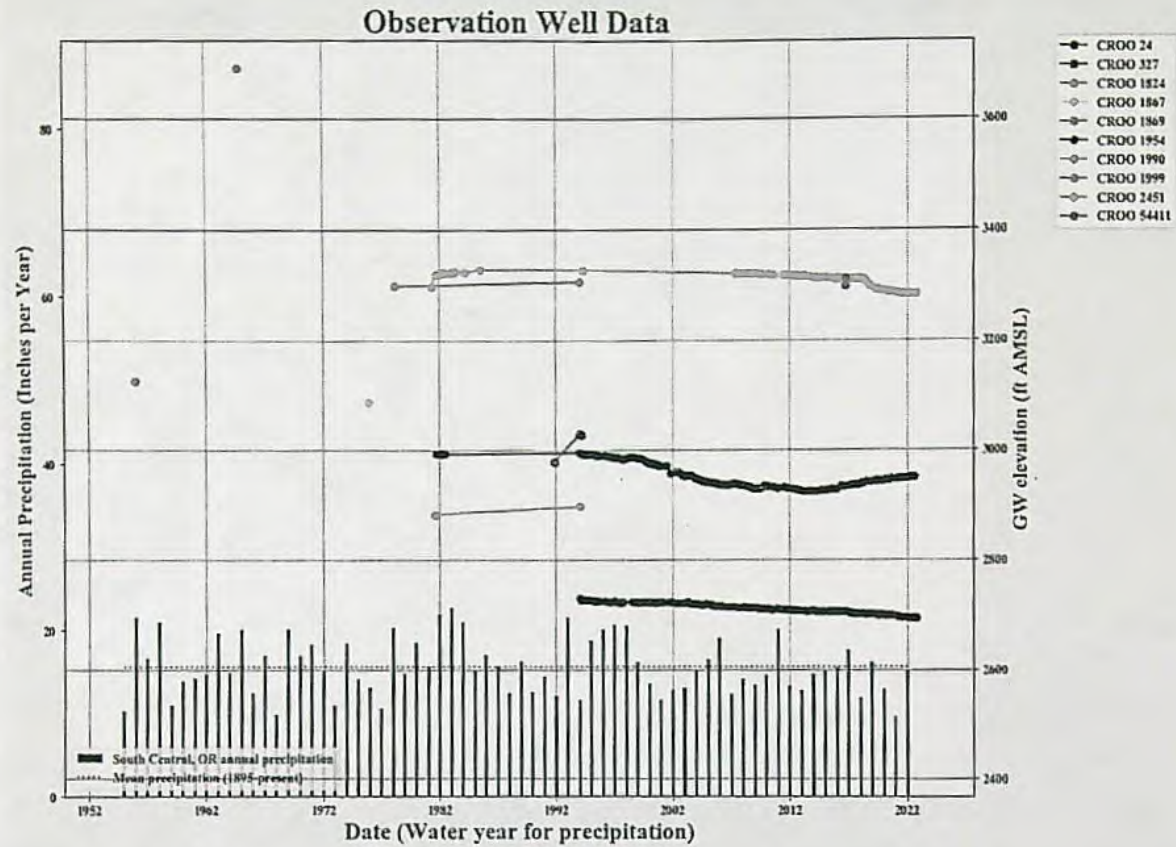
Gannett, M.W., and Lite, Jr., K.E., 2004. Simulation of Regional Ground-Water Flow in the Upper Deschutes Basin, Oregon: U.S. Geological Survey Water-Resources Investigations Report 03-4195, 84 p.

Theis, C.V., 1935. The relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using groundwater storage, Am. Geophys. Union Trans., vol. 16, pp. 519-524.

Transfer Map



Water Levels in Wells Near Powell Buttes



Theis (1935) Distance Drawdown Modeling

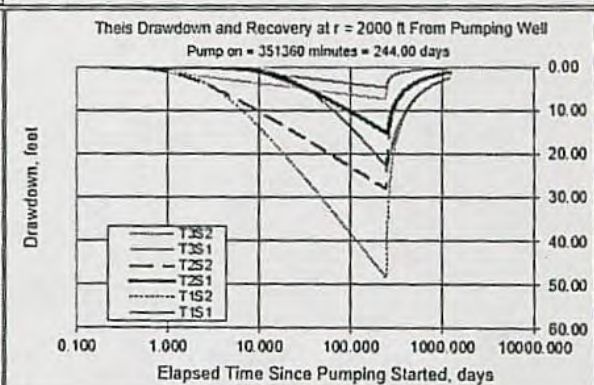
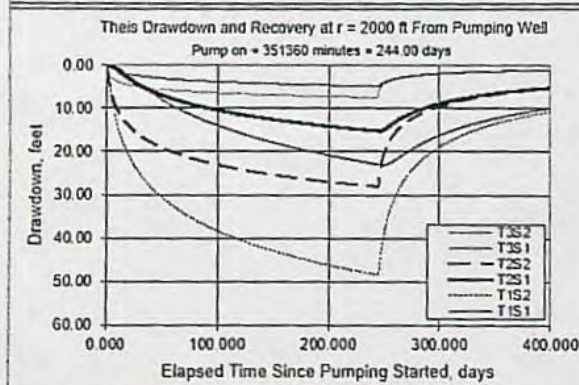
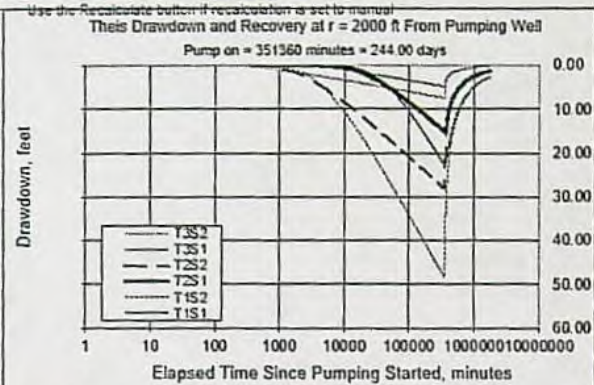
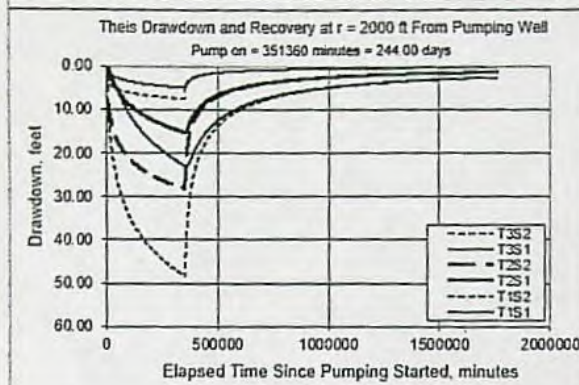
Theis Time-Drawdown Worksheet

v.5.00

Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r , from a pumping well for 3 different T values and radial distance, r , from a pumping well for 3 different T values and 2 different S values.

Written by Karl C. Wozniak September 1992. Last modified December 17, 2019

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		244		d	
Radial distance from pumped well:	r		2000		ft	Q conversions
Pumping rate	Q		0.83		cfs	372.50 gpm
Hydraulic conductivity	K	5	10	50	ft/day	0.83 cfs
Aquifer thickness	b		100		ft	49.60 cfm
Storativity	S 1		0.01			71,712.00 cfd
	S 2		0.001			1.65 gal/d
Transmissivity Conversions	T ft ² /d	500	1000	5000	ft ² /day	
	T ft ² /min	0.34722222	0.69444444	3.47222222	ft ² /min	Recalculate
	T gpd/ft	3740	7480	37400	gpd/ft	



SMITH Joan M * WRD

From: SMITH Tamera L * WRD
Sent: Monday, November 07, 2022 7:06 AM
To: SMITH Joan M * WRD
Subject: FW: GW review complete for: T-13898 (RA)
Attachments: T13898_Knight.pdf

From: IVERSON Justin T * WRD <Justin.T.IVERSON@water.oregon.gov>
Sent: Monday, November 7, 2022 5:03 AM
To: PHILLIPS Stacy H * WRD <Stacy.H.PHILLIPS@water.oregon.gov>; BAUSTIAN Julie C * WRD <Julie.C.BAUSTIAN@water.oregon.gov>
Cc: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>; STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>
Subject: GW review complete for: T-13898 (RA)

Attached.
Thanks,

Justin Iverson, RG
GROUNDWATER SECTION MANAGER
Oregon Water Resources Department
Cell: 503-302-9728 Justin.T.Iverson@water.oregon.gov
Pronouns: He/Him

Please Note: under Oregon law, messages to and from this e-mail address may be made available to the public

We're hiring! See the current list of jobs [here](#). Search for "groundwater".

From: PHILLIPS Stacy H * WRD <Stacy.H.PHILLIPS@water.oregon.gov>
Sent: Wednesday, March 9, 2022 10:30 AM
To: IVERSON Justin T * WRD <Justin.T.IVERSON@water.oregon.gov>
Cc: SMITH Tamera L * WRD <Tamera.L.SMITH@water.oregon.gov>
Subject: T-13898 is in RA
Importance: High

Hey Justin,

T-13898 is now in Reimbursement Authority. Tamera Smith is the contact on this.

Application: G-8625
Permit: G-7909

Application: G-14494
Permit: G-18016

Thanks,

Stacy H. Phillips

Restoration Program Technician

725 Summer Street NE, Suite A, Salem, OR 97301

Office: 503-986-0898 | Work Cell: 503-979-9948



OREGON
WATER
RESOURCES
DEPARTMENT

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

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13898

GW Reviewer Joe Kemper Date Review Completed: 10/26/2022

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- ☒ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

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725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
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Ground Water Review Form:

- ☒ Water Right Transfer
☐ Permit Amendment
☐ GR Modification
☐ Other

Application: T-13898

Applicant Name: Philip and Penelope Knight

Proposed Changes: ☒ POA ☐ APOA ☐ SW→GW ☒ RA
☒ USE ☒ POU ☐ OTHER

Reviewer(s): Joe Kemper

Date of Review: 10/26/2022

Date Reviewed by GW Mgr. and Returned to WRSD: _____

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- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any surface water sources resulting from the proposed change?

Stream: Crooked River

☐ Minimal ☒ Significant

Stream: _____

☐ Minimal ☐ Significant

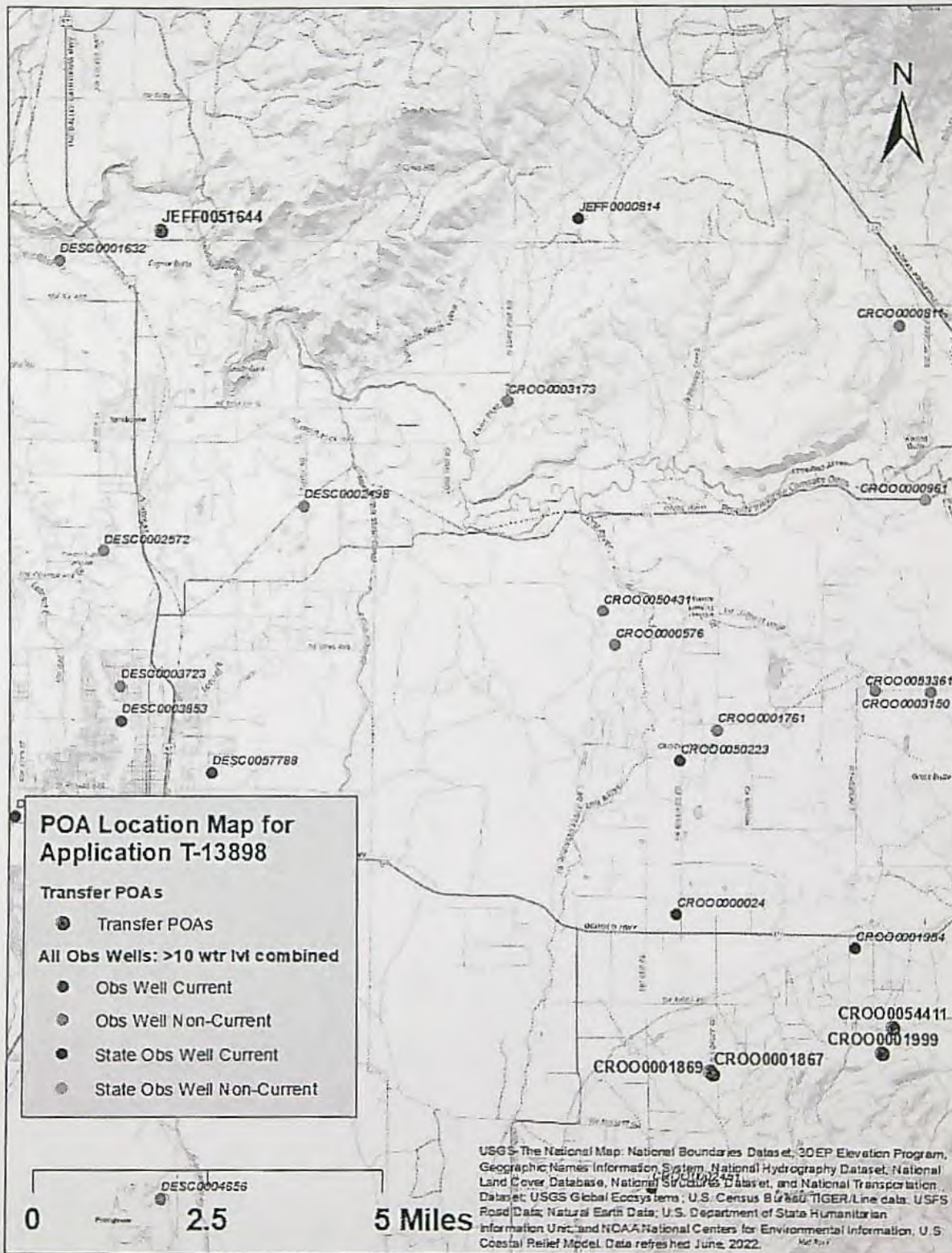
Provide context for minimal/significant impact: Pumpage from "to" well JEFF 51644 well will quickly result in a high proportion of stream depletion. For comparison, the Osborne Canyon modeling scenario from Gannett and Lite (2004) simulated a pumping well between the Deschutes and Crooked Rivers at a distance of ~1.5 miles from each, which resulted in more than 50% stream depletion in the first year of pumping. Pumpage at the "from" wells would likely have resulted in some stream depletion over many years to the Crooked and Deschutes rivers as the locally recharged Powell Butte alluvial fan aquifer is not completely hydraulically separated from regional system. Considering 1) the well-documented, prompt hydraulic connection between groundwater and surface water in lower portion of the Deschutes Groundwater Study Area and 2) the proximity of JEFF 51644 to the Crooked River where groundwater discharges, the proposed change in location and aquifer will likely have a significant impact to the Crooked River.

6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
- ☐ Yes ☐ No Comments: NA
7. What conditions or other changes in the application are necessary to address any potential issues identified above: NA
8. Any additional comments: NA

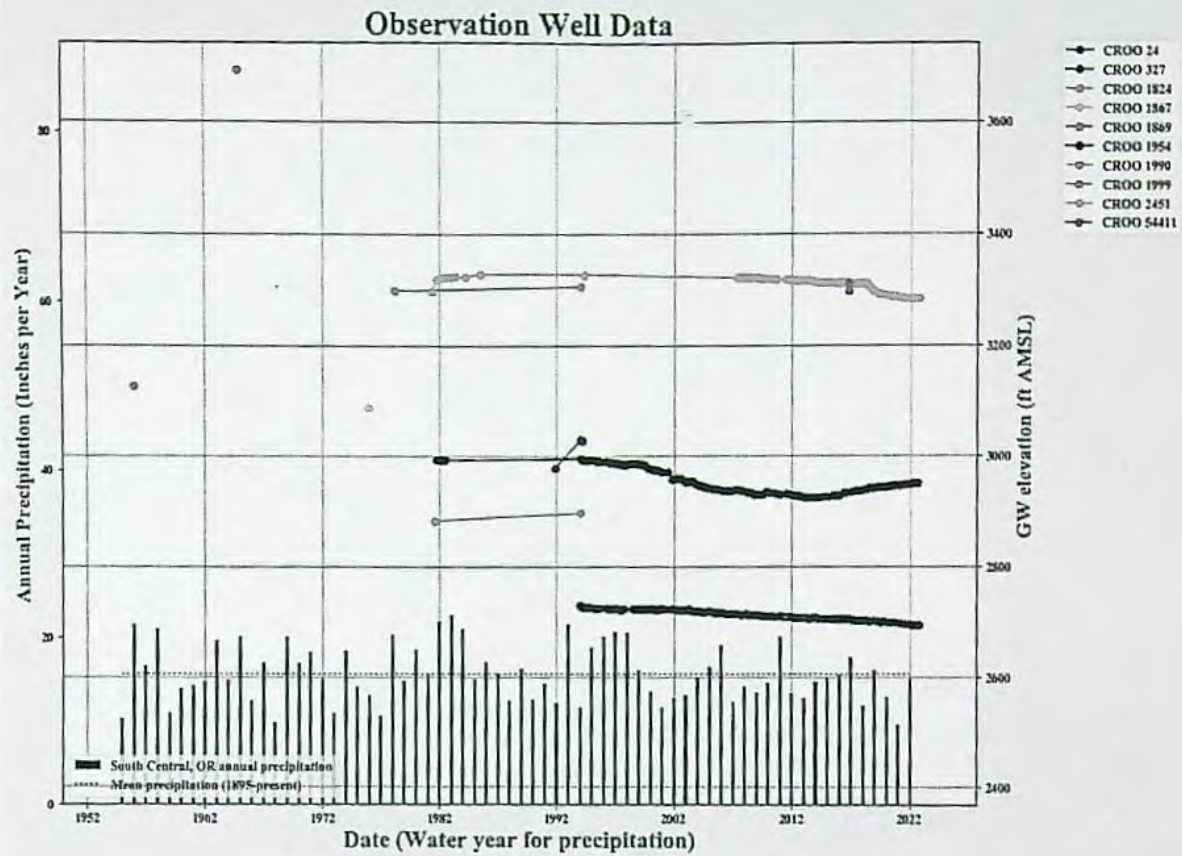
References

- Ferns, M., and McClaughry, J. (2006). Preliminary Geologic Map Of The Powell Buttes 7.5' Quadrangle, Crook County, Oregon. Department of Geology and Mineral Industries. OFR O-06-24
- Gannett, M. (1987). Groundwater Availability in the Powell Buttes Area, Central Oregon. Oregon Water Resources Department. GW Report No. 32 Deschutes Basin: Powell Buttes Area.
- Gannett, M.W., Lite, Jr., K.E., Morgan, D.S., and Collins, C.A., 2001, Ground-water hydrology of the upper Deschutes Basin, Oregon: U.S. Geological Survey Water-Resources Investigations Report 00-4162, 74 p.
- Gannett, M.W., and Lite, Jr., K.E., 2004. Simulation of Regional Ground-Water Flow in the Upper Deschutes Basin, Oregon: U.S. Geological Survey Water-Resources Investigations Report 03-4195, 84 p.
- Theis, C.V., 1935. The relation between the lowering of the piezometric surface and the rate and duration of discharge of a well using groundwater storage, Am. Geophys. Union Trans., vol. 16, pp. 519-524.

