

regular
RAName Contention ranch LLCJohn WelsnerAddress 60285 Sunset View driveBend Oregon 97702JohnWelsner@coralconstruction.com

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Rowe Creek, ReservoirTrib. of John day river, rowe creekUse IrrigationCounty Wheeler

Quantity of water (CFS)

No. of Acres

Name of ditch

App# Decree Per # John Day Cert # 87734 PR DateApp# 522425 Per # 518275 Cert # 87730 PR DateApp# Decree Per # John day Cert # 87738 PR Date

App# Per # Cert # PR Date

App# Per # Cert # PR Date

Change in Row APONDate Filed 8/21/2023Initial notice date 9/12/2023

DPD issued date

PD issued date 5/13/2025PD notice date 5/13/2025Date of FO 7/23/2025 Vol 135 Page 152-158

C-Date

COBU due date

COBU Received date

Certificate issued

FEES PAID

Date	Amount	Receipt #
8-21-2023	\$125.00	141450
8-21-2023	\$4,080.00	141462
10-2-2023	\$1,478.86	141708

FEES REFUNDED

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

Assignments:

Irrigation District

Agent John Short Water right Services

CWRE

CC's list Wheeler County Planning☐ - Oversized map - Location



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

July 23, 2025

JOHN WEISNER
60285 SUNSET VIEW DR
BEND, OR 97702

REFERENCE: Transfer Application T-14317

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

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

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

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

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

Sincerely,

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

cc: Kenneth C. Thiemann, Watermaster Dist. # 21 (via email)
John A. Short, Agent
Wheeler County Planning Department, Local Government

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER
T-14317, Wheeler County	)	APPROVING ADDITIONAL POINTS OF
	)	DIVERSION

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 WEISNER
CONTENTION RANCH, LLC
60285 SUNSET VIEW DR
BEND, OR 97702

Findings of Fact

1. On August 21, 2023, JOHN WEISNER/ CONTENTION RANCH, LLC filed an application for additional points of diversion and to change the places of use under Certificates 87734 and 87738, and for an additional point of diversion under Certificate 87736. The Department assigned the application number T-14317.
2. Notice of the application for transfer was published on September 12, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 2, 2024, the Department sent a copy of the draft Preliminary Determination proposing to deny Transfer Application T-14317 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of June 1, 2024, for the applicants to respond.

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

4. On May 31, 2024, the applicant provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer and requested additional time to resolve the injury and denial issues.
5. On August 8, 2024, the applicant's agent provided amended pages to the application and map, removing the change in place of use for Certificates 87734 and 87738, resolving the injury and denial issues. The applicant's agent requested that the Department proceed with issuance of a Preliminary Determination to approve.
6. On May 13, 2025, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14317 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on May 13, 2025, and in the East Oregonian newspaper on May 21 and 28, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
7. On May 19, 2025, the applicant's agent requested a new completion date of October 1, 2030, due to the complexities of the project. Pursuant to OAR 690-380-5140(3), the Department has modified the completion date of Transfer Application T-14317 to October 1, 2030.

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

Certificate: 87734 in the name of GIOTTONINI FAMILY TRUST and LOUIS R. AND MARY ANN GIOTTONINI, TRUSTEES (confirmed by John Day River (F) Decree)

Use: IRRIGATION OF 56.1 ACRES

Priority Date: 1868

Limit/Duty: The amount of water to which this right is entitled, for the purposes aforesaid, is limited to an amount actually used beneficially, and shall not exceed ONE-FORTIETH of one cubic foot per second (cfs) per acre irrigated to June 1 and ONE-EIGHTIETH of one cfs per acre thereafter; further limited to ONE acre-foot per calendar month to June 1 and FOUR acre-feet per acre during the irrigation season of April 1 to September 30, measured at the point of diversion.

Source: ROWE CREEK and SPRINGS in the NW ¼ SE ¼, Section 11 NW ¼ SW ¼ Section 22, tributaries of the JOHN DAY RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	21 E	WM	22	NE SW	HISTORIC POD #1 - 50 FEET SOUTH AND 1590 FEET EAST FROM THE W1/4 CORNER OF SECTION 22
9 S	21 E	WM	22	SE NW	HISTORIC POD #2 - 310 FEET NORTH AND 1530 FEET EAST FROM THE W1/4 CORNER OF SECTION 22

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	21 E	WM	22	NW NW	6.0
9 S	21 E	WM	22	SW NW	25.7
9 S	21 E	WM	22	NW SW	24.4
TOTAL					56.1

9. Transfer Application T-14317 proposes an additional point of diversion located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the Authorized Points of Diversion
9 S	21 E	WM	22	NE SW	POD #3 - 250 FEET SOUTH AND 1630 FEET EAST FROM THE W1/4 CORNER OF SECTION 22	POD 1 - 130 FT DOWNSTREAM POD 2 - 500 FT DOWNSTREAM