Transfer Map



Water Levels in Wells Near Powell Buttes



Theis (1935) Distance Drawdown Modeling

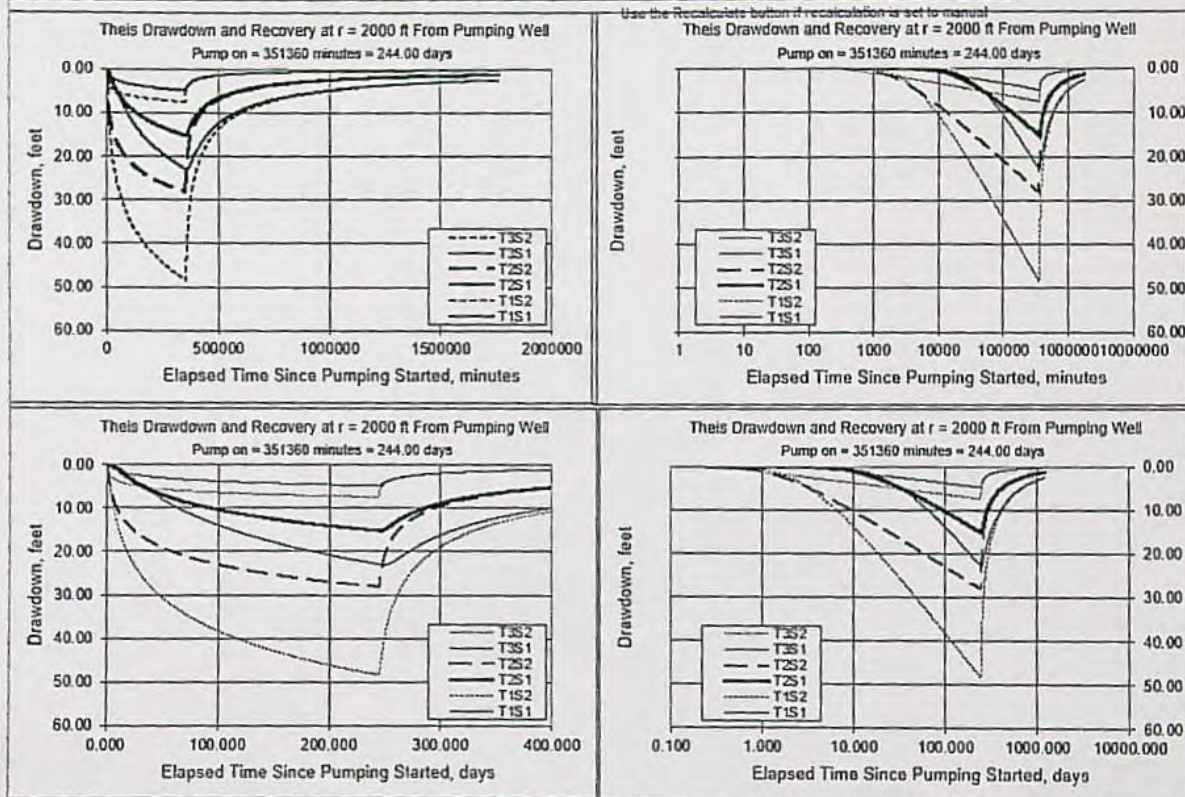
Theis Time-Drawdown Worksheet v.5.00

Calculates Theis nonequilibrium drawdown and recovery at any arbitrary radial distance, r , from a pumping well for 3 different T values and radial distance, r , from a pumping well for 3 different T values and 2 different S values.

Written by Karl C. Wozniak September 1992. Last modified December 17, 2019

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		244		d	
Radial distance from pumped well:	r		2000		ft	Q conversions
Pumping rate	Q		0.83		cfs	372.50 gpm
Hydraulic conductivity	K	5	10	50	ft/day	0.83 cfs
Aquifer thickness	b		100		ft	49.80 cfm
Storativity	S 1		0.01			71,712.00 cfd
	S 2		0.001			1.65 at/d
Transmissivity Conversions	T ft ² /pd	500	1000	5000	ft ² /day	
	T ft ² /pm	0.34722222	0.69444444	3.47222222	ft ² /min	
	T gpd/ft	3740	7480	37400	gpd/ft	

Recalculate



SMITH Joan M * WRD

From: JARAMILLO Lisa J * WRD
Sent: Thursday, November 03, 2022 6:32 PM
To: SMITH Tamera L * WRD; SMITH Joan M * WRD
Subject: PLEASE READ ---FW: Question about Water Audit Methodology

Hi Tamera and Joan,

Please read the email chain below and check out the link to the American Water Works Association's Free Water Audit Software v6.0. Keep this in mind when you're reviewing municipal WMCPs --- it's a great resource to share and include in your review comments.

Let's touch base about this at our meeting on Tuesday.

Have a nice weekend,
Lisa

Lisa J. Jaramillo

Transfer and Conservation Section Manager

725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-871-1889 (work cell)



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

NOTE: OWRD offices are now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, however, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day (M-F). OWRD's Salem office is closed for customer service drop-ins from Noon - 1pm. Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

From: JARAMILLO Lisa J * WRD
Sent: Thursday, November 3, 2022 6:30 PM
To: kkocdemir@oleaedge.com
Cc: RANCIER Racquel R * WRD <Racquel.R.RANCIER@water.oregon.gov>
Subject: RE: Question about Water Audit Methodology

Hi Kali,

My name is Lisa Jaramillo and I manage the Transfer and Conservation Section of the Oregon Water Resources Department (OWRD). Racquel Rancier asked me to respond to your inquiry as it falls under work done in my section.

The short answer to your question is that currently there are no formal plans to require municipal water suppliers (which includes quasi-municipal systems such as water districts and domestic water associations) to exclusively use the American Water Works Association's (AWWA) Free Water Audit Software v6.0) to determine their water losses.

That said, however, OWRD water supply and conservation analyst staff routinely take advantage of opportunities to make municipal water suppliers aware of the availability of AWWA's Free Water Audit Software v6.0 when providing written comment on their Water Management and Conservation Plans (WMCP).

Additionally, OWRD's WMCP Rules in OAR 690-086 already require a municipal water supplier to provide a quantification and description of their system's water losses that includes any available information regarding the sources of significant losses and, to the extent possible, identification of those losses as either real or apparent losses [see: OAR 690-086-0140(9) and the definitions in OAR 690-086-0030].

Further, as outlined in OAR 690-086-0150(4)(e), if a municipal water supplier's annual water audit indicates that the system water losses exceed 10%, then they must take action to analyze potential factors for the loss and describe their selected actions for remedy. If the municipal water supplier's selected actions don't result in the reduction of water losses to 10% or less within the allowed timeframe, then our rules under OAR 690-086-0150(4)(e)(B) specifically give the water supplier a choice of developing and implementing either:

- A regularly scheduled and systematic leak detection and repair program; OR
- A water loss control program consistent with AWWA's standards.

I hope this helps answer your question. Please feel free to reach out if I may be of any further assistance.

Best regards,
Lisa Jaramillo

Lisa J. Jaramillo

Transfer and Conservation Section Manager

725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-871-1889 (work cell)



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From: RANCIER Racquel R * WRD <Racquel.R.RANCIER@water.oregon.gov>
Sent: Thursday, November 3, 2022 2:54 PM
To: JARAMILLO Lisa J * WRD <Lisa.J.JARAMILLO@water.oregon.gov>
Subject: FW: Question about Water Audit Methodology

Can you or your staff follow up? I didn't click on her link but did a quick web search and this appears to be the report referenced: <https://doh.wa.gov/sites/default/files/legacy/Documents/4200/WUE-AuditReport.pdf?uid=6364381fd915c>

From: Kali Kocdemir <kkocdemir@oleaedge.com>
Sent: Thursday, November 3, 2022 2:45 PM
To: RANCIER Racquel R * WRD <Racquel.R.RANCIER@water.oregon.gov>
Subject: Question about Water Audit Methodology

Hello Racquel, in studying the v6 AWWA water audit free software, I came across a pilot study that compared the methodology between distribution leakage as a *percentage vs dollar* and *volume* performance indicators. The study was conducted in Washington state, but Oregon shares many similarities with measuring water loss as an overall percentage.

In September, at the Water Infrastructure Conference in Portland, several regional utilities asked if / when this newer methodology will be implemented in the PNW.

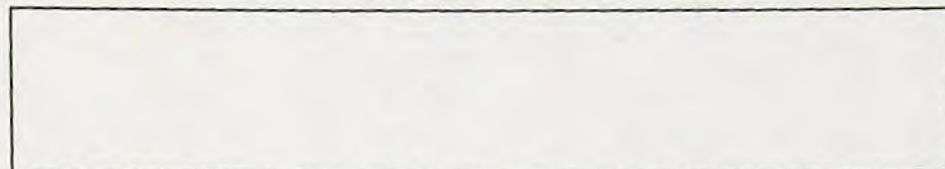
Are there plans to adopt this methodology to assess water loss for Oregon water districts?

My goal is to be able to provide accurate information to water district personnel when I'm asked about this. Thank you for your time and help.

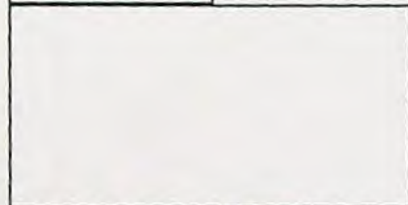
Kali

--

Kali Kocdemir
(/KAY-lee/)
PNW Sales Manager
Cell: 253.304.7282
kkocdemir@oleaedge.com
www.oleaedge.com



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SMITH Joan M * WRD

From: John Short <johnshort@usa.com>
Sent: Monday, August 08, 2022 9:35 AM
To: SMITH Joan M * WRD
Cc: Bryce Withers
Subject: T-13898 Knight

Hello Joan,

I see your name on this one. To help things out, the "TO" well has been drilled (L-143074) with relatively weak results. Consequently, please remove Cert 94893 from this Transfer. The well appears strong enough to support Cert 93255.

Thank you!

Sincerely,
John

John A. Short CCB# 197121

541-389-2837

Water Right Services, LLC
PO Box 1830
Bend, OR 97709
johnshort@usa.com
oregonwater.us

Hay Creek
10 ponds

March 11/00

13898

3/21 west 60

Phil Knight / John

signed 3.9.22

3.24 sticky, see COLD HT (v 13897)

Working Copies

T. 12496 Wallace/Hollie regular signed 9/10
 ↳ Aquilla Bop + Sunnyvale ID

9/21 Review

9/22 " em'd ?'s to CC

9-25 see C's em'd sample DPD for tablet

9-29 DPD et al → PL → PR

10-3 Where is PR? 10-5 printed to PL → 82

10-26 This is a mess. Redo whole thing. Where is copy of Dim? in file.

11-5 DPD p. 4 needs work. "

11-20 em'd Hollie - new Dim w/ from lands, add Fox

11-30 Agent em'd map of dim.

12-2 Dept. requested new Dim Aff.

Pending → 12-2 corrected DPD and rec. new Aff.

12-2 corrected DPD and rec. new Aff. back to PL for initials 1/16

12-5 await new Dim Aff. add Fox

2-24 DPD sent Response due 2-24 - PD + Ltr drafted

3-27 correct PD sent to DC / quote request. ~~Amiga 10~~

3-30 problems w/ PD. ?'s from DC. → em'd PL. 3/31 corrected PD to DC →

Hay Creek
10 Ponds

13496 Wallace

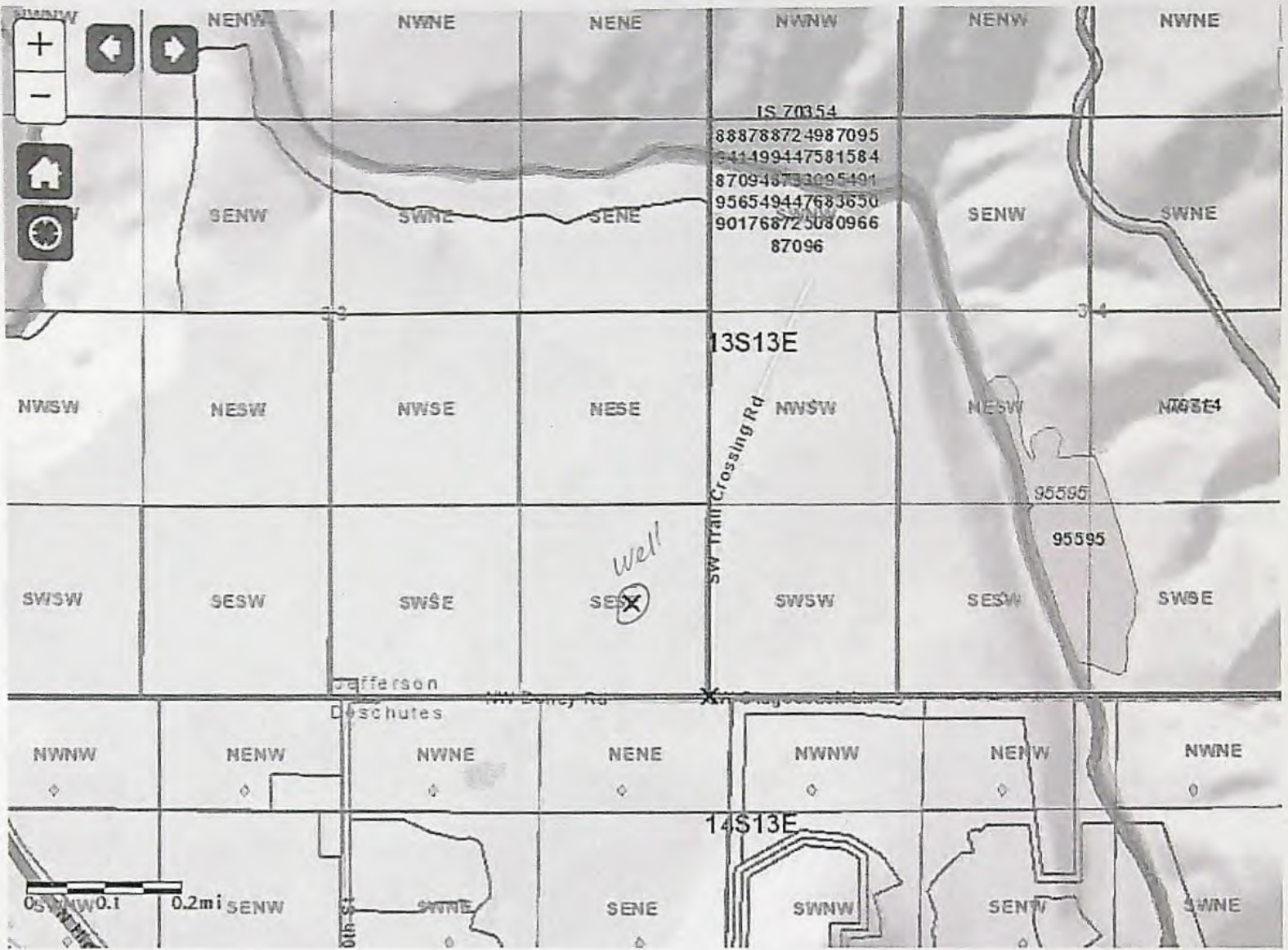
4-9 for recd dir PD to sign ✓

4-14 pub data? 4/21 + 4/28

4-24 to to PD

5-18 to done. Await 5/29.

draft to PR
4/16



► Switch

► Meas



BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application
T-13793, Crook County

)
) **D R A F T**
) PRELIMINARY DETERMINATION
) PROPOSING DENIAL OF CHANGES IN
) POINTS OF DIVERSION, PLACES OF USE,
) AND CHARACTER 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

JOHN A. SHORT
PO BOX 1830
BEND, OR 97709

Findings of Fact

1. On August 13, 2021, JOHN A. SHORT filed an application to change the points of diversion, to change the places of use and to change the character of use under Certificates 42373 and 89615. The Department assigned the application number T-13793.
2. Notice of the application for transfer was published on August 31, 2021, pursuant to OAR 690-380-4000. Timely comments were filed in response to the notice.
3. Timely comments were submitted to the Department in response to the notice. The issues raised by the comments focused primarily on concerns that:
 - a) The applicant did not inform Central Oregon Irrigation District (COID) of the proposed transfer. COID has irrigation water rights appurtenant to the proposed lands in transfer application T-13793.
 - b) The availability and reliability of the proposed water at the proposed point of diversion (POD) on the Crooked River.

- c) Conditions be placed on the transfer, limiting any irrigation under the nursery right to the months of November through March and prohibiting co-mingling with COID water rights.
 - d) Ochoco Irrigation District (OID) maintains that water rights above their project may not be transferred below their project.
 - e) With co-mingling of so many rights and the water being used so far away from authorized location, the water will not be identifiable or measurable.
4. Not all the issues raised by the commenters are relevant to the criteria for review of a water right transfer as per OAR 690-380-4010 and approval of a transfer application under OAR 690-380-5000. Many of the issues noted in Finding of Fact No. 3, though important to the water right holders and water resources of the area, do not directly relate to the transfer review criteria. Rather, the statutory basis for approving a water right transfer application is relatively narrow and confined to the Department finding or determining:
- a) The water right proposed for transfer is a water use subject to transfer;
 - b) The portion of the water right proposed for transfer is not cancelled due to forfeiture for non-use pursuant to ORS 540.610;
 - c) The proposed transfer would not result in injury to other water rights.
5. If approved, the Final Order for T-13793 will contain conditions retaining the current rate limit of the rights.
6. The Department has not received a Land Use form from every county affected by the transfer application.
7. COID has water rights appurtenant to the proposed TO lands. Neither the Department or COID have received a Supplemental Form D.
8. The first right to be transferred is as follows:
- | | |
|-----------------------|---|
| Certificate: | 42373 in the name of FLOYD M. JONES (perfected under Permit S-30070) |
| Use: | IRRIGATION of 58.2 ACRES |
| Priority Date: | SEPTEMBER 29, 1964 |
| Rate: | 1.0 CUBIC FOOT PER SECOND |
| Limit/Duty: | The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH 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 4.0 acre feet per acre for each acre irrigated during the irrigation season of each year. |
| Source: | MCKAY CREEK, a tributary of CROOKED RIVER |

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	16 E	WM	33	SW SW	300 FEET NORTH AND 1160 FEET EAST FROM THE NW CORNER OF SECTION 4, T14S, R16E

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	16 E	WM	32	NE SE	11.0
13 S	16 E	WM	32	NW SE	8.1
13 S	16 E	WM	32	SW SE	2.0
13 S	16 E	WM	32	SE SE	24.8
13 S	16 E	WM	33	SW SW	12.3
TOTAL					58.2

9. Transfer Application T-13793 proposes to move the authorized point of diversion approximately 24.1 miles upstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	13 E	WM	34	SE SW	POD "ON" - 1250 FEET NORTH AND 2200 FEET EAST FROM THE SW CORNER OF SECTION 34

10. Transfer Application T-13793 also proposes to change the place of use of the right to:

NURSERY USE					
Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	13 E	WM	34	SW NW	1.3
13 S	13 E	WM	34	NW SW	28.5
13 S	13 E	WM	34	SW SW	28.4
TOTAL					58.2

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

Certificate: 89615 in the name of MILL CREEK LAND LLC (confirmed by Crooked River Decree (F))

Use: IRRIGATION of 9.8 ACRES

Priority Date: 1880

Rate: 0.13 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed a reasonable amount for stock use, the total quantity being limited to 4.0 acre feet per acre during each year if available at the original point of diversion, or its equivalent in case of rotation, measured at the point of diversion from the source:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	17 E	WM	36	SW SW	OCHOO DITCH - 350 FEET SOUTH AND 350 FEET EAST FROM THE NW CORNER OF SW1/4 SW1/4 OF SECTION 36

Source: OCHOCO CREEK, a tributary of CROOKED RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
14 S	17 E	WM	35	SE NW	2018 FEET SOUTH AND 2605 FEET EAST FROM THE SW CORNER OF SECTION 26

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
14 S	17 E	WM	26	NW NE	5.4
14 S	17 E	WM	26	SW NE	2.7
14 S	17 E	WM	26	NE NW	0.9
14 S	17 E	WM	26	SE NW	0.8
TOTAL					9.8

12. Transfer Application T-13793 proposes to move the authorized point of diversion approximately 37.4 miles upstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
13 S	13 E	WM	34	SE SW	1250 FEET NORTH AND 2200 FEET EAST FROM THE SW CORNER OF SECTION 34

13. Transfer Application T-13793 also proposes to change the place of use of the right to:

NURSERY					
Twp	Rng	Mer	Sec	Q-Q	Acres
13 S	13 E	WM	34	SW SW	9.8

14. Transfer Application T-13793 proposes to change the character of use of both rights to nursery.
15. Certificates 42373 and 89165 do not specify an irrigation season; however, consistent with the Crooked River Decree, the irrigation season is February 1 to December 1.
16. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-4010(2)]

17. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

18. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-13793.
19. The proposed changes would result in enlargement of the rights. The current delivery system leaves the Ochoco Reservoir and travels over 20 miles where water is then distributed to the place of use. It is possible that the place of use may receive a source of water it is not authorized to receive, which would enlarge the right by watering more acres from a source than what is allowed.
20. The proposed changes would not result in injury to other water rights.