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

Certificate: 87736 in the name of GIOTTONINI FAMILY TRUST and LOUIS R. AND MARY ANN GIOTTONINI, TRUSTEES (perfected under Permit S-18275)

Use: SUPPLEMENTAL IRRIGATION OF 106.2 ACRES

Priority Date: APRIL 8, 1947

Rate: 153.85 ACRE-FEET FROM THE RESERVOIR

Limit/Duty: The amount of water to which this right is entitled and is limited to an amount actually used beneficially, and shall not be limited to a diversion of not to exceed 1.0 acre-foot per acre for each acre irrigated during any month prior to June 1st and shall be further limited to a total diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of April 1st to September 30th of each year from direct flow and storage from reservoir constructed under permit No. R-30 and further limited to the use of stored water only on lands described supplemental.

Source: ROWE CREEK AND ROWE CREEK RESERVOIR, constructed under Permit No. R-930, tributary of the JOHN DAY RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	21 E	WM	11	SE NW	RESERVOIR - 3000 FEET NORTH AND 1840 FEET EAST FROM THE NE CORNER OF SECTION 15
9 S	21 E	WM	22	NE SW	HISTORIC POD #1 - 50 FEET SOUTH AND 1590 FEET EAST FROM THE W1/4 CORNER OF SECTION 22
9 S	21 E	WM	22	SE NW	HISTORIC POD #2 - 310 FEET NORTH AND 1530 FEET EAST FROM THE W1/4 CORNER OF SECTION 22

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	21 E	WM	15	SW SE	2.6

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	21 E	WM	22	NW NE	9.2
9 S	21 E	WM	22	NE NW	22.6
9 S	21 E	WM	22	NW NW	6.0
9 S	21 E	WM	22	SW NW	25.7
9 S	21 E	WM	22	SE NW	15.7
9 S	21 E	WM	22	NW SW	24.4
TOTAL					106.2

11. Transfer Application T-14317 proposes an additional point of diversion located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the Authorized Points of Diversion
9 S	21 E	WM	22	NE SW	POD #3 - 250 FEET SOUTH AND 1630 FEET EAST FROM THE W1/4 CORNER OF SECTION 22	POD 1 - 130 FT DOWNSTREAM POD 2 - 500 FT DOWNSTREAM RESERVOIR - 12,400 FT DOWNSTREAM

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

Certificate: 87738 in the name of GIOTTONINI FAMILY TRUST; LOUIS R. AND MARY ANN GIOTTONINI, TRUSTEES (confirmed by John Day River (F) Decree)

Use: IRRIGATION OF 50.1 ACRES

Priority Date: 1883

Limit/Duty: The amount of water to which this right is entitled, for the purposes aforesaid, is limited to an amount actually used beneficially, and shall not exceed ONE-FORTIETH of one cubic foot per second (cfs) per acre irrigated to June 1 and ONE-EIGHTIETH of one CFS per acre thereafter; further limited to 1.0 acre-foot per calendar month to June 1 and 4.0 acre-feet per acre during the irrigation season of April 1 to September 30, measured at the point of diversion.

Source: ROWE CREEK, a tributary of the JOHN DAY RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	21 E	WM	22	NE SW	HISTORIC POD #1 - 50 FEET SOUTH AND 1590 FEET EAST FROM THE W1/4 CORNER OF SECTION 22
9 S	21 E	WM	22	SE NW	HISTORIC POD #2 - 310 FEET NORTH AND 1530 FEET EAST FROM THE W1/4 CORNER OF SECTION 22

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	21 E	WM	15	SW SE	2.6
9 S	21 E	WM	22	NW NE	9.2
9 S	21 E	WM	22	NE NW	22.6
9 S	21 E	WM	22	SE NW	15.7
TOTAL					50.1

13. Transfer Application T-14317 proposes an additional point of diversion located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the Authorized Points of Diversion
9 S	21 E	WM	22	NE SW	POD #3 - 250 FEET SOUTH AND 1630 FEET EAST FROM THE W1/4 CORNER OF SECTION 22	POD 1 - 130 FT DOWNSTREAM POD 2 - 500 FT DOWNSTREAM

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

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

15. Water has been used within the five-year period prior to submittal of Transfer Application T-14317 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
16. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14317.
17. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
18. The proposed additional points of diversion divert water from the same source of surface water as the authorized points of diversion, as required by OAR 690-380-2110(2).
19. The proposed changes, as conditioned, would not result in enlargement of the rights.
20. The proposed changes, as conditioned, would not result in injury of other rights.
21. All other requirements are met.