Determination and Proposed Action

The changes in points of diversion, changes in place of use, and change in character of use proposed in Transfer Application T-13793 appear to **NOT** 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 denied.

If the enlargement issue and deficiencies are resolved, and Transfer Application T-13793 is approved, the final order will include the following:

1. *The changes in points of diversion, changes in place of use and change in character of use proposed in Transfer Application T-13793 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 42373 and 89615 and any related decree.*
3. *Water right Certificates 42373 and 89615 are cancelled. A new certificate will be issued describing that portion of Certificate 89615 not affected by this transfer.*
4. *Under Certificate 42373, the rate of diversion for the change in character of use from irrigation to the proposed nursery operation use shall be limited to 1.0 cubic foot per second and shall be further limited to a total volume diverted of 232.4 acre feet (58.1 acres X 4.0 acre feet per acre) during the original season of use, being February 1 to December 1.*
5. *Under Certificate 42373, the change in character of use from irrigation to the proposed nursery use shall be further limited such that:*
 - a) *The amount of water used for NURSERY OPERATIONS is limited to a diversion of 1.0 cubic foot per second per acre and 232.4 acre feet during the irrigation season of each year.*
 - b) *For the irrigation of containerized nursery plants, the amount of water diverted is limited to 1.0 cubic foot per second (or its equivalent) and 232.4 acre feet during the irrigation season of each year.*

- c) *For the irrigation of in-ground nursery plants, the amount of water diverted is limited to 1.0 cubic foot per second (or its equivalent) and 232.4 acre feet during the irrigation season of each year.*
 - d) *For the irrigation of any other crop, the amount of water diverted is limited to 1.0 cubic foot per second (or its equivalent) and 232.4 acre feet during the irrigation season of each year. The use of water for irrigation of any other crop shall be limited to 58.1 acres.*
- 6. *Under Certificate 89615, the rate of diversion for the change in character of use from irrigation to the proposed nursery operation use shall be limited to 0.13 cubic foot per second and shall be further limited to a total volume diverted of 39.2 acre feet (9.8 acres X 4.0 acre feet per acre) during the original season of use, being February 1 to December 1.*
- 7. *The change in character of use from irrigation to the proposed nursery use shall be further limited such that:*
 - e) *The amount of water used for NURSERY OPERATIONS is limited to a diversion of 0.13 cubic foot per second per acre and 39.2 acre feet during the irrigation season of each year.*
 - f) *For the irrigation of containerized nursery plants, the amount of water diverted is limited to 0.13 cubic foot per second (or its equivalent) and 39.2 acre feet during the irrigation season of each year.*
 - g) *For the irrigation of in-ground nursery plants, the amount of water diverted is limited to 0.13 cubic foot per second (or its equivalent) and 39.2 acre feet during the irrigation season of each year.*
 - d) *For the irrigation of any other crop, the amount of water diverted is limited to 0.13 cubic foot per second (or its equivalent) and 39.2 acre feet during the irrigation season of each year. The use of water for irrigation of any other crop shall be limited to 9.8 acres.*
- 8. *The quantity of water diverted at the new point of diversion (POD "ON"), shall not exceed the quantity of water lawfully available at the original points of diversion (PODs "OFF").*
- 9. *Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*

10. *The former place of use of the transferred rights shall no longer receive water under the rights.*
11. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2022**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
12. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
THOMAS M BYLER, DIRECTOR
Oregon Water Resources Department

This draft Preliminary Determination was prepared by: Tamera Smith. If you have any questions about the information in this document, you may reach me at 503-979-9607 or tamera.l.smith@oregon.gov

BASIC APPLICATION REVIEW and NOTICE (OAR 680-380-3000 and -4000) Cont'd

CW	N/A		CW	N/A	
☐	☐	Supp. Form D or Letter of approval from Irrigation or Water Control District	☐	☐	Evidence of Use is submitted with supporting documentation
☐	☐	Are the supplemental water rights included in the Transfer? ☐ Yes ☐ No If no, are they cancelling? ☐ Yes ☐ No	☐		Map meets criteria of OAR 690-380-3100
☐		Water Use Subject to Transfer (OAR 690-380-0100(14)) Is the water right(s) proposed for transfer a water use(s) subject to transfer? ☐ Adjudicated or decreed ☐ Certificated ☐ Water use permit with CBU and proof to satisfaction issued ☐ Transfer app for which an order approving change has been issued and proper proof of the completion of the change has been filed	☐		Any application deficiencies that need to be addressed? ☐ Yes ☐ No Notes: _____ _____ _____

PR Initials

Reviewing the "From" and "To" Lands (Use working copy of application and certificates to mark on)

CW		CW	
☒	<u>From:</u> Only the authorized POD's/POA's and POU's involved are listed.	☒	<u>From:</u> Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
☒	<u>From:</u> Marked on certificate the acreage being affected and remaining by ¼ ¼.	☒	<u>From:</u> Marked on certificate the quantity of water being transferred, cancelled, and remaining
☐	<u>From and To:</u> Print Plat Card(s), check and note conflicts (change in pou and use only)	☒	<u>From and To:</u> Compare water right map to Application tabulation (Table 2) to Application map for accuracy

PR Initials

Amended Application Pages and Maps

CW	N/A		CW	N/A	Notes/Documentation
☐	☐	Amended Application Pages Rec'd <u>2-2-22</u> Amended Application Map Rec'd _____	☐	☐	☒ Scan new pages ☒ Update WRIS with new pages ☒ Mark replaced pages in red with 'SUPERSEDED' and place in back of file
☐	☐	Did the amendment change the location of the proposed POD or POA? ☐ Yes ☒ No	☐	☐	☐ For POD changes, re-review from Watermaster or other documentation ☐ For POA changes, re-review from GW section

Regular Transfer Review Checklist

T- 13898

Caseworker: B

TYPE OF TRANSFER

☒ POD, APOD or POA, APOA and/or Place of Use (690-380-2110 and 690-380-2200)

Transfers Requiring Supplemental Review Criteria

☐ Character of Use (690-380-2300)

☐ Surface Water to Ground Water (SW to GW), ORS 540.531, (690-380-2130)

☐ Instream, ORS 537.348, (690-380-2200, 690-380-2300 and 690-077-065 thru 075)

☐ Supplemental Use to Primary Use (S to P), ORS 540.524, (690-380-2320)

☐ Consent to Injury of Instream (CTI) ORS 540.530, (690-380-5050)

If transfer type not listed above, see separate checklists

FILE PREPARATION

CW

☒ File Assigned (Computer Entry)

Is transfer within a district boundary?

☒ Yes ☐ No

CO-2-see letter in file

If yes, attach "Supplemental Processing Checklist for Transfers with a District" for additional required information.

☒ Make Copies and Place in Working File:

☐ Application ☐ Map

☒ Verify all Certificates/Permits are shown in WRIS to be non-cancelled

☐ Print Certificates and Place in Working File

☒ Add Working file to T-file

☒ Check Public Comments

https://apps.wrd.state.or.us/apps/wr/wr_public_comment_mgmt/default.aspx

CW

All Stakeholders accurately listed in WRIS with email addresses if available, including

☒ Irrigation District ☐ BOR ☐ Tribes

Is this a Living Certificate? ☐ Yes ☒ No

☒ Double check all water rights/permits are included in WRIS under Transfer #

Copy and Place in Working File:

☒ Watermaster Review ☐ Groundwater Review

☒ ODFW Review

Public Comments Received?

☐ Yes ☒ No

☐ If yes, print comments and place in file

☐ Timely ☐ Untimely

Notes:

PR Initials

BASIC APPLICATION REVIEW and NOTICE (OAR 680-380-3000 and -4000)

CW

N/A

☒ Appropriately signed

☒ All required Attachments Received

☒ Appropriate Fees Paid

☒ Local Government [County] noticed Copy of Acknowledgment Letter

CW

N/A

☒ Check Area of Interest – Print if needed, include in WRIS stakeholder as interested party

☒ Ditch Co., Irr. Dist and/or BOR sent copies

☒ Overpayment of Fees, Refund Request w/FO

☒ OWRD Land Use Form matches Tax Lots, is signed by proper official and is **APPROVED**

N/A = Must meet all 4 criteria for exemption (OAR 690-380-3000(19))



January 12, 2022

Oregon Water Resources Department
725 Summer St NE Ste 100
Salem, OR 97301

RE: Supplement Form D for Water Right Transfer Application involving C-93255 and C-94893

To Whom It May Concern:

John Short and Water Rights Services, LLC prepared a draft water right transfer application on behalf of Philip H. Knight and Penelope P. Knight involving C-93255 and C-94893. Because the "ON" lands for the proposed transfer are located within the boundary of Central Oregon Irrigation District (COID) and already receive water delivered by COID pursuant to COID's water rights, Mr. Short notified COID of the proposed transfer and requested that COID consent to the proposed transfer and complete Supplemental Form D.

COID is conditionally consenting to the proposed transfer, and has completed the Supplemental Form D accordingly. The consent is conditioned as set forth below. We would request that this letter be included as part of the record for the proposed transfer, and be taken into consideration by the Department in determining whether to ultimately approve or deny the transfer application.

COID holds two certificates, C-94956, a 1900 primary irrigation right to use Deschutes live flow, and C-76714, a 1913 supplemental irrigation right to use storage from Crane Prairie Reservoir. Both of these certificates are appurtenant to the "ON" lands that are the subject of the transfer application, and the proposed transfer application map places water onto lands fully irrigated by the appurtenant COID water rights.

We have the following comments and concerns:

As an initial matter, the proposed transfer application proposes to change the authorized use under C-93255 and C-94893 from irrigation to nursery use, with the nursery use to be layered with COID's primary irrigation and supplemental irrigation rights "for use when a shortage in district supplied water occurs."

After speaking with the current farm operator for the "ON" lands, Eric Hagerty, we understand that the intention here is to only use the C-93255 and C-94893 water in a truly supplemental manner, in that the operator is only wanting the transferred water in early April or at the end of the irrigation season, and only when COID water is not available and COID is not otherwise delivering water. With that said, COID is not aware of any intention to convert the current farming operation to nursery stock, and absent such conversion, COID is concerned that the transfer cannot be proven up. At a more general level, COID is concerned that transfer applications seeking to change the authorized use of water from irrigation to nursery use—when there will be no bona fide nursery use—amounts to an end-run around the standard approach taken to layering primary and supplemental irrigation rights within irrigation districts.

1055 SW Lake Ct. Redmond, OR 97756 541-548-6047 coid.org

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Related to the above, COID is concerned that if the water under C-93255 and C-94893 is conveyed through the same irrigation system and used at the same time that COID water is also being conveyed and used, then the water will become co-mingled. If so, there will be no way to accurately document use under any transfer order for the required claim of beneficial use report. Similarly, there will be no way to document beneficial use following confirmation and certification of the transfer as well. And along these same lines, if water under C-93255 and C-94893 and water under COID's rights is being used at the same time, it will be impossible to know if and when the water user is exceeding COID's maximum delivery rate.

In sum, COID is consenting to the transfer on condition that if approved, the transfer order will prohibit co-mingling with COID water rights. To accomplish this, the use under the new nursery right should be limited to those times in which COID water is actually unavailable and COID is not otherwise delivering water, or to the months of November through March, when COID water would not be available to support nursery uses. We would note that these are the same conditions that COID requested to be placed on the approval of transfer application T-13793 in the event the Department decides to approve T-13793. This other application involves "ON" lands that are adjacent to the "ON" lands at issue under the immediate proposed transfer application. Finally, our consent is conditioned on the requirements that the nursery rights are limited to actual nursery use and the installation and use of totalizing flow meters to accurately track COID water use separate and apart from any use authorized under the transfer application.

Please let us know if you have any questions or would like to discuss further.

Sincerely,

A handwritten signature in black ink, appearing to read "CH", written over a horizontal line.

Craig Horrell
Managing Director

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Supplemental Form D

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

[For transfers submitted under OAR Chapter 690 Division 380]



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

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

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

1. APPLICANT INFORMATION

NAME PHILIP H. KNIGHT & PENELOPE P. KNIGHT			PHONE (HM)
PHONE (WK)	CELL 541-977-5275	FAX	
ADDRESS 34645 SW CLOUDREST LN			
CITY HILLSBORO	STATE OR	ZIP 97123	E-MAIL**

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME CENTRAL OREGON IRRIGATION DISTRICT			PHONE (HM)
PHONE (WK) 541-548-6047	CELL	FAX	
ADDRESS 1055 SW LAKE RD			
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL**

** 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.		-	93255	YES ☐
2.		-	94893	YES ☐
3.		-		YES ☐

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

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- 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).

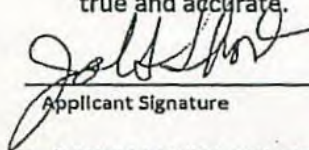
PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

- 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: CHANGING TO NURSERY USE AND LAYERING WITH DISTRICT IR AND IS FOR USE WHEN A SHORTAGE IN DISTRICT SUPPLIED WATER OCCURS.

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

John A. Short
Name (print) Agent

1-4-21
Date

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

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

The district/water supplier certifies the following:

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

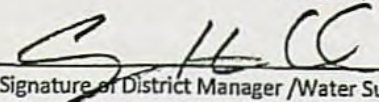
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08/18/2021

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

CRAG HORRELL
Name (print), Title

1.12.2022
Date

COID consent to the proposed water right transfer is conditionally provided, as set forth in the attached letter.

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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 # 93255

Description of Water Delivery System

System capacity: 0.25 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. **PUMPED FROM WELL AND PIPED TO HANDLINES & PODS.**

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)
Well #1 "OFF"	☒ Authorized ☐ Proposed	CROO 1867	15 S	14 E	35	SE SE	702	60' N, 190' W of SE Cor Sec 35
Well #2 "OFF"	☒ Authorized ☐ Proposed	CROO 1869	" "	" "	" "	SE SE	702	250' N, 360' W of SE Cor Sec 35
WELL "ON"	☐ Authorized ☒ Proposed	JEFF 51644/L-143074	13 S	13 E	33	SE SE	400	640' N, 530' W of SE Cor Sec 33
	☐ Authorized ☐ Proposed							

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☒ Character of Use (USE) | ☒ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ 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.

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

List the change proposed for the acreage in each % %. 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	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	Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE:																						
2	S	9	E	15	NW	100	Irrigation	POD #1	1901	POU/POD	2	S	9	E	1	NW	500	"	POD #5	1901		
								#2			2	S	9	E	2	SW	500		POD #6	1901		
15	S	14	E	35	SW	SE 600/ 601	6.4	IR	Well 1, Well 2	1978	POU, USE, POA	13	S	13	E	33	SW	NE 200	1.7	NU	WELL "ON"	1978
15	S	14	E	35	SE	SE 600/ 702	13.3	IR	Well 1, Well 2	1978	"	"	"	"	"	SE	NE "	4.3	"	"	"	
											"	"	"	"	"	NW	SE 400	13.4	"	"	"	
											"	"	"	"	"	34 SW	NW 400	0.3	"	"	"	
																		</				

TACS

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STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

$$0.25 / 20.0 = 0.0125$$

$$10.9 \times 0.0125 = 0.136$$

$$T = 0.2$$

$$0.2 \times 0.0125 = 0.0025$$

$$0.0025 \times 10.9 = 0.027$$

THIS CERTIFICATE ISSUED TO

RODNEY S JOHNSON
RT 1 BOX 420
POWELL BUTTE, OR 97753

confirms the right to use the waters of TWO WELL(S) in the CROOKED RIVER BASIN for IRRIGATION of 20.0 ACRES.

This right was perfected under Permit G-7909. The date of priority is JANUARY 25, 1978. The right is limited to not more than 0.25 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	14 E	WM	35	SE SE	WELL 1: 60 FEET NORTH AND 190 FEET WEST FROM THE SE CORNER OF SECTION 35
15 S	14 E	WM	35	SE SE	WELL 2: 250 FEET NORTH AND 360 FEET WEST FROM THE SE CORNER OF SECTION 35

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second, 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.

The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	14 E	WM	35	SW SE	6.4
15 S	14 E	WM	35	SE SE	13.6
Total					20.0

$$\begin{array}{rcl}
 & I & R \\
 \text{---} 6.4 & & \text{---} \\
 \text{---} 13.6 & & \text{---} 0.3 \\
 \hline
 T = 18.7 & & R = 0.3
 \end{array}$$

POU, USE, & OA

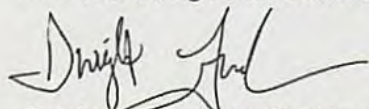
PARTIAL

This certificate is issued to describe the right NOT modified by provisions of an order of the Water Resources Director, entered JUN 28 2019, and recorded in Special Order Volume 113, Pages ~~380-382~~, approving a partial cancellation the right evidenced by Certificate 60424. This certificate supersedes Certificate 60424.

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 JUN 28 2019.

A handwritten signature in black ink, appearing to read "Dwight French", with a long horizontal flourish extending to the right.