Conclusions of Law

The additional points of diversion proposed in Transfer Application T-14317 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The additional points of diversion proposed in Transfer Application T-14317 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 87734, 87736, 87738, and any related decree.

3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new additional points of diversion.
4. Water right Certificates 87734, 87736, and 87738 are cancelled. A new certificate will be issued describing that portion of Certificate 87736 not affected by this transfer.
5. For Certificate 87734, the quantity of water diverted at the new additional point of diversion (POD #3), together with that diverted at the original points of diversion (Historic POD #1 and Historic POD #2), shall not exceed the quantity of water lawfully available at the original points of diversion (Historic POD #1 and Historic POD #2).
6. For Certificate 87736, the quantity of water diverted at the new additional point of diversion (POD #3), together with that diverted at the original point of diversion (Reservoir, Historic POD #1 and Historic POD #2), shall not exceed the quantity of water lawfully available at the original points of diversion (Reservoir, Historic POD #1 and Historic POD #2).
7. For Certificate 87738, the quantity of water diverted at the new additional point of diversion (POD #3), together with that diverted at the original points of diversion (Historic POD #1 and Historic POD #2), shall not exceed the quantity of water lawfully available at the original points of diversion (Historic POD #1 and Historic POD #2).
8. Water shall be acquired from the same source of surface water as the original points of diversion.
9. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
10. Prior to diverting water, the water user shall install a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain the headgate as required by the Department.

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

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

12. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2030**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
13. After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.

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


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

Mailing Date: **JUL 24 2025**

STATE OF OREGON

COUNTY OF WHEELER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO
GIOTTONINI FAMILY TRUST
LOUIS R. AND MARY ANN GIOTTONINI, TRUSTEES
PO BOX 13
WEDDERBURN, OR 97491

confirms the right to use the waters of ROWE CREEK, tributary of the JOHN DAY RIVER, for IRRIGATION OF 14.6 ACRES.

This right was perfected under Permit S-18275. The date of priority is APRIL 8, 1947. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.5 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the points of diversion.

The points of diversion are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	21 E	WM	22	NE SW	HISTORIC POD #1 - 50 FEET SOUTH AND 1590 FEET EAST FROM THE W1/4 CORNER OF SECTION 22
9 S	21 E	WM	22	SE NW	HISTORIC POD # 2 - 310 FEET NORTH AND 1530 FEET EAST FROM THE W1/4 CORNER OF SECTION 22

The amount of water to which this right is entitled and is limited to an amount actually used beneficially, and shall not exceed ONE-FORTIETH of one cubic foot per second (cfs) per acre for each acre irrigated from direct flow prior to June 1 and thereafter ONE-EIGHTIETH of one cfs or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 1.0 acre-foot per acre foot for each acre irrigated during any month prior to June 1 and shall be further limited to a total diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of April 1 to September 30 of each year from direct flow, measured at the points of diversion. 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:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	21 E	WM	15	SW SE	0.5
9 S	21 E	WM	22	NW NE	2.5
9 S	21 E	WM	22	NW NW	3.0

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	21 E	WM	22	SW NW	2.8
9 S	21 E	WM	22	SE NW	5.8
TOTAL					14.6

Prior to October 1, 2013, the water user shall install and maintain a headgate, and in-line flow meter, weir and other suitable device for measuring and recording the quantity of water diverted. The type and plans of the headgate and measuring device must be approved by the Department prior to beginning construction and shall be installed under general supervisor of the Department.

Prior to October 1, 2013, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from the Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined that a screen is not necessary prior to installation, the water user shall obtain written approval from the ODFW that the required screen beginning of construction, and shall be installed under the supervision of the Department of Fish and Wildlife.

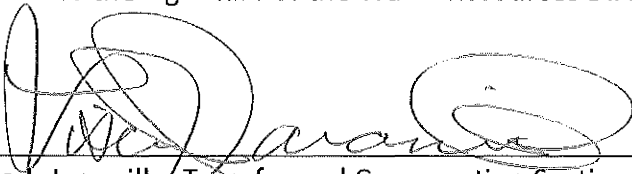
The water user shall operate the fish screen at the new point of diversion consistent with the ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly and is unsuccessful with working with the water user to meet ODFW standards, ODFW may request that OWRD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

This certificate describes that portion of water right Certificate 87736, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 23 2025, approving Transfer Application T-14317.

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 JUL 23 2025.


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

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14317

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority? ☒

Dante

Applicant: CONTENTION RANCH LLC. JOHN WEISNER 60285 SUNSET VIEW DR BEND, OR 97702	Agent: JOHN A. SHORT PO BOX 1830 BEND, OR 97709	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Wheeler County Planning Department	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	DECREE	JOHN DAY	87734	☐ Yes ☐ No	
☐	DECREE	JOHN DAY	87738	☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions (Support Staff)

Rec'd: August 21, 2023	Proposed Action(s): ADDITIONAL POINT OF DIVERSION; PLACE OF USE	
Fees Pd: 4080.00	Acknowledgement Letter Sent ☒	Basin: 6 John Day
Initial Public Notice: 9/12/2023	County sent cc: of Ack Letter ☒	County: WHEELER
WM District: 21 Kenneth C. Thiemann	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: ☐	Name of Newspaper:
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):
Request for news \$ sent:	News \$ received:
Affidavit of publication received:	Last day of publication:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: 3-2-24 Initials: <i>AZ</i>	Date: 2-6-24 Initials: <i>RF</i>	Date: 4-7-24 Initials: <i>RF</i>	Date: 5-1-24 Initials: <i>AZ</i>	CW Sent: _____ WM Sheet ☐ ODFW Sheet: ☐	N/A
PD	Date: 4-1-25 Initials: <i>AZ</i>	Date: 4-3-25 Initials: <i>JS</i>	Date: 4-15-25 Initials: <i>SH</i>	Date: 4-15-25 Initials: <i>AZ</i> Data Review Date: 4-18-25	Date: 5-8-25	Date: 5/13/25
FO	Date: 5-26-25 Initials: <i>AZ</i>	Date: 5-27-25 Initials: <i>JS</i>	Date: 5-30-25 Initials: <i>RF</i>	Date: 6-5-25 Initials: <i>AZ</i>	Date: 7-10-25 No. of docs for sig: 2	Date: 7/23/2025

Special Issues: _____

Special Order Volume: Vol. 135 Pages 152-158

**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 # **145103**

INVOICE # _____

RECEIVED FROM: Contention Ranch LLC

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14317

CASH: ☐ CHECK: # 1917 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 302.40

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$ _____
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 302.40

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:

145103

DATED:

4-28-25

BY:

m. mill

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

}AFFIDAVIT OF PUBLICATION

STATE OF OREGON

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

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

EO-13785 NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-14317 T-14317 FILED BY CONTENTION RANCH LLC JOHN WEISNER 60285 SUNSET VIEW DR BEND OR 97702 PROPOSES AN ADDITIONAL POINT OF DIV

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

5/21/25, 5/28/25

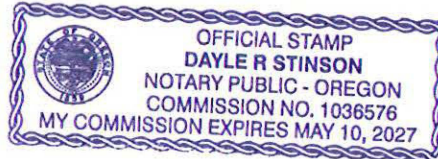
Subscribed and sworn to before me on this 28th day of May, A.D. 2025

Audra Workman
Dayle R Stinson
Notary Public of Oregon

Add: 476878

PO:

Tagline: EO-13785 T-14317



Received

JUN 04 2025

OWRD

EO-13785
Notice of Preliminary
Determination for
Water Right Transfer T-14317

T-14317 filed by Contention Ranch LLC, John Weisner, 60285 Sunset View Dr, Bend, OR 97702, proposes an additional point of diversion under Certificates 87734, 87736, and 87738. Certificate 87734 allows the use of 1/40 of one cubic foot per second (cfs) per acre irrigated through June 1, and 1/80 of cfs per acre thereafter from Rowe Creek in Sec. 22, T9S, R21E, WM and springs in the NW ¼ SE ¼, Sec. 11 and NW ¼ SW ¼ Sec. 22, T9S, R12E, WM, for irrigation in Sec. 22, T9S, R21E, WM. Certificate 87736 allows the use of 153.85 acre-feet from Rowe Creek Reservoir in Sec. 11, T9S, R21E, WM for supplemental irrigation in Sects. 15 and 22, T9S, R21E, WM. Certificate 87738 allows the use of waters from Rowe Creek in Sec. 22, T9S, R21E, WM for irrigation in Sects. 15 and 22, T9S, R21E, WM. The applicant proposes an additional point of diversion in Sec. 22, T9S, R21E, WM to all three certificates. The Water Resources Department proposes to deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 05/28/2025. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.
Publish May 21, 28, 2025

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OWRD



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

May 13, 2025

VIA CERTIFIED MAIL AND E-MAIL

JOHN WEISNER
CONTENTION RANCH, LLC
60285 SUNSET VIEW DR
BEND, OR 97702

SUBJECT: Water Right Transfer Application T-14317

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14317. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

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

Sincerely,


Dante Luongo
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14317
Kenneth C. Thiemann, District 21 Watermaster (*via e-mail*)
John A. Short, Agent for the applicant (*via e-mail*)

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-14317, Wheeler County	)	PROPOSING APPROVAL OF ADDITIONAL
	)	POINTS OF DIVERSION