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director

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 # 93255

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		
EXAMPLE																						
21	S	9	E	15	NE NW	100/	15.0	Irrigation	POD #1/POD #2	1901	POU/POD	21	S	9	E	1	NW NW	500/	4.1	10.0	POD #5	1901
21	S	9	E	15	NE NW	100/	15.0	Irrigation	POD #1/POD #2	1901	POU/POD	21	S	9	E	2	SW NW	500/	5.0	5.0	POD #6	1901
15	S	14	E	35	SW SE	600/	6.4	IR	Well 1, Well 2	1978	POD, USE, POA	13	S	13	E	33	SW NE	200	1.7	NU	WELL "ON"	1978
15	S	14	E	35	SE SE	600/	13.3	IR	Well 1, Well 2	1978	"	"	"	"	SE NE	"	4.3	"	"	"	"	
											"	"	"	"	NW SE	400	13.4	"	"	"	"	
											"	"	"	"	34 SW NW	400	0.3	"	"	"	"	
TOTAL ACRES: 19.7											TOTAL ACRES: 19.7											

Additional remarks: _____

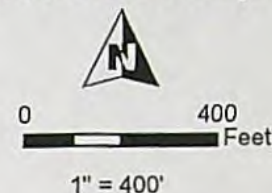
Revised 7/1/2021

Permanent Transfer Application Form – Page 8 of 12

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T15S R14E, WM, CROOK COUNTY, OR



WELL LOCATIONS:

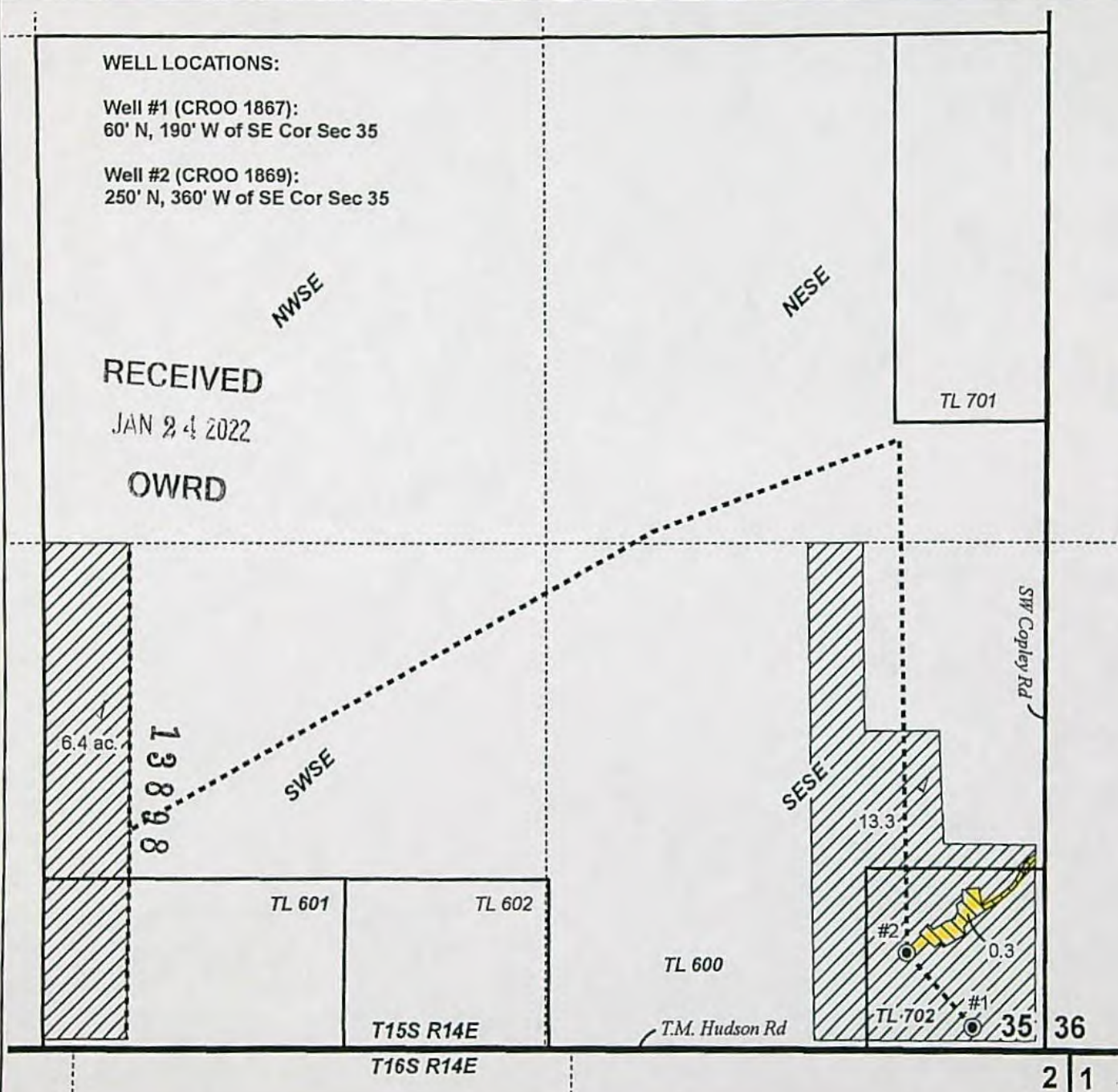
Well #1 (CROO 1867):
60' N, 190' W of SE Cor Sec 35

Well #2 (CROO 1869):
250' N, 360' W of SE Cor Sec 35

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- Well
- Pipeline
- POU IR (1/25/1978) "REMAINING"
- POU IR (1/25/1978) "OFF"
- Township
- Section
- Quarter Quarter
- Tax Lot



RENEWAL DATE 12/31/2022



PERMANENT TRANSFER "OFF" MAP
SCOTT JOHNSON RANCH

CERT: 93255

Date: 12/30/2021

This map is not intended
to provide legal dimensions
or locations of property
ownership lines.

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

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 # 94893

Description of Water Delivery System

System capacity: 1.42 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. Water is pumped from Well 2 into Upper Bulge. Water is pumped from Well 4 into Lower Bulge (which has booster pump). Upper Bulge gravity feeds extensive drip line system along the driveway. Both bulges feed, by gravity, the two traveling BIG GUNS.

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)
Well #2 "OFF"	☒ Authorized ☐ Proposed	CROO 1999	15 S	15 E	32	NE SW	100	1750' N, 2050' E of SW Cor Sec 32
Well #4 "OFF"	☒ Authorized ☐ Proposed	CROO 54411/ L-121059	" "	" "	" "	SW NE	100	3690' N, 2870' E of SW Cor Sec 32
WELL "ON"	☐ Authorized ☒ Proposed	JEFF 51644/ L-143074	13 S	13 E	33	SE SE	400	640' N, 530' W of SE Cor Sec 33

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☒ Character of Use (USE) | ☒ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ 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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STATE OF OREGON
COUNTY OF CROOK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FREUND SPENCER INVESTMENT GROUP LLC
63026 NE LOWER MEADOW DR SUITE 200
BEND OR 97701

confirms the right to the use of water perfected under the terms of Permit G-18016. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14494

SOURCE OF WATER: TWO WELLS IN THE CROOKED RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 113.8 ACRES

MAXIMUM RATE: 1.42 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO 0.83 CFS FROM WELL 2 AND 0.66 CFS FROM WELL 4, NOT TO EXCEED 1.42 CFS, IN ANY COMBINATION

PERIOD OF USE: MAY 1 THROUGH OCTOBER 15

DATE OF PRIORITY: APRIL 7, 1997

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	15 E	WM	32	NE SW	WELL 2 - 1750 FEET NORTH AND 2050 FEET EAST FROM SW CORNER, SECTION 32
15 S	15 E	WM	32	SW NE	WELL 4 - 3690 FEET NORTH AND 2870 FEET EAST FROM SW CORNER, SECTION 32

The amount of water used for irrigation under this right, 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 (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

$$1.42 / 113.8 = 0.012478$$

$$\times 100 = 1.2478 \quad T = 1.25$$

$$\times 13.8 = 0.1721964 \quad R = 0.17$$

PARTIAL

100, USE, 100%

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

JAN 24 2027

13898 Wait Dr.
OWRD

THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	15 E	WM	29	SE SW	1.5
15 S	15 E	WM	32	NW NE	12.3
15 S	15 E	WM	32	SW NE	30.8
15 S	15 E	WM	32	NE NW	30.4
15 S	15 E	WM	32	SE NW	29.8
15 S	15 E	WM	32	NE SW	9.0

$$\begin{array}{r} I \\ 1.5 \\ 10.8 \\ 20.6 \\ 30.3 \\ 27.8 \\ 9.0 \\ \hline T = 100.0 \end{array}$$

$$\begin{array}{r} R \\ 1.6 \\ 10.2 \\ 0.1 \\ 2.0 \\ \hline R = 13.9 \end{array}$$

The combined quantity of water diverted at the new points of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation, located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	15 E	WM	32	NE SW	WELL 1 (ORIGINAL) - 2435 FEET NORTH AND 2385 FEET EAST FROM SW CORNER, SECTION 32

Water use measurement conditions:

- The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each point of appropriation (new and existing).
- 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 Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

Use of water under authority of this right may be regulated if analysis of data available after the right is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

STANDARD CONDITIONS

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

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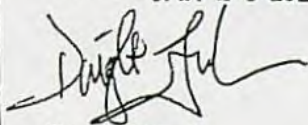
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

Issued JAN 29 2020



Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

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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 # 94893

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1/POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
15	S	15	E	29	SE	SW	100		1.5	IR	Well 2, Well 4	1997	POU, USE, POA	13	S	13	E	33	SE	NE	200		9.2	NU	WELL "ON"	1997
15	S	15	E	32	NW	NE	"		10.8	"	"	"	"	"	"	"	"	NE	SE	300		38.9	"	"	"	
"	"	"	"	"	SW	NE	"		20.6	"	"	"	"	"	"	"	"	SW	SE	"		0.3	"	"	"	
"	"	"	"	"	NE	NW	"		30.3	"	"	"	"	"	"	"	"	SE	SE	"		36.6	"	"	"	
"	"	"	"	"	SE	NW	"		27.8	"	"	"	"	"	"	"	"	34 SW	NW	400		7.0	"	"	"	
"	"	"	"	"	NE	SW	"		9.0	"	"	"	"	"	"	"	"	NW	SW	"		8.0	"	"	"	
TOTAL ACRES:						100.0							TOTAL ACRES:						100.0							

Additional remarks: _____.

T-13898

→ Revised
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was missing from file - no revision done
OWRD

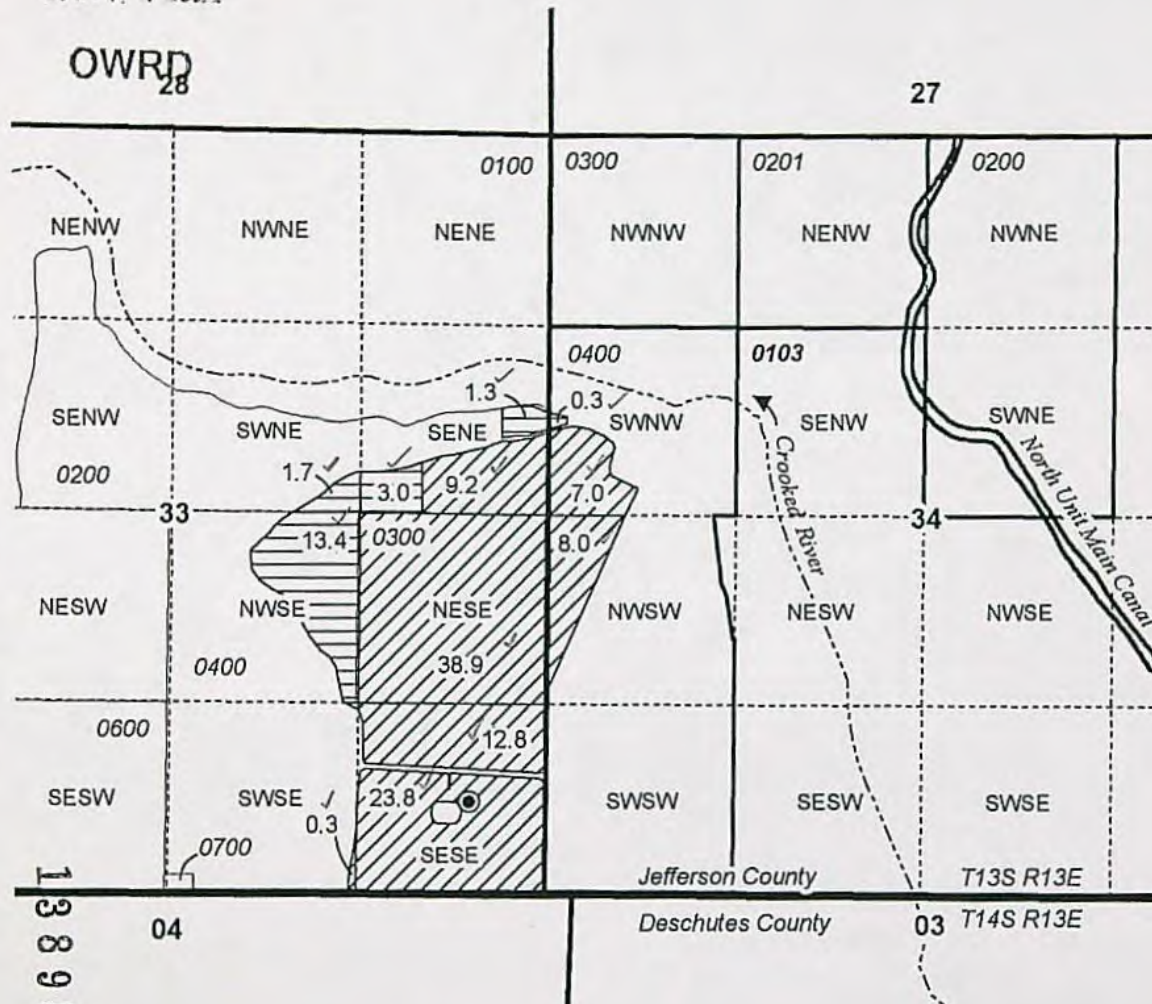
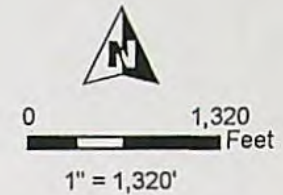
T13S R13E, WM
JEFFERSON COUNTY, OREGON

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28

27



● Well

----- River

POU NU C-93255 (1/25/1978) "ON"

POU NU C-94893 (4/7/1997) "ON"

Township

Section

----- Quarter Quarter

Tax Lot

WELL (JEFF 51644 / L-143074) LOCATION:
640' N, 530' W of SE Cor Sec 33



RENEWAL DATE 12/31/2022

PERMANENT TRANSFER "ON" MAP

Knight Ranch

CERTS: 93255 & 94893

Date: 12/31/2021

This map is not intended
to provide legal dimensions
or locations of property
ownership lines.

WATER RIGHT SERVICES, LLC

PO BOX 1830, BEND, OR 97709

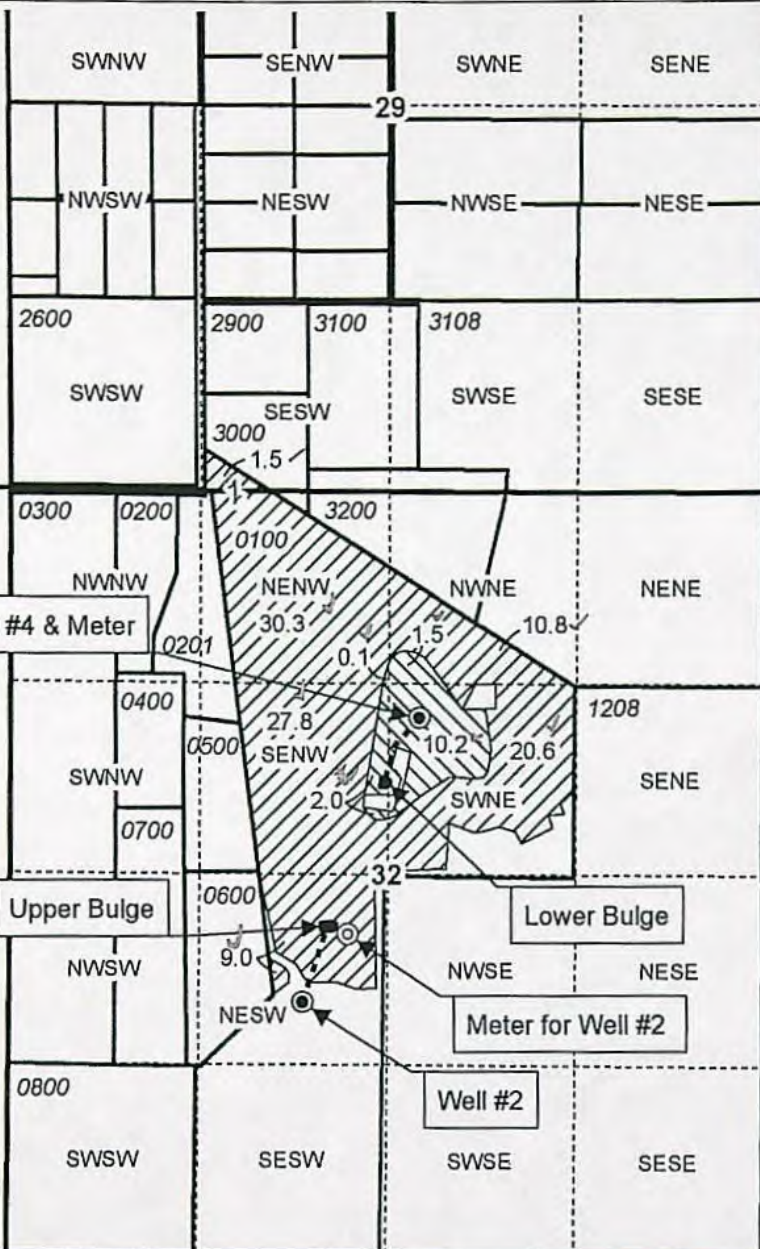
WWW.OREGONWATER.US CCB # 197121

johnshort@usa.com

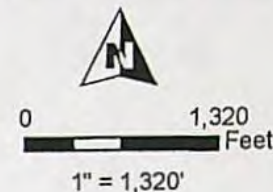
541-389-2837

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T15S R15E, WM
CROOK COUNTY, OREGON



- ⊙ Well
- ⊙ Meter
- Pipeline
- POU IR (4/7/1997) "REMAINING"
- POU IR (4/7/1997) "OFF"
- Bulge-in-System
- Township
- Section
- Quarter Quarter
- Tax Lot

Well Locations:
#2 (CROO 1999): 1750' N, 2050' E OF SW COR SEC 32
#4 (L-121059): 3690' N, 2870' E OF SW COR SEC 32



RENEWAL DATE 12/31/2022

PERMANENT TRANSFER "OFF" MAP
FREUND/SPENCER INVESTMENT GROUP, LLC

CERT: 94893

Date: 12/30/2021

This map is not intended
to provide legal dimensions
or locations of property
ownership lines.

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

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 DESCHUTES) ss

I, JOHN A. SHORT, in my capacity as WATER RIGHT SPECIALIST,

mailing address PO BOX 1830 BEND, OR 97709

telephone number (541)389-2837, being first duly sworn depose and say:

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

☐ Personal observation ☒ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the entire place of use for
Certificate # 94893; OR

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

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

OR

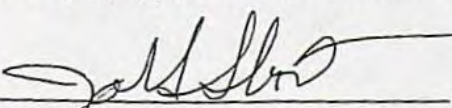
- ☒ Confirming Certificate # has been issued within the past five years; OR
- ☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is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

(continues on reverse side)

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

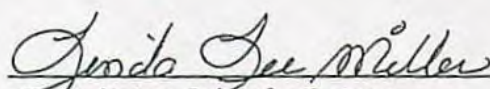
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.


Signature of Affiant

January 4, 2022
Date

Signed and sworn to (or affirmed) before me this 4 day of Jan, 2022.




Notary Public for Oregon

My Commission Expires: July 12, 2025

Supporting Documents	Examples
☒ 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
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• 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
☐ Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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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

Applicant(s): PHILIP H. & PENELOPE P. KNIGHT

Mailing Address: 34645 SW CLOUDREST LANE

City: HILLSBORO

State: OR

Zip Code: 97123

Daytime Phone: _____

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	X X	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>13 S</u>	<u>13 E</u>	<u>33</u>	_____	<u>200</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>NU</u>
"	"	"	_____	<u>300</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>NU</u>
"	"	"	_____	<u>400</u>	<u>EFU</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>NU</u>
<u>13 S</u>	<u>13 E</u>	<u>34</u>	_____	<u>400</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>NU</u>

6002
6003
6004
6014

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

JEFFERSON COUNTY.

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1.496 ☒ 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 NU - NURSERY USE

Briefly describe:

TRANSFER IRRIGATION TO A NEW PLACE OF USE AND A NEW POINT OF APPROPRIATION, &
CHANGE TO NURSERY USE.

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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JAN 24 2022

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

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

☐ Land uses 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

JEFFERSON COUNTY
COMMUNITY DEVELOPMENT DEPT.
85 SE "D" STREET
MADRAS OREGON 97741
RL zone

Name: Tanya Cloutier Title: Assistant Planner
 Signature: Tanya Cloutier Phone: 541-446-4462 Date: 1/5/22
 Government Entity: Jefferson County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
County of Deschutes)ss

I Jerry Freund in my/our capacity as Member, Freund/Spencer Investments, LLC

Investment Group LLC *JF*

mailing address 63026 NE Lower Meadow Drive, Suite 200, Bend, OR 97701,

telephone number 541-815-6416, duly sworn depose and say that I

consent to the proposed change(s) to Water Right Certificate Number 94893

described in a Transfer Application (T-TBD) submitted by Philip & Penelope Knight and/or Water Right Services, LLC,

(transfer number, if known)

on the property in tax lot number(s) 100, Section 32, Township 15

South, Range 15 East, W.M., located at 7700 SW Stillman Road, Powell Butte, OR 97753.
(site address)

X *[Signature]*
Signature of Affiant

7/15/2021
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 15 day of July, 2021.