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 WEISNER
CONTENTION RANCH, LLC
60285 SUNSET VIEW DR
BEND, OR 97702

Findings of Fact

1. On August 21, 2023, JOHN WEISNER/ CONTENTION RANCH, LLC filed an application for additional points of diversion and to change the places of use under Certificates 87734 and 87738, and for an additional point of diversion under Certificate 87736. The Department assigned the application number T-14317.
2. Notice of the application for transfer was published on September 12, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 2, 2024, the Department sent a copy of the draft Preliminary Determination proposing to deny Transfer Application T-14317 to the applicants. The draft Preliminary Determination cover letter set forth a deadline of June 1, 2024, for the applicants to respond.
4. On May 31, 2024, the applicant provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer and requested additional time to resolve the injury and denial issues.

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

5. On August 8, 2024, the applicant's agent provided amended pages to the application and map, removing the change in place of use for Certificates 87734 and 87738, resolving the injury and denial issue. The applicant's agent also requested that the Department proceed with issuance of a Preliminary Determination to approve

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

Certificate: 87734 in the name of GIOTTONINI FAMILY TRUST and LOUIS R. AND MARY ANN GIOTTONINI, TRUSTEES (confirmed by John Day River (F) Decree)

Use: IRRIGATION OF 56.1 ACRES

Priority Date: 1868

Limit/Duty: The amount of water to which this right is entitled, for the purposes aforesaid, is limited to an amount actually used beneficially, and shall not exceed ONE-FORTIETH of one cubic foot per second (cfs) per acre irrigated to June 1 and ONE-EIGHTIETH of one cfs per acre thereafter; further limited to ONE acre-foot per calendar month to June 1 and FOUR acre-feet per acre during the irrigation season of April 1 to September 30, measured at the point of diversion.

Source: ROWE CREEK and SPRINGS in the NW ¼ SE ¼, Section 11 NW ¼ SW ¼ Section 22, tributaries of the JOHN DAY RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	21 E	WM	22	NE SW	HISTORIC POD #1 - 50 FEET SOUTH AND 1590 FEET EAST FROM THE W1/4 CORNER OF SECTION 22
9 S	21 E	WM	22	SE NW	HISTORIC POD #2 - 310 FEET NORTH AND 1530 FEET EAST FROM THE W1/4 CORNER OF SECTION 22

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	21 E	WM	22	NW NW	6.0
9 S	21 E	WM	22	SW NW	25.7
9 S	21 E	WM	22	NW SW	24.4
TOTAL					56.1

7. Transfer Application T-14317 proposes an additional point of diversion located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the Authorized Points of Diversion
9 S	21 E	WM	22	NE SW	POD #3 - 250 FEET SOUTH AND 1630 FEET EAST FROM THE W1/4 CORNER OF SECTION 22	POD 1 - 130 FT DOWNSTREAM POD 2 - 500 FT DOWNSTREAM

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

Certificate: 87736 in the name of GIOTTONINI FAMILY TRUST and LOUIS R. AND MARY ANN GIOTTONINI, TRUSTEES (perfected under Permit S-18275)

Use: SUPPLEMENTAL IRRIGATION OF 106.2 ACRES

Priority Date: APRIL 8, 1947

Rate: 153.85 ACRE-FEET FROM THE RESERVOIR

Limit/Duty: The amount of water to which this right is entitled and is limited to an amount actually used beneficially, and shall not be limited to a diversion of not to exceed 1.0 acre-foot per acre for each acre irrigated during any month prior to June 1st and shall be further limited to a total diversion of not to exceed 4.0 acre-feet per acre for each acre irrigated during the irrigation season of April 1st to September 30th of each year from direct flow and storage from reservoir constructed under permit No. R-30 and further limited to the use of stored water only on lands described supplemental.

Source: ROWE CREEK AND ROWE CREEK RESERVOIR, constructed under Permit No. R-930, tributary of the JOHN DAY RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	21 E	WM	11	SE NW	RESERVOIR - 3000 FEET NORTH AND 1840 FEET EAST FROM THE NE CORNER OF SECTION 15
9 S	21 E	WM	22	NE SW	HISTORIC POD #1 - 50 FEET SOUTH AND 1590 FEET EAST FROM THE W1/4 CORNER OF SECTION 22
9 S	21 E	WM	22	SE NW	HISTORIC POD #2 - 310 FEET NORTH AND 1530 FEET EAST FROM THE W1/4 CORNER OF SECTION 22

Authorized Place of Use:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	21 E	WM	15	SW SE	2.6
9 S	21 E	WM	22	NW NE	9.2
9 S	21 E	WM	22	NE NW	22.6
9 S	21 E	WM	22	NW NW	6.0
9 S	21 E	WM	22	SW NW	25.7
9 S	21 E	WM	22	SE NW	15.7
9 S	21 E	WM	22	NW SW	24.4
TOTAL					106.2

9. Transfer Application T-14317 proposes an additional point of diversion located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the Authorized Points of Diversion
9 S	21 E	WM	22	NE SW	POD #3 - 250 FEET SOUTH AND 1630 FEET EAST FROM THE W1/4 CORNER OF SECTION 22	POD 1 - 130 FT DOWNSTREAM POD 2 - 500 FT DOWNSTREAM RESERVOIR - 12,400 FT DOWNSTREAM

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

Certificate: 87738 in the name of GIOTTONINI FAMILY TRUST; LOUIS R. AND MARY ANN GIOTTONINI, TRUSTEES (confirmed by John Day River (F) Decree)

Use: IRRIGATION OF 50.1 ACRES

Priority Date: 1883

Limit/Duty: The amount of water to which this right is entitled, for the purposes aforesaid, is limited to an amount actually used beneficially, and shall not exceed ONE-FORTIETH of one cubic foot per second (cfs) per acre irrigated to June 1 and ONE-EIGHTIETH of one CFS per acre thereafter; further limited to 1.0 acre-foot per calendar month to June 1 and 4.0 acre-feet per acre during the irrigation season of April 1 to September 30, measured at the point of diversion.

Source: ROWE CREEK, a tributary of the JOHN DAY RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
9 S	21 E	WM	22	NE SW	HISTORIC POD #1 - 50 FEET SOUTH AND 1590 FEET EAST FROM THE W1/4 CORNER OF SECTION 22
9 S	21 E	WM	22	SE NW	HISTORIC POD #2 - 310 FEET NORTH AND 1530 FEET EAST FROM THE W1/4 CORNER OF SECTION 22

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
9 S	21 E	WM	15	SW SE	2.6
9 S	21 E	WM	22	NW NE	9.2
9 S	21 E	WM	22	NE NW	22.6
9 S	21 E	WM	22	SE NW	15.7
TOTAL					50.1

11. Transfer Application T-14317 proposes an additional point of diversion located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from the Authorized Points of Diversion
9 S	21 E	WM	22	NE SW	POD #3 - 250 FEET SOUTH AND 1630 FEET EAST FROM THE W1/4 CORNER OF SECTION 22	POD 1 - 130 FT DOWNSTREAM POD 2 - 500 FT DOWNSTREAM

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

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

13. Water has been used within the five-year period prior to submittal of Transfer Application T-14317 according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

14. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14317.
15. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
16. The proposed additional points of diversion divert water from the same source of surface water as the authorized points of diversion, as required by OAR 690-380-2110(2).
17. The proposed changes, as conditioned, would not result in enlargement of the rights.
18. The proposed changes, as conditioned, would not result in injury of other rights.
19. All other requirements are met.

Determination and Proposed Action

The additional points of diversion proposed in Transfer Application T-14317 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-14317 is approved, the final order will include the following:

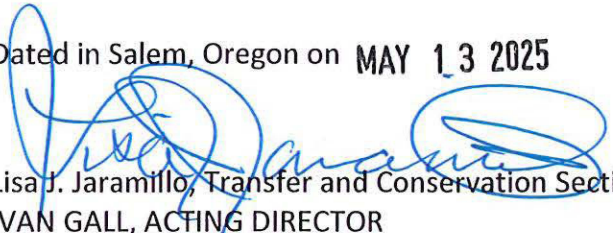
1. *The additional points of diversion proposed in Transfer Application T-14317 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 87734, 87736, 87738, and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new additional points of diversion.*
4. *Water right Certificates 87734, 87736, and 87738 are cancelled. A new certificate will be issued describing that portion of Certificate 87736 not affected by this transfer.*
5. *For Certificate 87734, the quantity of water diverted at the new additional point of diversion (POD #3), together with that diverted at the original points of diversion (Historic POD #1 and Historic POD #2), shall not exceed the quantity of water lawfully available at the original points of diversion (Historic POD #1 and Historic POD #2).*
6. *For Certificate 87736, the quantity of water diverted at the new additional point of diversion (POD #3), together with that diverted at the original point of diversion (Reservoir, Historic POD #1 and Historic POD #2), shall not exceed the quantity of water lawfully available at the original points of diversion (Reservoir, Historic POD #1 and Historic POD #2).*

7. *For Certificate 87738, the quantity of water diverted at the new additional point of diversion (POD #3), together with that diverted at the original points of diversion (Historic POD #1 and Historic POD #2), shall not exceed the quantity of water lawfully available at the original points of diversion (Historic POD #1 and Historic POD #2).*
8. *Water shall be acquired from the same source of surface water as the original points of diversion.*
9. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
10. *Prior to diverting water, the water user shall install a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department. The water user shall maintain the headgate as required by the Department.*
11. *Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.*

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.
12. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water,*

13. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated in Salem, Oregon on **MAY 13 2025**



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

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

Protests

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

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

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and

- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

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

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

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

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

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

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

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

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

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

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

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

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

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14316 APOD, CPOU

Review Due Date: 10/06/2023

Applicant Name: John Weisner

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

Reviewer(s): Kenneth C. Thiemann Jr.