[Signature]
Notary Public for Oregon

My commission expires 1-21-22

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JAN 4 2022

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
County of Deschutes)ss
)

I Kevin Spencer in my/our capacity as Manager, Freund/Spencer Investments, LLC,
Investment Group, LLC

mailing address 63026 NE Lower Meadow Drive, Suite 200, Bend, OR 97701,

telephone number 541-389-0070, duly sworn depose and say that I

consent to the proposed change(s) to Water Right Certificate Number 94893

described in a Transfer Application (T-TBD) submitted by Philip & Penelope Knight and/or
Water Right Services, LLC,

(transfer number, if known)

on the property in tax lot number(s) 100, Section 32, Township 15

South, Range 15 East, W.M., located at 7700 SW Stillman Road, Powell Butte, OR 97753.
(site address)

[Signature]
Signature of Affiant

7-15-21
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 16th day of July, 2021.



[Signature]
Notary Public for Oregon

My commission expires 10/7/2023.

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of ~~Oregon~~ ARIZONA)
)ss
County of MARICOPA)

I Scott C. Johnson in my/our capacity as Owner,
mailing address PO Box 1, Powell Butte, OR 97753,
telephone number 541-408-7010, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 93255
described in a Transfer Application (T-TBD) submitted by Philip & Penelope Knight and/or
Water Right Services, LLC,

(transfer number, if known)

on the property in tax lot number(s) 600, 601 & 702, Section 35 D, Township 15
South, Range 14 East, W.M., located at 8895 SW Copley Road, Powell Butte, OR 97753.
(site address)

Scott C. Johnson
Signature of Affiant

7/22/2021
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 22 day of JULY, 2021.



[Signature]
Notary Public for Oregon ARIZONA

My commission expires 04-15-2023

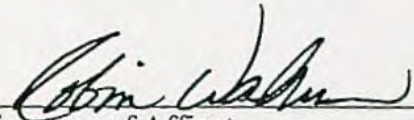
Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of _____)
County of _____)ss

I Robin Walker in my capacity as Trustee of the Robin Walker Revocable Trust,
mailing address 967 Almaden Circle, Oakley, CA 94561,
telephone number 925-628-7434, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 93255
described in a Transfer Application (T-TBD) submitted by Scott Johnson and/or Philip &
Penelope Knight, on the property in tax lot number(s) 601, Section 35, Township 15
South, Range 14 East, W.M., located at 9281 SW Copley Road, Powell Butte, OR 97753.
(site address)


Signature of Affiant

7/20/21
Date

Subscribed and Sworn to before me this _____ day of _____, 202__.

Notary Public for Oregon

My commission expires _____.

See attached certificate

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13898 JAN 24 2022

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CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Contra Costa

On July 20, 2021 before me, Christine Alexandra Roybal
Date Here Insert Name and Title of the Officer

personally appeared Robin Walker
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal and/or Stamp Above

Signature Christine Alexandra Roybal
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____ Signer's Name: _____

☐ Corporate Officer – Title(s): _____ ☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General ☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact ☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator ☐ Trustee ☐ Guardian or Conservator

☐ Other: _____ ☐ Other: _____

Signer is Representing: _____ Signer is Representing: _____

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
County of Douglas)ss

I Shannon Bart in my capacity as Owner,
mailing address 9263 SW Copley Road, Powell Butte, OR 97753,
telephone number 541-977-7595, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 93255
described in a Transfer Application (T-TBD) submitted by Scott Johnson and/or Philip &
Penelope Knight, on the property in tax lot number 702, Section 35, Township 15
South, Range 14 East, W.M., located at 9263 SW Copley Road, Powell Butte, OR 97753.
(site address)

Shannon Bart
Signature of Affiant

7/17/21
Date

Subscribed and Sworn to before me this 17 day of July, 2021.



Galan Redcloud Carter
Notary Public for Oregon

My commission expires Feb 20, 2024

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
County of Douglas)ss

I Jorge Monroy in my capacity as Owner,
mailing address 9263 SW Copley Road, Powell Butte, OR 97753,
telephone number 650-346-4794, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 93255
described in a Transfer Application (T-TBD) submitted by Scott Johnson and/or Philip &
Penelope Knight, on the property in tax lot number 702, Section 35, Township 15
South, Range 14 East, W.M., located at 9263 SW Copley Road, Powell Butte, OR 97753.
(site address)

[Signature]
Signature of Affiant

7/17/2021
Date

Subscribed and Sworn to before me this 17 day of July, 2021.



[Signature]
Notary Public for Oregon

My commission expires Feb 20, 2024.

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 DESCHUTES) ss

I, JOHN A. SHORT, in my capacity as WATER RIGHT SPECIALIST,

mailing address PO Box 1830 BEND, OR 97709

telephone number (541)389-2837, being first duly sworn depose and say:

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

☒ Personal observation ☒ Professional expertise

2. I attest that:

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

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
93255 (USE PER T-13786)	15	S	14	E	WM	35	NE	SE		3.8 AC
93255 (USE PER T-13786)	15	S	14	E	WM	35	SE	SE		15.9 AC

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)

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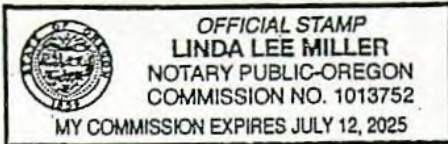
(continues on reverse side)

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

Signature of Affiant

January 04, 2022
Date

Signed and sworn to (or affirmed) before me this 04 day of January, 2022.



Linda Lee Miller
Notary Public for Oregon

My Commission Expires: July 12, 2025

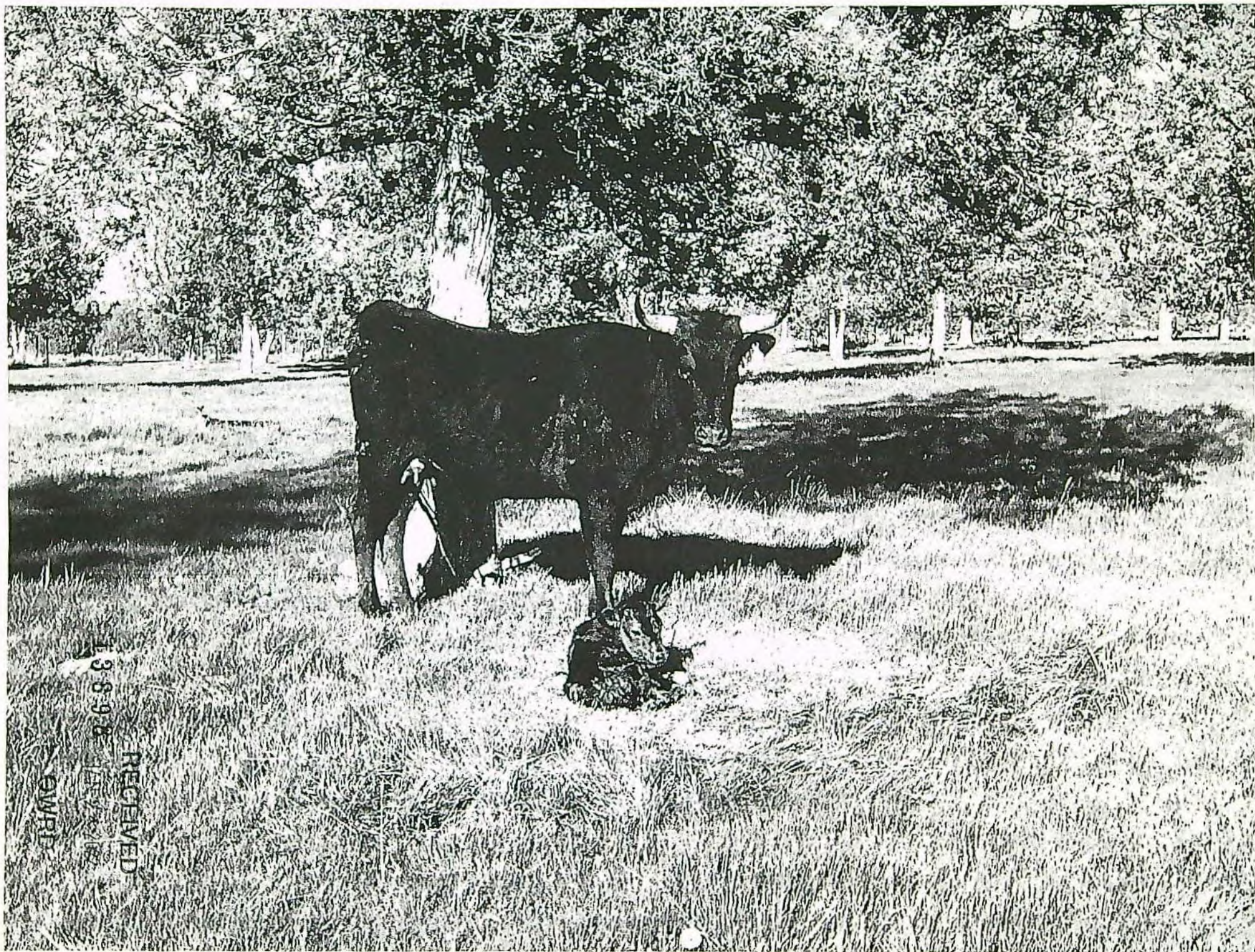
Supporting Documents	Examples
☐ Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
☒ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• 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
☐ Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU - www.oregonexplorer.info/imagery OWRD - www.wrd.state.or.us Google Earth - earth.google.com TerraServer - www.terra-server.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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CENTRAL ELECTRIC
COOPERATIVE, INC.

www.cec.coop • P.O. Box 846, Redmond, OR 97756 • Office: 541.548.2144 • Fax: 541.548.0366

01/19/2021

SCOTT C JOHNSON
PO BOX 1
POWELL BUTTE, OR 97753

Act # 2508852424
Meter # 13023862

Dear SCOTT C JOHNSON

Below is the requested tax data for the following service address:
8895 SW COPLEY RD IP, POWELL BUTTE, OR 97753

BILL DATE	BILL TOTAL	PAYMENTS
01/12/2018	\$ 3.09	\$ -2.10
02/15/2018	\$ 1.49	\$ -3.09
03/15/2018	\$ 1.44	\$ -1.49
04/13/2018	\$ 17.11	\$ -1.44
05/15/2018	\$ 58.15	\$ -17.11
06/15/2018	\$ 61.78	\$ -58.15
07/13/2018	\$ 26.94	\$ -61.78
08/15/2018	\$ 66.63	\$ -26.94
09/14/2018	\$ 53.18	\$ -66.63
10/13/2018	\$ 24.23	\$ -53.18
11/15/2018	\$ 8.22	\$ -24.23
12/14/2018	\$ 1.44	\$ -8.22
01/15/2019	\$ 1.55	\$ -1.44
GRAND TOTALS:	\$ 325.25	\$ -325.80

If you have any further requests or questions, please feel free to contact our offices at (541) 548-2144.

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www.cec.coop • P.O. Box 846, Redmond, OR 97756 • Office: 541.548.2144 • Fax: 541.548.0366

01/19/2021

SCOTT C JOHNSON
PO BOX 1
POWELL BUTTE, OR 97753

Act # 2522700101
Meter # 12951926

Dear SCOTT C JOHNSON

Below is the requested tax data for the following service address:
8895 SW COPLEY RD IP, POWELL BUTTE, OR 97753

BILL DATE	BILL TOTAL	PAYMENTS
01/12/2018	\$ 2.21	\$ -0.99
02/15/2018	\$ 1.32	\$ -2.21
03/15/2018	\$ 1.93	\$ -1.32
04/13/2018	\$ 18.60	\$ -1.93
05/15/2018	\$ 301.03	\$ -18.60
06/15/2018	\$ 417.89	\$ -301.03
07/13/2018	\$ 453.76	\$ -417.89
08/15/2018	\$ 451.41	\$ -453.76
09/14/2018	\$ 464.29	\$ -451.41
10/13/2018	\$ 109.09	\$ -464.29
11/15/2018	\$ 5.46	\$ -109.09
12/14/2018	\$ 2.32	\$ -5.46
01/15/2019	\$ 2.26	\$ -2.32
GRAND TOTALS:	\$ 2,231.57	\$ -2,230.30

If you have any further requests or questions, please feel free to contact our offices at (541) 548-2144.

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QWRD

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 # 94893

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E 15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1	NW	NW	500	1	10.0		POD #5	1901
													2	S	9	E 2	SW	NW	500		5.0		POD #6	1901
15	S	15	E 29	SE	SW	100		1.5	IR	Well 2, Well 4	1997	POU, USE, POA	13	S	13	E 33	SE	NE	200		9.2	NU	WELL "ON"	1997
15	S	15	E 32	NW	NE	"		10.8	"	"	"	"	"	"	"	"	NE	SE	300		38.9	"	"	"
"	"	"	"	"	SW	NE	"	20.6	"	"	"	"	"	"	"	"	SW	SE	"		0.3	"	"	"
"	"	"	"	"	NE	NW	"	30.3	"	"	"	"	"	"	"	"	SE	SE	"		36.6	"	"	"
"	"	"	"	"	SE	NW	"	27.8	"	"	"	"	"	"	"	"	34	SW	NW	400		7.0	"	"
"	"	"	"	"	NE	SW	"	9.0	"	"	"	"	"	"	"	"	NW	SW	"		8.0	"	"	"
TOTAL ACRES:						100.0						TOTAL ACRES:						100.0						

Additional remarks: _____.

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Working Copies

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-13898

Review Due Date: 03/04/2022

Applicant Name: Phil Knight

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

Reviewer(s): Giffin

Date of Review: 02/03/2022

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- 13898



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: Jeremy Giffin

District: 11

Address: 231 Scalehouse Lp, STE 103

City/State/Zip: Bend, OR 97702

Phone: 541-306-6885

Email: Jeremy.T.Giffin@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

Application for Water Right Transfer Evidence of Use Affidavit



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
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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 DESCHUTES) ss

I, JOHN A. SHORT, in my capacity as WATER RIGHT SPECIALIST,

mailing address PO BOX 1830 BEND, OR 97709

telephone number (541)389-2837, being first duly sworn depose and say:

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

☐ Personal observation ☒ Professional expertise

2. I attest that:

☒ Water was used during the previous five years on the **entire** place of use for
Certificate # 94893; OR

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

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

OR

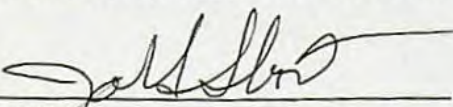
- ☒ Confirming Certificate # has been issued within the past five years; OR
- ☐ Part or all of the water right was leased instream at some time within the last five years. The instream lease number is: _____ (Note: If the entire right proposed for transfer was not leased, additional evidence of use is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

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

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



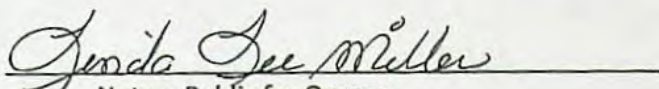
Signature of Affiant

January 4, 2022

Date

Signed and sworn to (or affirmed) before me this 4 day of Jan, 2022.





Notary Public for Oregon

My Commission Expires: July 12, 2025

Supporting Documents	Examples
☒ 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
☐ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
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☐ Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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STATE OF OREGON

COUNTY OF CROOK

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

FREUND SPENCER INVESTMENT GROUP LLC
63026 NE LOWER MEADOW DR SUITE 200
BEND OR 97701

confirms the right to the use of water perfected under the terms of Permit G-18016. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the point of diversion from the source. The specific limits and conditions of the use are listed below.

APPLICATION FILE NUMBER: G-14494

SOURCE OF WATER: TWO WELLS IN THE CROOKED RIVER BASIN

PURPOSE OR USE: IRRIGATION OF 113.8 ACRES

MAXIMUM RATE: 1.42 CUBIC FEET PER SECOND (CFS), FURTHER LIMITED TO 0.83 CFS FROM WELL 2 AND 0.66 CFS FROM WELL 4, NOT TO EXCEED 1.42 CFS, IN ANY COMBINATION

PERIOD OF USE: MAY 1 THROUGH OCTOBER 15

DATE OF PRIORITY: APRIL 7, 1997

WELL LOCATIONS:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	15 E	WM	32	NE SW	WELL 2 - 1750 FEET NORTH AND 2050 FEET EAST FROM SW CORNER, SECTION 32
15 S	15 E	WM	32	SW NE	WELL 4 - 3690 FEET NORTH AND 2870 FEET EAST FROM SW CORNER, SECTION 32

The amount of water used for irrigation under this right, 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 (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484 and ORS 536.075. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.484(2). Pursuant to ORS 183.484, ORS 536.075 and OAR 137-004-0080, you may petition for judicial review and 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. In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate within three months after issuance of the certificate.

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THE PLACE OF USE IS LOCATED AS FOLLOWS:

Twp	Rng	Mer	Sec	Q-Q	Acres
15 S	15 E	WM	29	SE SW	1.5
15 S	15 E	WM	32	NW NE	12.3
15 S	15 E	WM	32	SW NE	30.8
15 S	15 E	WM	32	NE NW	30.4
15 S	15 E	WM	32	SE NW	29.8
15 S	15 E	WM	32	NE SW	9.0

The combined quantity of water diverted at the new points of appropriation, together with that diverted at the old point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation, located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
15 S	15 E	WM	32	NE SW	WELL 1 (ORIGINAL) - 2435 FEET NORTH AND 2385 FEET EAST FROM SW CORNER, SECTION 32

Water use measurement conditions:

- A. The water user shall maintain the totalizing flow meter or other suitable measuring device as approved by the Director in good working order at each point of appropriation (new and existing).
- 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.
- C. The Director may require the water user to keep and maintain a record of the amount (volume) of water used and may require the water user to report water use on a periodic schedule as established by the Director. In addition, the Director may require the water user to report general water use information, the periods of water use and the place and nature of use of water under the right. The Director may provide an opportunity for the water user to submit alternative reporting procedures for review and approval.

Use of water under authority of this right may be regulated if analysis of data available after the right is issued discloses that the appropriation will measurably reduce the surface water flows necessary to maintain the free-flowing character of a scenic waterway in quantities necessary for recreation, fish and wildlife in effect as of the priority date of the right or as those quantities may be subsequently reduced.

If substantial interference with a senior water right occurs due to withdrawal of water from any well listed on this right, then use of water from the well(s) shall be discontinued or reduced and/or the schedule of withdrawal shall be regulated until or unless the Department approves or implements an alternative administrative action to mitigate the interference. The Department encourages junior and senior appropriators to jointly develop plans to mitigate interferences.

STANDARD CONDITIONS

The wells shall be maintained in accordance with the General Standards for the Construction and Maintenance of Water Wells in Oregon. The works shall be equipped with a usable access port, and may also include an air line and pressure gauge adequate to determine the water level elevation in the well at all times.

The Director may require water level or pump test results every ten years.

Failure to comply with any of the provisions of this right may result in action including, but not limited to, restrictions on the use, civil penalties, or cancellation of the right.

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Certificate 94893

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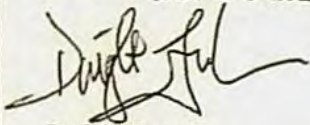
This right is for the beneficial use of water without waste. The water user is advised that new regulations may require the use of best practical technologies or conservation practices to achieve this end.

By law, the land use associated with this water use must be in compliance with statewide land-use goals and any local acknowledged land-use plan.