Date of Review: 01/08/2024

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
[John Day low flow conditions at McDonald Ferry Gage \(~ RiverMile 20\) measuring less than 20 CFS trigger the 1962 regulation upstream to the Service Creek Gage \(~ RM 156.7\) for certificate 66609.](#)
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:

The transfer will only move 10.9 Ac. downstream of the 37.1 Ac. at Goose Point. So both POD's will use the same source serving most of the original place of use.

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:

Poor soil conditions reported by owner.

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:

Totalizing, Instantaneous flow meters with digital or analog dials or readouts, capable of holding two seasons of duty.

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- 14316 APOD, CPOU



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



at each point of diversion/appropriation (new and existing) **OR**



at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: **Kenneth C. Thiemann Jr.**

District: **21**

Address: **PO Box 427**

City/State/Zip: **Condon, OR 97823**

Phone: **(541) 969-8799**

Email: **kenneth.c.thiemann@water.oregon.gov**

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

Approval of an Alternate Measurement Device

T-

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

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

Watermaster signature

District

Date

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

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

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

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

Reference Transfer #: T-14317, Contention Ranch LLC

Date of review: 09/15/2023

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

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

Screen Now

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

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

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

Jorden Smith (541)805-1990

East Region Hydropower and Water Rights Coordinator

Jorden Smith Digitally signed by Jorden Smith
Date: 2023.09.15 07:25:11
-07'00'

Signature

Oregon Department of Fish and Wildlife

Additional Fish Screening and Passage Information for the Applicant

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

Transfer #: T-14317, Contention Ranch LLC

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

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

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

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

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

ODFW staff name: Nathaniel Ashley

Address: PO BOX 515; W HWY 26 PATTERSON RD

City/State/Zip: John Day, OR 97845

Phone: (541)575-0561

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

ODFW staff name: Stephan Charette

Address: PO BOX 9; 305 N CANYON BLVD

City/State/Zip: John Day, OR 97845

Phone: (541)575-1167 x225

John Weisner/Contention Ranch, LLC RA# R11-461-25 T-14317						
Step	Review Step					
4b	Caseworker receipts received AA funds					
4c	RA Support process Application					
5	Administrator signs AA					
6	RA Support enters workflow record in WRIS and updates RA spreadsheet					
7a	NRS 2 completes initial review of file for deficiencies					
7b	NRS 2 consults with Analyst and/or Manager					
9	Watermaster completes review					
11	NRS 2 completes DPD, PN, RR					
12	Caseworker peer reviews DPD, PN, cov ltr					
13	Transfer Analyst completes policy check at DPD stage					
14a	NRS 2 sends DPD to app/agent by email and/or mail					
15	NRS 2 reviews report of ownership					
16	NRS 2 completes PD					
17	Caseworker peer reviews PD					
17a	Transfer Analyst peer reviews PD					
17b	Data Center reviews PD (and RR where applicable)					
18e	Transfer Support processes public notice (dept notice)					
19	Administrator signs PD					
20	Transfer Support issues PD, updates WRIS, copy to file, and mails hard copy to applicant					
21	NRS 2 completes FO					
22	Caseworker peer reviews FO					
22b	Transfer Analyst peer reviews FO					
23	Administrator signs FO					
24	Transfer Support issues FO, updates WRIS, copy to file, record markings, and sends hard copy					
25	RA Support closes out RA Contract					
TOTAL ESTIMATED HOURS				26.72		
					TOTAL	\$1,478.86

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **141450**

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

INVOICE # _____

RECEIVED FROM: Contention Ranch LLC

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-14317

CASH: ☐ CHECK: # 1579 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 125.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES <u>47124 R1144-25</u>	\$
<u>0412</u> OTHER: (IDENTIFY) <u>Transfer R.A.</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:

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

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

RECEIPT:

141450

DATED:

8-21-23

BY:

Ken D. Minor



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 _____

Applicant Information		Applicant's Representative/Contact
Name:	<u>John Weisner / Contention Ranch, LLC</u>	<u>Bryce Withers/Water Right Services, LLC</u>
Address:	<u>60285 Sunset View Dr</u>	<u>PO Box 1830</u>
	<u>Bend, OR 97702</u>	<u>Bend, OR 97709</u>
Phone:	<u>503-314-0882</u>	<u>541-389-2837</u>
Fax:	_____	_____
E-Mail Address:	<u>johnweisner@coralconstruction.com</u>	<u>johnshort@usa.com</u>