The use of water shall be limited when it interferes with any prior surface or ground water rights.

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

Issued JAN 29 2020



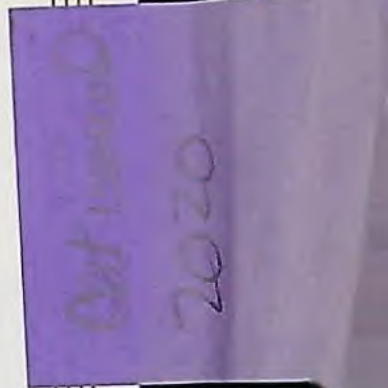
Dwight French
Water Right Services Division Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department



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Supplemental Form D

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

[For transfers submitted under OAR Chapter 690 Division 380]



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

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

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

1. APPLICANT INFORMATION

NAME PHILIP H. KNIGHT & PENELOPE P. KNIGHT			PHONE (HM)
PHONE (WK)	CELL 541-977-5275	FAX	
ADDRESS 34645 SW CLOUDREST LN			
CITY HILLSBORO	STATE OR	ZIP 97123	E-MAIL**

2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME CENTRAL OREGON IRRIGATION DISTRICT			PHONE (HM)
PHONE (WK) 541-548-6047	CELL	FAX	
ADDRESS 1055 SW LAKE RD			
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL**

** 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.		-	93255	YES ☐
2.		-	94893	YES ☐
3.		-		YES ☐

Attach additional pages for additional water rights if necessary.

*Bureau of Reclamation

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- 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).

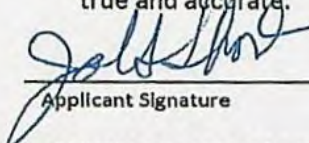
PROPOSED ASSOCIATIONS Please answer the following "yes" or "no" questions:

- 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: CHANGING TO NURSERY USE AND LAYERING WITH DISTRICT IR AND IS FOR USE WHEN A SHORTAGE IN DISTRICT SUPPLIED WATER OCCURS.

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

John A. Short
Name (print) Agent

1-4-21
Date

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

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

The district/water supplier certifies the following:

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

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

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


Signature of District Manager /Water Supplier

CRAG HORRELL
Name (print), Title

1.12.2022
Date

COID consent to the proposed water right transfer is conditionally provided, as set forth in the attached letter.

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January 12, 2022

Oregon Water Resources Department
725 Summer St NE Ste 100
Salem, OR 97301

RE: Supplement Form D for Water Right Transfer Application involving C-93255 and C-94893

To Whom It May Concern:

John Short and Water Rights Services, LLC prepared a draft water right transfer application on behalf of Philip H. Knight and Penelope P. Knight involving C-93255 and C-94893. Because the "ON" lands for the proposed transfer are located within the boundary of Central Oregon Irrigation District (COID) and already receive water delivered by COID pursuant to COID's water rights, Mr. Short notified COID of the proposed transfer and requested that COID consent to the proposed transfer and complete Supplemental Form D.

COID is conditionally consenting to the proposed transfer, and has completed the Supplemental Form D accordingly. The consent is conditioned as set forth below. We would request that this letter be included as part of the record for the proposed transfer, and be taken into consideration by the Department in determining whether to ultimately approve or deny the transfer application.

COID holds two certificates, C-94956, a 1900 primary irrigation right to use Deschutes live flow, and C-76714, a 1913 supplemental irrigation right to use storage from Crane Prairie Reservoir. Both of these certificates are appurtenant to the "ON" lands that are the subject of the transfer application, and the proposed transfer application map places water onto lands fully irrigated by the appurtenant COID water rights.

We have the following comments and concerns:

As an initial matter, the proposed transfer application proposes to change the authorized use under C-93255 and C-94893 from irrigation to nursery use, with the nursery use to be layered with COID's primary irrigation and supplemental irrigation rights "for use when a shortage in district supplied water occurs."

After speaking with the current farm operator for the "ON" lands, Eric Hagerty, we understand that the intention here is to only use the C-93255 and C-94893 water in a truly supplemental manner, in that the operator is only wanting the transferred water in early April or at the end of the irrigation season, and only when COID water is not available and COID is not otherwise delivering water. With that said, COID is not aware of any intention to convert the current farming operation to nursery stock, and absent such conversion, COID is concerned that the transfer cannot be proven up. At a more general level, COID is concerned that transfer applications seeking to change the authorized use of water from irrigation to nursery use—when there will be no bona fide nursery use—amounts to an end-run around the standard approach taken to layering primary and supplemental irrigation rights within irrigation districts.

1055 SW Lake Ct. Redmond, OR 97756 541-548-6047 cold.org

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Dist-
Letter
w/Approve



Related to the above, COID is concerned that if the water under C-93255 and C-94893 is conveyed through the same irrigation system and used at the same time that COID water is also being conveyed and used, then the water will become co-mingled. If so, there will be no way to accurately document use under any transfer order for the required claim of beneficial use report. Similarly, there will be no way to document beneficial use following confirmation and certification of the transfer as well. And along these same lines, if water under C-93255 and C-94893 and water under COID's rights is being used at the same time, it will be impossible to know if and when the water user is exceeding COID's maximum delivery rate.

In sum, COID is consenting to the transfer on condition that if approved, the transfer order will prohibit co-mingling with COID water rights. To accomplish this, the use under the new nursery right should be limited to those times in which COID water is actually unavailable and COID is not otherwise delivering water, or to the months of November through March, when COID water would not be available to support nursery uses. We would note that these are the same conditions that COID requested to be placed on the approval of transfer application T-13793 in the event the Department decides to approve T-13793. This other application involves "ON" lands that are adjacent to the "ON" lands at issue under the immediate proposed transfer application. Finally, our consent is conditioned on the requirements that the nursery rights are limited to actual nursery use and the installation and use of totalizing flow meters to accurately track COID water use separate and apart from any use authorized under the transfer application.

Please let us know if you have any questions or would like to discuss further.

Sincerely,

Craig Horrell
Managing Director

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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 # 94893

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp	Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
15	S	15	E	29	SE	SW	100		1.5	IR	Well 2, Well 4	1997	POU, USE, POA	13	S	13	E	33	SE	NE	200		9.2	NU	WELL "ON"	1997
15	S	15	E	32	NW	NE	"		10.8	"	"	"	"	"	"	"	"	NE	SE	300		38.9	"	"	"	
"	"	"	"	"	SW	NE	"		20.6	"	"	"	"	"	"	"	"	SW	SE	"		0.3	"	"	"	
"	"	"	"	"	NE	NW	"		30.3	"	"	"	"	"	"	"	"	SE	SE	"		36.6	"	"	"	
"	"	"	"	"	SE	NW	"		27.8	"	"	"	"	"	"	"	"	34	SW	NW	400		7.0	"	"	"
"	"	"	"	"	NE	SW	"		9.0	"	"	"	"	"	"	"	"	NW	SW	"		8.0	"	"	"	
TOTAL ACRES:												100.0	TOTAL ACRES:												100.0	

Additional remarks: _____.

T15S R14E, WM, CROOK COUNTY, OR



0 400 Feet

1" = 400'

● Well

--- Pipeline

POU IR (1/25/1978) "REMAINING"

POU IR (1/25/1978) "OFF"

— Township

— Section

--- Quarter Quarter

Tax Lot



RENEWAL DATE 12/31/2022



WELL LOCATIONS:

Well #1 (CROO 1867):
60' N, 190' W of SE Cor Sec 35

Well #2 (CROO 1869):
250' N, 360' W of SE Cor Sec 35

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NWSE

NESE

TL 701

SW Copley Rd

6.4 ac.

1389.8

SWSE

TL 601

TL 602

SESE

13.3

TL 600

#2

0.3

TL 702

#1

T15S R14E

T16S R14E

T.M. Hudson Rd

36

2 | 1

PERMANENT TRANSFER "OFF" MAP
SCOTT JOHNSON RANCH

CERT: 93255

Date: 12/30/2021

This map is not intended
to provide legal dimensions
or locations of property
ownership lines.

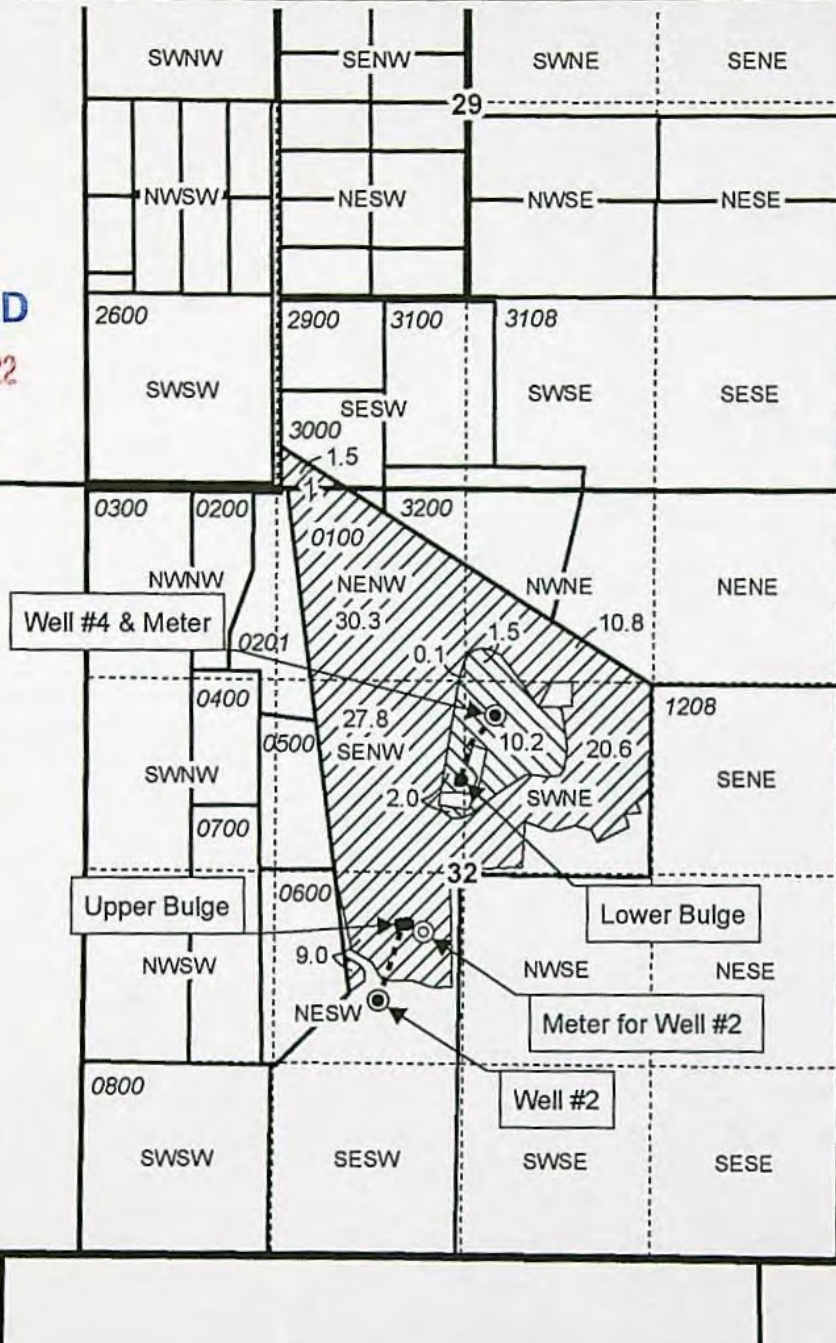
WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

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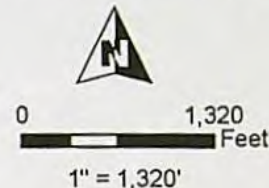
JAN 24 2022

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13898



T15S R15E, WM
CROOK COUNTY, OREGON



- Well
- Meter
- Pipeline
- POU IR (4/7/1997) "REMAINING"
- POU IR (4/7/1997) "OFF"
- Bulge-in-System
- Township
- Section
- Quarter Quarter
- Tax Lot

Well Locations:
#2 (CROO 1999): 1750' N, 2050' E OF SW COR SEC 32
#4 (L-121059): 3690' N, 2870' E OF SW COR SEC 32



RENEWAL DATE 12/31/2022

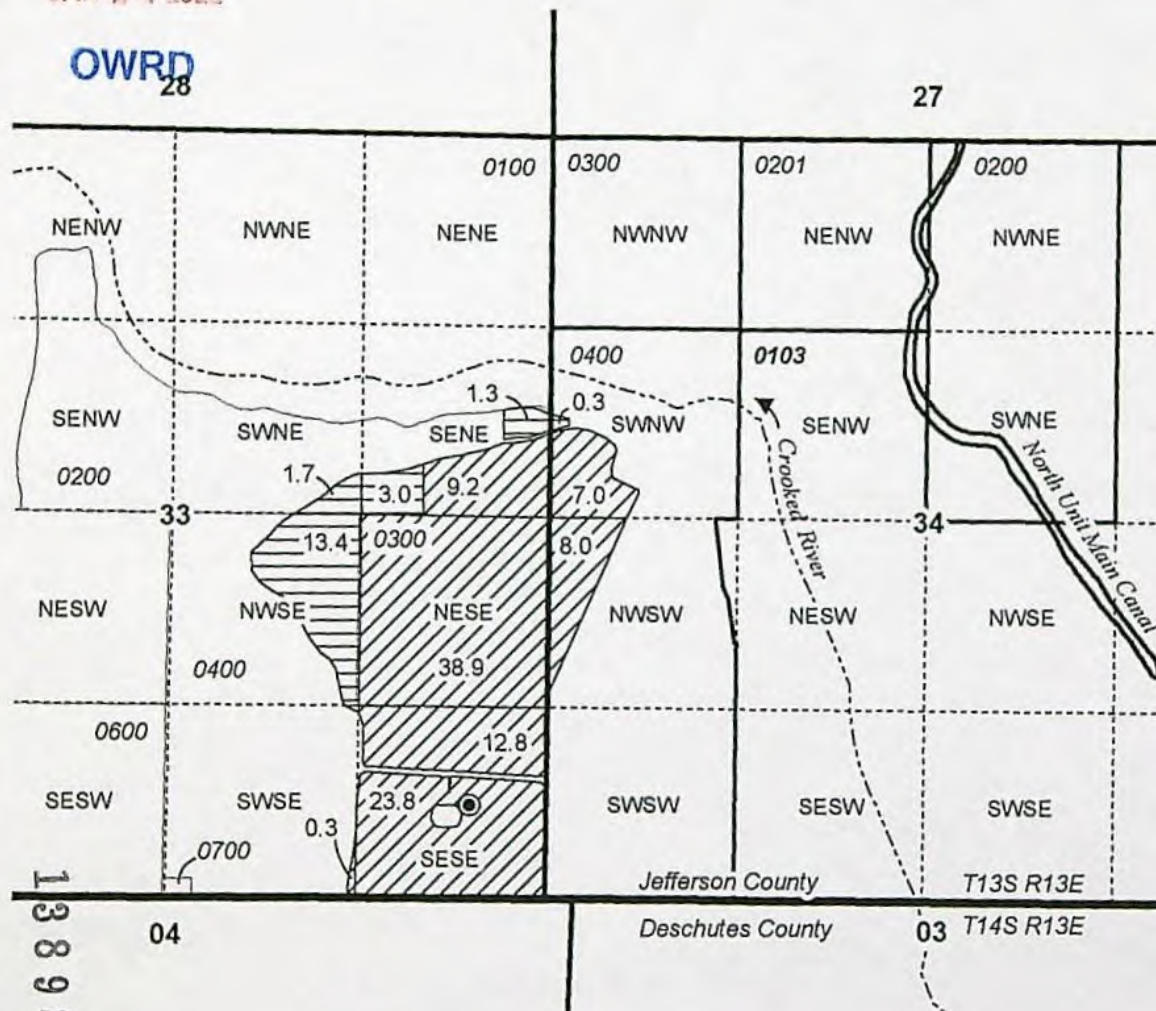
PERMANENT TRANSFER "OFF" MAP
FREUND/SPENCER INVESTMENT GROUP, LLC

CERT: 94893

Date: 12/30/2021

This map is not intended
to provide legal dimensions
or locations of property
ownership lines.

WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

OWRD
28

- WELL (JEFF 51644 / L-143074) LOCATION:**
640' N, 530' W of SE Cor Sec 33



PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

Land Use Information Form

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

Applicant(s): PHILIP H. & PENELOPE P. KNIGHT

Mailing Address: 34645 SW CLOUDREST LANE

City: HILLSBORO

State: OR

Zip Code: 97123

Daytime Phone: _____

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>13 S</u>	<u>13 E</u>	<u>33</u>	_____	<u>200</u>	<u>EFU</u>	☐ Diverted ☒ Conveyed ☒ Used	<u>NU</u>
"	"	"	_____	<u>300</u>	<u>EFU</u>	☐ Diverted ☒ Conveyed ☒ Used	<u>NU</u>
"	"	"	_____	<u>400</u>	<u>EFU</u>	☒ Diverted ☒ Conveyed ☒ Used	<u>NU</u>
<u>13 S</u>	<u>13 E</u>	<u>34</u>	_____	<u>400</u>	<u>EFU</u>	☐ Diverted ☒ Conveyed ☒ Used	<u>NU</u>

6002
6003
6004
6014

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

JEFFERSON COUNTY.

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 1.496 ☒ 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 NU - NURSERY USE

Briefly describe:

TRANSFER IRRIGATION TO A NEW PLACE OF USE AND A NEW POINT OF APPROPRIATION, &
CHANGE TO NURSERY USE.

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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JAN 24 2022

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

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

☐ Land uses 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:	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ 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.

JEFFERSON COUNTY
COMMUNITY DEVELOPMENT DEPT.
85 SE "D" STREET
MADRAS OREGON 97741

RL zone

Name: Tanya Cloutier Title: Assistant Planner
 Signature: Tanya Cloutier Phone: 541-446-4462 Date: 1/5/22
 Government Entity: Jefferson County

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
 City or County: _____ Staff contact: _____
 Signature: _____ Phone: _____ Date: _____

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
County of Deschutes)ss
)

I Jerry Freund in my/our capacity as Member, Freund/Spencer Investments, LLC,

Investment Group LLC *[Signature]*

mailing address 63026 NE Lower Meadow Drive, Suite 200, Bend, OR 97701,

telephone number 541-815-6416, duly sworn depose and say that I

consent to the proposed change(s) to Water Right Certificate Number 94893

described in a Transfer Application (T-TBD) submitted by Philip & Penelope Knight and/or
Water Right Services, LLC,

(transfer number, if known)

on the property in tax lot number(s) 100, Section 32, Township 15

South, Range 15 East, W.M., located at 7700 SW Stillman Road, Powell Butte, OR 97753.
(site address)

X *[Signature]*
Signature of Affiant

7/15/2021
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 15 day of July, 2021.



[Signature]
Notary Public for Oregon

My commission expires 1-21-22

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
County of Deschutes)ss
)

Investment Group, LLC

I Kevin Spencer in my/our capacity as Manager, Freund/Spencer Investments, LLC,

mailing address 63026 NE Lower Meadow Drive, Suite 200, Bend, OR 97701,

telephone number 541-389-0070, duly sworn depose and say that I

consent to the proposed change(s) to Water Right Certificate Number 94893

described in a Transfer Application (T-TBD) submitted by Philip & Penelope Knight and/or Water Right Services, LLC,

(transfer number, if known)

on the property in tax lot number(s) 100, Section 32, Township 15

South, Range 15 East, W.M., located at 7700 SW Stillman Road, Powell Butte, OR 97753.

(site address)

Signature of Affiant

7-15-21

Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 16th day of July, 2021.



Tina Kay Oakley
Notary Public for Oregon

My commission expires 10/7/2023.

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of ~~Oregon~~ ARIZONA)
)ss
County of MARICOPA)

I Scott C. Johnson in my/our capacity as Owner,
mailing address PO Box 1, Powell Butte, OR 97753,
telephone number 541-408-7010, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 93255
described in a Transfer Application (T-TBD) submitted by Philip & Penelope Knight and/or
Water Right Services, LLC,

(transfer number, if known)

on the property in tax lot number(s) 600, 601 & 702, Section 35 D, Township 15
South, Range 14 East, W.M., located at 8895 SW Copley Road, Powell Butte, OR 97753.
(site address)

Scott C. Johnson
Signature of Affiant

7/22/2021
Date

Signature of Affiant

Date

Subscribed and Sworn to before me this 22 day of JULY, 2021.



Cheyenne Lacey
Notary Public for Oregon ARIZONA

My commission expires 04-15-2023

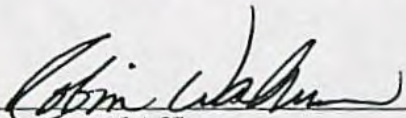
Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of _____)
County of _____)ss

I Robin Walker in my capacity as Trustee of the Robin Walker Revocable Trust,
mailing address 967 Almaden Circle, Oakley, CA 94561,
telephone number 925-628-7434, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 93255
described in a Transfer Application (T-TBD) submitted by Scott Johnson and/or Philip &
Penelope Knight, on the property in tax lot number(s) 601, Section 35, Township 15
South, Range 14 East, W.M., located at 9281 SW Copley Road, Powell Butte, OR 97753.
(site address)


Signature of Affiant

7/20/21
Date

Subscribed and Sworn to before me this _____ day of _____, 202__.

Notary Public for Oregon

My commission expires _____.

See attached certificate

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13898 JAN 24 2022

OWRD

CALIFORNIA ACKNOWLEDGMENT

CIVIL CODE § 1189

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California

County of Contra Costa }

On July 20, 2021 before me, Christine Alexandra Roybal
Date Here Insert Name and Title of the Officer

personally appeared Robin Walker
Name(s) of Signer(s)

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.



I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Place Notary Seal and/or Stamp Above

Signature Christine Alexandra Roybal
Signature of Notary Public

OPTIONAL

Completing this information can deter alteration of the document or fraudulent reattachment of this form to an unintended document.

Description of Attached Document

Title or Type of Document: _____

Document Date: _____ Number of Pages: _____

Signer(s) Other Than Named Above: _____

Capacity(ies) Claimed by Signer(s)

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

Signer's Name: _____

☐ Corporate Officer – Title(s): _____

☐ Partner – ☐ Limited ☐ General

☐ Individual ☐ Attorney in Fact

☐ Trustee ☐ Guardian or Conservator

☐ Other: _____

Signer is Representing: _____

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JAN 24 2022

OWRD

Application for Water Right
Transfer
Consent by Deeded Landowner



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

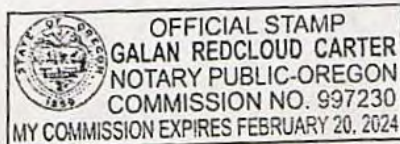
State of Oregon)
County of Douglas)ss

I Shannon Bart in my capacity as Owner,
mailing address 9263 SW Copley Road, Powell Butte, OR 97753,
telephone number 541-977-7595, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 93255
described in a Transfer Application (T-TBD) submitted by Scott Johnson and/or Philip &
Penelope Knight, on the property in tax lot number 702, Section 35, Township 15
South, Range 14 East, W.M., located at 9263 SW Copley Road, Powell Butte, OR 97753.
(site address)

Shannon Bart
Signature of Affiant

7/17/21
Date

Subscribed and Sworn to before me this 17 day of July, 2021.



Galan Redcloud Carter
Notary Public for Oregon

My commission expires Feb 20, 2024

Application for Water Right
Transfer
Consent by Deeded Landowner



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

State of Oregon)
County of Douglas)ss

I Jorge Monroy in my capacity as Owner,
mailing address 9263 SW Copley Road, Powell Butte, OR 97753,
telephone number 650-346-4794, duly sworn depose and say that I
consent to the proposed change(s) to Water Right Certificate Number 93255
described in a Transfer Application (T-TBD) submitted by Scott Johnson and/or Philip &
Penelope Knight, on the property in tax lot number 702, Section 35, Township 15
South, Range 14 East, W.M., located at 9263 SW Copley Road, Powell Butte, OR 97753.
(site address)

[Signature]
Signature of Affiant

7/17/2021
Date

Subscribed and Sworn to before me this 17 day of July, 2021.



[Signature]
Notary Public for Oregon

My commission expires Feb 20, 2024.

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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 DESCHUTES

I, JOHN A. SHORT, in my capacity as WATER RIGHT SPECIALIST,

mailing address PO Box 1830 BEND, OR 97709

telephone number (541)389-2837, being first duly sworn depose and say:

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

☒ Personal observation ☒ Professional expertise

2. I attest that:

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

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
93255 (USE PER T-13786)	15	S	14	E	WM	35	NE	SE		3.8 AC
93255 (USE PER T-13786)	15	S	14	E	WM	35	SE	SE		15.9 AC

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)

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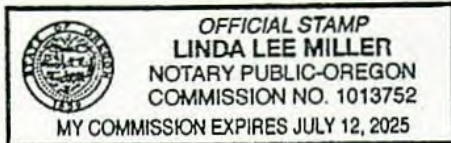
(continues on reverse side)

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

Signature of Affiant

January 04, 2022
Date

Signed and sworn to (or affirmed) before me this 04 day of January, 2022.



Linda Lee Miller
Notary Public for Oregon

My Commission Expires: July 12, 2025

Supporting Documents	Examples
☐ 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
☒ Copies of receipts from sales of irrigated crops or for expenditures related to use of water	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
☐ Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• 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
☐ Aerial photos containing sufficient detail to establish location and date of photograph	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terra-server.com
☐ Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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CENTRAL ELECTRIC
COOPERATIVE, INC.

www.cec.coop • P.O. Box 846, Redmond, OR 97756 • Office: 541.548.2144 • Fax: 541.548.0366

01/19/2021

SCOTT C JOHNSON
PO BOX 1
POWELL BUTTE, OR 97753

Act # 2508852424
Meter # 13023862

Dear SCOTT C JOHNSON

Below is the requested tax data for the following service address:
8895 SW COPLEY RD IP, POWELL BUTTE, OR 97753

BILL DATE	BILL TOTAL	PAYMENTS
01/12/2018	\$ 3.09	\$ -2.10
02/15/2018	\$ 1.49	\$ -3.09
03/15/2018	\$ 1.44	\$ -1.49
04/13/2018	\$ 17.11	\$ -1.44
05/15/2018	\$ 58.15	\$ -17.11
06/15/2018	\$ 61.78	\$ -58.15
07/13/2018	\$ 26.94	\$ -61.78
08/15/2018	\$ 66.63	\$ -26.94
09/14/2018	\$ 53.18	\$ -66.63
10/13/2018	\$ 24.23	\$ -53.18
11/15/2018	\$ 8.22	\$ -24.23
12/14/2018	\$ 1.44	\$ -8.22
01/15/2019	\$ 1.55	\$ -1.44
GRAND TOTALS:	\$ 325.25	\$ -325.80

If you have any further requests or questions, please feel free to contact our offices at (541) 548-2144.

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01/19/2021

SCOTT C JOHNSON
PO BOX 1
POWELL BUTTE, OR 97753

Act # 2522700101
Meter # 12951926

Dear SCOTT C JOHNSON

Below is the requested tax data for the following service address:
8895 SW COPLEY RD IP, POWELL BUTTE, OR 97753

BILL DATE	BILL TOTAL	PAYMENTS
01/12/2018	\$ 2.21	\$ -0.99
02/15/2018	\$ 1.32	\$ -2.21
03/15/2018	\$ 1.93	\$ -1.32
04/13/2018	\$ 18.60	\$ -1.93
05/15/2018	\$ 301.03	\$ -18.60
06/15/2018	\$ 417.89	\$ -301.03
07/13/2018	\$ 453.76	\$ -417.89
08/15/2018	\$ 451.41	\$ -453.76
09/14/2018	\$ 464.29	\$ -451.41
10/13/2018	\$ 109.09	\$ -464.29
11/15/2018	\$ 5.46	\$ -109.09
12/14/2018	\$ 2.32	\$ -5.46
01/15/2019	\$ 2.26	\$ -2.32
GRAND TOTALS:	\$ 2,231.57	\$ -2,230.30

If you have any further requests or questions, please feel free to contact our offices at (541) 548-2144.

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Application for Permanent Water Right Transfer

OREGON



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: 93255 & 94893**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

- ☒ 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 (or signed land use form receipt stub) 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):

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

Other/Explanation _____

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

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Part 2 of 5 – Transfer Application Map

Your transfer application will be returned if any of the map requirements listed below are 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°).

FFF WORKSHEET for PERMANENT TRANSFER (except Substitution)

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

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME PHILIP H. KNIGHT & PENELOPE P. KNIGHT		PHONE NO. 541-977-5275	ADDITIONAL CONTACT NO.
ADDRESS 34645 SW CLOUDREST LN			FAX NO.
CITY HILLSBORO	STATE OR	ZIP 97123	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

AGENT/BUSINESS NAME JOHN A. SHORT / WATER RIGHT SERVICES, LLC		PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 1830			FAX NO.
CITY BEND	STATE OR	ZIP 97709	E-MAIL JOHNSHORT@USA.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:

MOVE TO A NEW PLACE OF USE AND POINT OF APPROPRIATION, & CHANGE TO NURSEY USE.

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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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: **BEND BULLETIN**.
- 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.

 Philip U. Knight
Applicant signature

PHILIP U. KNIGHT 1/20/22
Print Name (and Title if applicable) Date

Penelope P. Knight
Applicant signature

PENELOPE P. KNIGHT 1/20/2022
Print Name (and Title if applicable) Date

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

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

Check the following boxes that apply:

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

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

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

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

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

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: ☐ Applicant ☐ Receiving Landowner				

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

IRRIGATION DISTRICT NAME CENTRAL OREGON IRRIGATION DISTRICT	ADDRESS 1055 SW LAKE RD	
CITY REDMOND	STATE OR	ZIP 97756

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME JEFFERSON COUNTY COMMUNITY DEVELOPMENT	ADDRESS 85 SE "D" ST	
CITY MADRAS	STATE OR	ZIP 97741

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 # 93255

Description of Water Delivery System

System capacity: 0.25 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. **PUMPED FROM WELL AND PIPED TO HANDLINES & PODS.**

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)
Well #1 "OFF"	☒ Authorized ☐ Proposed	CROO 1867	15 S	14 E	35	SE SE	702	60' N, 190' W of SE Cor Sec 35
Well #2 "OFF"	☒ Authorized ☐ Proposed	CROO 1869	" "	" "	" "	SE SE	702	250' N, 360' W of SE Cor Sec 35
WELL "ON"	☐ Authorized ☒ Proposed	JEFF 51644/ L-143074	13 S	13 E	33	SE SE	400	640' N, 530' W of SE Cor Sec 33
	☐ Authorized ☐ Proposed							

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☒ Character of Use (USE) | ☒ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ 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.

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 # 93255

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		
EXAMPLE																						
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901		
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
15	S	14	E 35 SW SE	600/601		6.4	IR	Well 1, Well 2	1978	POU, USE, POA	13	S	13	E 33 SW NE	200		1.7	NU	WELL "ON"	1978		
15	S	14	E 35 SE SE	600/702		13.3	IR	Well 1, Well 2	1978	"	"	"	"	"	SE	NE	"	"	"	"		
										"	"	"	"	"	NW	SE	400	13.4	"	"		
										"	"	"	"	34	SW	NW	400	0.3	"	"		
TOTAL ACRES:						19.7					TOTAL ACRES:						19.7					

Additional remarks: _____

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: C-94956 IR & C-76714 IS.



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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

13898 JAN 24 2022

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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 # 94893

Description of Water Delivery System

System capacity: 1.42 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. **Water is pumped from Well 2 into Upper Bulge. Water is pumped from Well 4 into Lower Bulge (which has booster pump). Upper Bulge gravity feeds extensive drip line system along the driveway. Both bulges feed, by gravity, the two traveling BIG GUNS.**

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)
Well #2 "OFF"	☒ Authorized ☐ Proposed	CROO 1999	15 S	15 E	32	NE SW	100	1750' N, 2050' E of SW Cor Sec 32
Well #4 "OFF"	☒ Authorized ☐ Proposed	CROO 54411/ L-121059	" "	" "	" "	SW NE	100	3690' N, 2870' E of SW Cor Sec 32
WELL "ON"	☐ Authorized ☒ Proposed	JEFF 51644/ L-143074	13 S	13 E	33	SE SE	400	640' N, 530' W of SE Cor Sec 33

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☒ Character of Use (USE) | ☒ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ 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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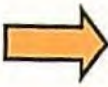
1/31/2022

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For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: C-94956 IR & C-76714 IS.

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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TACS

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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; **OR**
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply:
 - a) The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - c) The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

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JAN 24 2022

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NOTICE TO WATER WELL CONTRACTOR
The original and first copy
of this report are to be
filed with the

STATE ENGINEER, SALEM, OREGON
within 30 days from the date
of well completion.

RECEIVED
DEC 20 1965
STATE ENGINEER
SALEM, OREGON

WATER WELL REPORT

STATE OF OREGON
(Please type or print)

State Well No. 15/15-32
State Permit No.

(1) OWNER:

Name Clyde Davis
Address Phoebe Butte Ore. 97153

(2) LOCATION OF WELL:

County Crook Driller's well number 42
1/4 1/4 Section 32 T. 15S R. 15E W.M.
Bearing and distance from section or subdivision corner 15E

(3) TYPE OF WORK (check):

Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
Abandonment, describe material and procedure in Item 12.

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐ Rotary ☐ Driven ☐
Irrigation ☐ Test Well ☒ Other ☐ Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(5) TYPE OF WELL:

(6) CASING INSTALLED: Threaded ☐ Welded ☒
8" Diam. from 0 ft. to 110 ft. Gage 250
6" Diam. from 0 ft. to 187 ft. Gage 250
" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? ☒ Yes ☐ No

Type of perforator used Pectylene cut
Size of perforations 12 in. by 3/8 in. 6" P.P.C.
100 perforations from 185 ft. to 100 ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(8) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name Model No.
ft. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Well seal—Material used in seal Bentonite
Depth of seal 25 ft. Was a packer used? No
Diameter of well bore to bottom of seal 10 in.
Were any loose strata cemented off? ☐ Yes ☒ No Depth
Was a drive shoe used? ☒ Yes ☐ No 8"
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off

(10) WATER LEVELS:

Static level 42 ft. below land surface Date Nov 3/64
Artesian pressure none lbs. per square inch Date Nov 3/64

(11) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Owner
Yield: 50 gal./min. with 25 ft. drawdown after 1 hrs.

Ball test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m. Date

Temperature of water 58 Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:

Diameter of well below casing 6

Depth drilled 294 ft. Depth of completed well 294 ft.

Formation: Describe by color, character, size of material and structure, and
show thickness of aquifers and the kind and nature of the material in each
stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
top soil clay and sand	0	1
Clay and red rock	0	8
Broken red rock	8	22
Yellow clay and opalite	22	105
Opalite boulders	105	106
Broken opalite and clay	106	185
Yellow clay in top of bed	185	
with thick seams of		
gray sedimentary rock		250
gray rock and boulders	250	
of coarse gravel and sand		294

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JAN 2 1966

OWRD

Work started 6/26/1964 Completed 11/3/1964
Date well drilling machine moved off of well 11/5/1964

(13) PUMP:

Manufacturer's Name
Type: H.P.

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is
true to the best of my knowledge and belief.

NAME Brandt Drilling Co.
(Person, firm or corporation) (Type or print)
Address 675 Crestview Rd.

Drilling Machine Operator's License No. 189

[Signed] C. H. Brandt
(Water Well Contractor)

Contractor's License No. 283 Date 12/5/1964

(USE ADDITIONAL SHEETS IF NECESSARY)

13898

13898

NOTICE TO WATER WELL CONTRACTOR
The original and first copy
of this report are to be
filed with the

STATE ENGINEER, SALEM, OREGON 97110
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

RECEIVED

JAN 16 1976

State Well No. _____

State Permit No. _____

WATER RESOURCES DEPT.

(1) OWNER:

Name Rod Johnson

Address Copely Rd. Powell Butte, Ore.

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐

Cable ☐ Jetted ☐

Dug ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐

Irrigation ☒ Test Well ☐ Other ☐

CASING INSTALLED:

Threaded ☐ Welded ☒

10 " Diam. from + 1 1/2 ft. to - 1 1/2 ft. Gage 250

" Diam. from _____ ft. to _____ ft. Gage _____

" Diam. from _____ ft. to _____ ft. Gage _____

PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used _____

Size of perforations _____ in. by _____ in.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name _____

Type _____ Model No. _____

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

Diam. _____ Slot size _____ Set from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?

Yield: _____ gal./min. with _____ ft. drawdown after _____ hrs.

" " " " " "

" " " " " "

Ball test 13 gal./min. with 0 ft. drawdown after 1 hrs.

Artesian flow _____ g.p.m.

Temperature of water 73 Depth artesian flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used cement

Well sealed from land surface to 4 1/2 ft.

Diameter of well bore to bottom of seal 14 in.

Diameter of well bore below seal 10 in.

Number of sacks of cement used in well seal 19 sacks

Number of sacks of bentonite used in well seal 0 sacks

Brand name of bentonite _____

Number of pounds of bentonite per 100 gallons
of water _____ lbs./100 gals.

Was a drive shoe used? ☐ Yes ☒ No Plugs _____ Size: location _____ ft.

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION:

County Crook Driller's well number _____

SE 1/4 SE 1/4 Section 35 T. 15S R. 14E W.M.

Bearing and distance from section or subdivision corner

45' N & 110' W of SE corner Sec 35

(11) WATER LEVEL: Completed well.

Depth at which water was first found 431 ft.

Static level 320 ft. below land surface. Date 12/17/75

Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG: Diameter of well below casing 10

Depth drilled 470 ft. Depth of completed well 470 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of Static Water Level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
brn sandy soil	0	2	
multi colored congl	2	21	
brn sandstone	21	28	
congl multi colored	28	34	
brn sandstone	34	107	
dk brn sandstone & pumice	107	149	
lt brn sandstone & pumice	149	160	
yellow claystone congl	160	210	
tan claystone congl	210	239	
gray claystone congl	239	261	
tan claystone congl	261	306	
gray blue claystone congl	306	431	
gray clay congl (WB)	431	464	
med hd brn rock	464	470	320

STARTER CARD WAS IN ERROR

Work started 12/9 1975 Completed 12/17 1975

Date well drilling machine moved off of well 12/17 1975

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision.
Materials used and information reported above are true to my
best knowledge and belief.

[Signed] W. Williams Date 12/22, 1975

(Drilling Machine Operator)

Drilling Machine Operator's License No. 864

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is
true to the best of my knowledge and belief.

Name Crawford Well Drilling

(Person, firm or corporation)

(Type or print)

Address 3626 NW Coyner Redmond

[Signed] John V. Johnson

(Water Well Contractor)

Contractor's License No. 595 Date 12/22, 1975

(USE ADDITIONAL SHEETS IF NECESSARY)

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SP-45634-119

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FEB 11 1960

STATE ENGINEER WATER WELL REPORT
SALEM, OREGON

STATE OF OREGON

File Original and
First Copy with the
STATE ENGINEER,
SALEM, OREGONState Well No. 15/14-35 R

State Permit No. _____

(1) OWNER:

Name Rodney JohnsonAddress Lowell Butte 9152
Oregon

(2) LOCATION OF WELL:

County Crook

Owner's number, if any—

1/4 S.E. 1/4 Section 35 T. 15 R. 14 W.M.

Bearing and distance from section or subdivision corner

90° 15' 30"Wells90° 15' 30"90° 15' 30"90° 15' 30"

(3) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

Domestic ☒ Industrial ☐ Municipal ☐Irrigation ☐ Test Well ☐ Other ☐

(5) TYPE OF WELL:

Rotary ☐ Driven ☐Cable ☒ Jetted ☐Dug ☐ Bored ☐

(6) CASING INSTALLED:

Threaded ☐ Welded ☒6 " Diam. from 0 ft. to 65 ft. Gage _____

_____ " Diam. from _____ ft. to _____ ft. Gage _____

_____ " Diam. from _____ ft. to _____ ft. Gage _____

(7) PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used _____

SIZE of perforations _____ in. by _____ in.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

_____ perforations from _____ ft. to _____ ft.

(8) SCREENS:

Well screen installed ☐ Yes ☒ No

Manufacturer's Name _____

Type _____ Model No. _____

_____ Slot size _____ Set from _____ ft. to _____ ft.

_____ Slot size _____ Set from _____ ft. to _____ ft.

(9) CONSTRUCTION:

Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____

Gravel placed from _____ ft. to _____ ft.

Was a surface seal provided? ☒ Yes ☐ No To what depth? 65 ft.Material used in seal— CaselingDid any strata contain unusable water? ☐ Yes ☒ NoType of water? _____ Depth of strata 15 ft.

Method of sealing strata off _____

(10) WATER LEVELS:

Static level 271 ft. below land surface Date _____

Artesian pressure _____ lbs. per square inch Date _____

Log Accepted by: _____

[Signed] Rodney Johnson Date December 22, 1959

(Driller)

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level Newton pumpWas a pump test made? ☒ Yes ☐ No If yes, by whom? irrigationYield: 20 gal./min. with no ft. drawdown after 12 hrs. cor.

" " " "

" " " "

" " " "

Bailer test gal./min. with _____ ft. drawdown after _____ hrs.

Artesian flow _____ g.p.m. Date _____

Temperature of water _____ Was a chemical analysis made? ☐ Yes ☒ No

(12) WELL LOG:

Diameter of well 6 inches.Depth drilled 318 ft. Depth of completed well 318 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Small white chunky rock and soil	0	50
	50	103
soft Brown solid rock	103	253
	253	303
	303	318
yellow sticky clay		
blue sticky clay		
and soap stone		
course black sand		
and washed gravel		

Legal

90 yards South $\frac{1}{2}$

90 yards east

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JAN 24 1960

Work _____

(13) PUMP:

Manufacturer's Name Red JacketType: Submersible H.P. 1 1/2

Well Driller's Statement:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME MATHERS + SON

(Person, firm, or corporation) (Type or print)

Address Rt. 1 Box 509 Bend, OreDriller's well number 2[Signed] Kenneth Mathers

(Well Driller)

License No. 2162 Date _____, 19____

(USE ADDITIONAL SHEETS IF NECESSARY)

13898

13898



Oregon
Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

February 2, 2022

PHILIP KNIGHT
34645 SW CLOUDREST LANE
HILLSBORO, OR 97123

Reference: Application T-13898

On January 24, 2022, OWRD received your water right Permanent Transfer Application. The application was accompanied by \$6270.00. Our receipt number 137307 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 our groundwater staff to determine whether the proposed well accesses the same source of water as the original well or as the original POD.

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

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

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

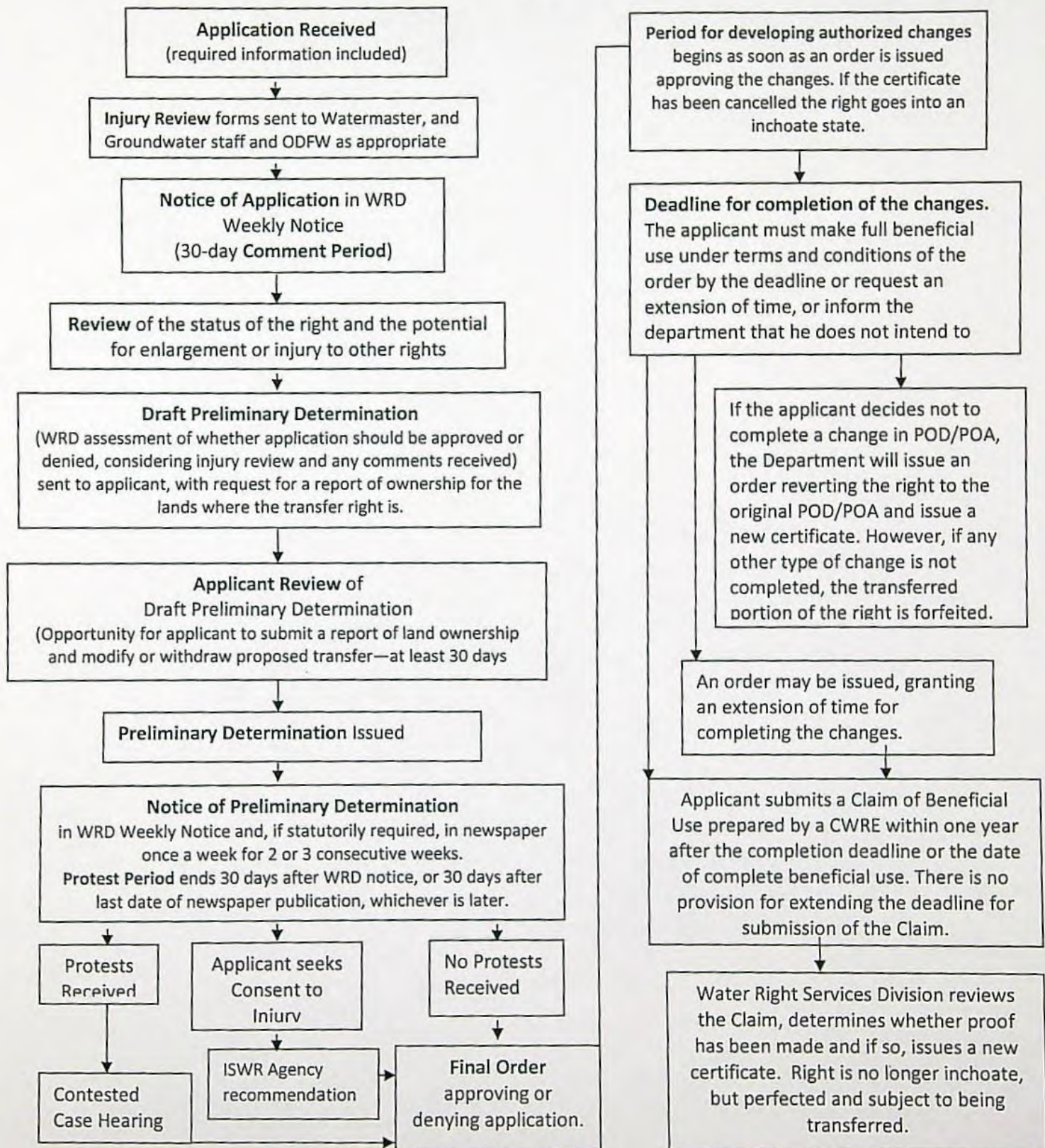
If you have any questions, please contact the Transfer Section at (503) 979-9931.

Cc: Watermaster Dist. #11, Jeremy T. Giffin (*via email*)
Jefferson County Community Development
John A. Short, Agent
Central Oregon Irrigation District

Enclosure

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

OAR 690 Division 380





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
☒	Transfer Application	Transfer Number T-13898 tbd

	Applicant Information	Applicant's Representative/Contact
Name:	Philip H. & Penelope P. Knight	Bryce M. Withers/Water Right Services, LLC
Address:	34645 SW Cloudrest Ln	PO Box 1830
	Hillsboro, OR 97123	Bend, OR 97709
Phone:		541-389-2837
Fax:		
E-Mail Address:		johnshort@usa.com

I understand the following:

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

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

I certify that I am the (check one):

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

Name: Bryce M. Withers

Signature: _____

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JAN 24 2022

OWRD

OWRD USE ONLY: Reimbursement Authority Number: R11- 350 -23

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-350-23**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and Philip and Penelope Knight, 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: Philip and Penelope Knight Contact: Address: 34645 SW Cloudrest Ln. Hillsboro, OR 97123 Phone: Fax: Email:	Name: Water Right Services, LLC Contact: Bryce Withers Address: PO Box 1830 Bend, OR 97709 Phone: (541) 389-2837 Fax: Email: johnshort@usa.com

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-13898)

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 expedited processing of the Transfer Application. In making this agreement, OWRD shall require the applicant to pay the estimated cost of the proposed service.
2. **Restrictions.** Applicant and OWRD agree that this Agreement shall not limit the authority of OWRD to make decisions and actions by OWRD. OWRD shall be free to exercise independent judgment in enforcing applicable laws and regulations.
3. **Effective Date and Duration.** Unless otherwise terminated by non-detrimental agreement of the parties, this Agreement shall become effective on the date on which both parties have signed the Agreement. The Agreement shall remain in effect until the estimated cost of the proposed service has been paid in full.
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 \$1,925.19. Applicant agrees to pay the full amount of \$1,925.19 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.

**RECEIVED
MAR 07 2022
OWRD**

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-350-23**

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Philip and Penelope Knight, 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: Philip and Penelope Knight Contact: Address: 34645 SW Cloudrest Ln. Hillsboro, OR 97123 Phone: Fax: Email:	Name: Water Right Services, LLC Contact: Bryce Withers Address: PO Box 1830 Bend, OR 97709 Phone: (541) 389-2837 Fax: Email: johnshort@usa.com

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-13898)

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 ~~\$1,925.19~~. Applicant agrees to pay the full amount of ~~\$1,925.19~~ to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
 - b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
5. **Confidentiality.** Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
6. **Indemnity.** Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

7. **Termination.** Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
8. **Funds Authorized and Available.** By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
9. **Duration of Estimate.** The Estimate of Time to completion is **approximately** 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
10. **Completion Date.** OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information. **IMPORTANT:** Due to COVID-19 and actions taken by the State of Oregon to facilitate teleworking as a tool to help prevent the spread of the disease, Department processes for Reimbursement Authority may be unavoidably delayed.
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:

Ally H. Knight / Penelope P. Knight
Name/Title:

3/3/22
Date

For OWRD:

Dwight Frenn
Dwight Frenn - Administrator

3-9-2022
Date

Mail signed Agreement to:

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

* penelopeknight0913@gmail.com

RECEIVED
MAR 07 2022
OWRD

Suppended 3/1/22

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 # 94893

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						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
15	S	15	E	29	SE	SW	100		1.5	IR	Well 2, Well 4	1997	POU, USE, POA	13	S	13	E	33	SE	NE	200		9.2	NU	WELL "ON"	1997
15	S	15	E	32	NW	NE	"		10.8	"	"	"	"	"	"	"	"	NE	SE	300		38.9	"	"	"	
"	"	"	"	"	SW	NE	"		20.6	"	"	"	"	"	"	"	"	SW	SE	"		0.3	"	"	"	
"	"	"	"	"	NE	NW	"		30.3	"	"	"	"	"	"	"	"	SE	SE	"		36.6	"	"	"	
"	"	"	"	"	SE	NW	"		27.8	"	"	"	"	"	"	"	"	34	SW	NW	400		7.0	"	"	"
"	"	"	"	"	NE	SW	"		9.0	"	"	"	"	"	"	"	"	NW	SW	"		8.0	"	"	"	
TOTAL ACRES:										100.0	TOTAL ACRES:												100.0			

Additional remarks: _____.

RECEIVED
 13898 JAN 24 2022
 OWRD

Permanent Transfer Application Intake Completion Checklist

Check the Certificate(s) in WRIS

Transfer # T- 13898

Checked by: <u>Joan</u> Date: <u>1/25/22</u>	Type of Change(s) Proposed: Mark the Proposed Changes	Substitution Gov Action	Supplemental to Primary Surface to Ground	☒ POU	☐ POD	☐ APOD
Fee Received: <u>\$ 6270.00</u>				☒ USE	☒ POA	☐ APOA
Calculated Fee: <u>\$ 6270.00</u> ✓		How many rights to be Transferred? Certificate # <u>93255</u> <u>94893</u>				
Additional Observations: <u>RA- Request included</u> <u>to Nursing use</u>						

If OK and complete, check box to the left; if NOT, fill in.

- ☒ 1. Is applicant information complete? Have all applicants listed at the top of the page signed at the bottom?
 If no, what is missing? Whose signature is missing? See quit claims
- ☒ 2. Does applicant indicate the place of use is in or near an irrigation district? Is a Form D included? ☐ N/A.
 Name of the district: (C.O.I.D.) Central Oregon Irrigation District
- ☒ 3. Part 5 of application, has the applicant(s) completed the entire page and does the information match the description of the explanation of the reasons for transfer on Part 4 of the application?
 If no, you may need to contact the applicant or agent? _____
- ☒ 4. Is there only one (1) water right included in this transfer application?
 If no, are the criteria of OAR 690-380-3220 for more than one WR met? ☒ Yes or No _____
 If no, then the transfer application CANNOT be accepted. See attached "3220" Decision Tree Flowchart.
- ☒ 5. For multiple certificates do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2?
 If no, which certificate(s) are missing a separate Part 5 tables 1 & 2? _____
- ☒ 6. Is the map prepared and signed by a CWRE? Does the map meet requirements?
 If no, what is missing? _____. Map waiver included? ☐ Yes ☐ No
- ☒ 7. If a change in point of appropriation (POA), have the well logs been included? ☐ N/A.
- ☐ 8. If a change in place of use (POU) within Umatilla County, have the applicant(s) provided a Supplemental Form U? ☐ N/A.
- ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), ACCEPT the application. Put this application intake completeness check sheet in the transfer folder.
 OR: ☐ If all boxes to the left are NOT checked, then 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: 1/25/22

Permanent Transfer Application Intake Completion 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: ☐ Place of Use ☐ Character of Use ☐ Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) If only one change, this will be 0. 2 Multiply line 2b by \$1,090 and enter » » » » » » » » » » » » » » » »	2	0		
3	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) If only one water right this will be 0 Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » »	3	0		
4	Do you propose to add or change a well, change from a surface water POD to a well, or Substitute a Suppl GW right for a Primary SW right? ☐ No: enter 0 » ☐ Yes = \$480 (4a) If YES: enter the number of wells being proposed: _____ (4b) Subtract 1 from the number in line 4b = _____ (4c) If only one well this will be 0. Multiply line 4c by \$410 = _____ (4d) Add lines 4a and 4d and enter » » » » » » » » » » » » » » » »	4	0		
5	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 » ☐ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » »	5	0		
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0		
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » » » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » » »	7	0		
8	Subtract line 7 from line 6 » » » » » » » » » » » Transfer Fee:	8			

Oregon Water Resources Department
Transfer Fee Calculation for Permanent (Non-District) Transfer

[Main](#)
[Help](#)
[Return](#)
[Contact Us](#)

Today's Date: Tuesday, January 25, 2022

Fee Calculation

Base Fee (includes one type of change to one water right for up to 1 cfs) \$1,360.00

Fill in information below-- Check each box that applies.

Types of Change Proposed:

- ☐ Place of Use
☐ Point of Diversion (POD)/Appropriation (POA); and/or Additional POD/POA; and/or SW POD to GW POD
☐ Character of Use

\$2,180.00

Enter total number of water rights included in transfer. 2 \$610.00

☐ Check this box if you propose to add or change a well, or change from a surface water POD to a well. \$480.00

Enter total number of groundwater wells (POAs) included in transfer. 4 \$1,230.00

☐ Check this box if you propose to change the place of use or character of use for a NON-irrigation right.

☐ Check this box if you propose to change the place of use or character of use for an irrigation right.

Enter the following for the primary certificates on the land included in the transfer.

(If a supplemental certificate also covers the same land as an included primary right, only list the primary.)

Certificate #	Total acres in the water right	# of acres to be transferred	Total cfs in the water right certificate	OR If certificate does not list cfs, enter 1/___ cfs per acre	Transfer cfs
93255	20	19.7	0.25	80	0.24625
94893	113.8	100	1.42	80	1.247803

Total Transfer CFS(rounded up to the next whole cfs): 2.00 \$410.00

Subtotal: \$6,270.00

Check each box that applies.

- ☐ The transfer is necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932.
☐ The transfer is endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat.

Discount:

Transfer Fee: \$6,270.00

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **137624**

INVOICE # _____

RECEIVED FROM: Philip H. Knight
BY: Penby Knight

APPLICATION	
PERMIT	
TRANSFER	<u>T-13898</u>

CASH: ☐ CHECK: # 13339 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,925.19

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R11350-23 \$
0412 OTHER: (IDENTIFY) Transfer Bimburum to \$ 1,925.19

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: **137624**

DATE: 3-7-2022 BY: [Signature]

**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 # **137308**

INVOICE # _____

RECEIVED FROM: <u>Philip H. Knight</u>		APPLICATION	
BY: <u>Penny Knight</u>		PERMIT	
		TRANSFER	<u>T-13898</u>
CASH: ☐	CHECK: # <u>13289</u>	OTHER: (IDENTIFY)	
			TOTAL REC'D <u>\$125.00</u>

1083 TREASURY 4170 WRD MISC CASH ACCT	
0407 COPIES <u>47124</u>	\$ <u>11350.25</u>
<u>0412</u> OTHER: (IDENTIFY) <u>Transfer Reimbursement Authority</u>	\$ <u>125.00</u>
0243 I/S Lease _____	0244 Muni Water Mgmt. Plan _____
0245 Cons. Water _____	

4270 WRD OPERATING ACCT			
MISCELLANEOUS			
0407 COPY & TAPE FEES			\$ _____
0410 RESEARCH FEES			\$ _____
0408 MISC REVENUE: (IDENTIFY) _____			\$ _____
TC162 DEPOSIT LIAB. (IDENTIFY) _____			\$ _____
0240 EXTENSION OF TIME			\$ _____
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ _____		
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$ _____	0219	\$ _____
LANDOWNER'S PERMIT		0220	\$ _____
OTHER (IDENTIFY) _____			

0536 TREASURY 0437 WELL CONST. START FEE			
0211 WELL CONST START FEE	\$ _____	CARD#	_____
0210 MONITORING WELLS	\$ _____	CARD#	_____
OTHER (IDENTIFY) _____			

0607 TREASURY 0467 HYDRO ACTIVITY		LIC NUMBER
0233 POWER LICENSE FEE (FW/WRD)		\$ _____
0231 HYDRO LICENSE FEE (FW/WRD)		\$ _____
HYDRO APPLICATION		\$ _____

TREASURY		OTHER / RDX	
FUND _____	TITLE _____	RECEIVED OVER THE COUNTER	
OBJ. CODE _____	VENDOR # _____		
DESCRIPTION _____			

RECEIPT: **137308**

DATED: 1-24-2022 BY: Mindy Carlson

**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 # **137307**

INVOICE # _____

RECEIVED FROM: <u>Philip H. Knight</u>	APPLICATION	
BY: <u>Penny Knight</u>	PERMIT	
	TRANSFER	<u>T-13898</u>
CASH: ☐	CHECK: # <u>13288</u>	OTHER: (IDENTIFY) ☐
		TOTAL REC'D \$ <u>6270.00</u>

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 <u>46110</u>		
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	\$ <u>6270.00</u>	
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 (FWWRD)	\$
0231 HYDRO LICENSE FEE (FWWRD)	\$
HYDRO APPLICATION	\$

TREASURY OTHER / RDX

FUND	TITLE	RECEIVED OVER THE COUNTER
OBJ. CODE	VENDOR #	
DESCRIPTION	\$	

RECEIPT: **137307**

DATED: 1-24-2022 BY: Mindy Coates