I understand the following:

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

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

RECEIVED

AUG 21 2023

OWRD

I certify that I am the (check one):

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

Name: Bryce Withers

Signature: Bryce Withers

OWRD USE ONLY: Reimbursement Authority Number: R11-461 - 25



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

September 6, 2023

CONTENTION RANCH LLC.
JOHN WEISNER
60285 SUNSET VIEW DR
BEND, OR 97702

Reference: Application T-14317

On August 21, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$4080.00. Receipt number 141462 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 Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

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

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

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

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

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

Cc: Watermaster Dist. #21, Kenneth C. Thiemann (*via email*)
Wheeler County Planning Department
John A. Short, Agent

Enclosure

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT #

141462

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

INVOICE # _____

RECEIVED FROM: Contention Ranch LLC

BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-14317</u>

CASH: ☐ CHECK: # 1578 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 4080.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$ _____

OTHER: (IDENTIFY) \$ _____

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 4,080.00

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____

LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____

0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

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

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT:

141462

DATED

8-21-23

BY:

[Signature]

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

This 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.

RECEIVED

AUG 21 2023

OWRD

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? 3 List them here: 87734, 87736, & 87738**
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 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: ____/____/____

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°).

14317

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AUG 21 2023
OWRD

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

FEE WORKSHEET for SUBSTITUTION

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME JOHN WEISNER / CONTENTION RANCH, LLC			PHONE NO. 503-314-0882	ADDITIONAL CONTACT NO.
ADDRESS 60285 SUNSET VIEW DR				FAX NO.
CITY BEND	STATE OR	ZIP 97702	E-MAIL johnweisner@coralconstruction.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME 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:
ADD AN ADDITIONAL POINT OF DIVERSION TO THREE CERTIFICATES AND SWAP A 25.2 AC. PORTION OF THE PLACE OF USE SO THAT BOTH OF THE PIVOTS HAVE 1868 PRIORITY DATE. THE PRIMARY PORTION OF C-87736 IS NOT INCLUDED IN THIS TRANSFER. THE SUPPLEMENTAL PORTION OF C-87736 IS LAYERED WITH C-87734 & C-87738 AND IS PROPOSED TO ADD THE ADDITIONAL POD, BUT NO CHANGE IN POU PROPOSED.
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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AUG 21 2023

OWRD

14317

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: **WHEELER COUNTY NEWS.**
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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

Applicant signature

Print Name (and Title if applicable)

Date

Applicant signature

Print Name (and Title if applicable)

Date

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

**If NO, include signatures of all 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

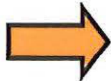
RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
N/A				
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: ☐ Applicant ☐ Receiving Landowner				

☐ 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	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP



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

ENTITY NAME WHEELER COUNTY PLANNING DEPARTMENT	ADDRESS PO BOX 447	
CITY FOSSIL	STATE OR	ZIP 97830

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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AUG 21 2023

OWRD

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 # 87734

Description of Water Delivery System

System capacity: **1.40** 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. **PIPED TO PIVOT, WHEEL LINES, & HAND LINES**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
HISTORIC POD #1	☒ Authorized ☐ Proposed	N/A	9 S	21 E	22	NE SW	TL 101	50' S, 1590' E OF W ¼ COR SEC 22
HISTORIC POD #2	☒ Authorized ☐ Proposed	N/A	9 S	21 E	22	SE NW	TL 101	310' N, 1530' E OF W ¼ COR SEC 22
POD #3 (ADDITIONAL)	☐ Authorized ☒ Proposed	N/A	9 S	21 E	22	NE SW	TL 101	250' S, 1630' E OF W ¼ COR SEC 22
	☐ 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 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.

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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: **87736**.

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 # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

OWRD

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

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 # 87736

Description of Water Delivery System

System capacity: 0.5 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

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

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-)	Twp	Rng	Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
HISTORIC POD #1	☒ Authorized ☐ Proposed	N/A	9 S	21 E	22	NE	SW	TL 101	50' S, 1590' E OF W ¼ COR SEC 22
HISTORIC POD #2	☒ Authorized ☐ Proposed	N/A	9 S	21 E	22	SE	NW	TL 101	310' N, 1530' E OF W ¼ COR SEC 22
POD #3 (ADDITIONAL)	☐ Authorized ☒ Proposed	N/A	9 S	21 E	22	NE	SW	TL 101	250' S, 1630' E OF W ¼ COR SEC 22
RESERVOIR	☒ Authorized ☐ Proposed	N/A	9 S	21 E	11	SE	NW	TL 100	3000' N, 1840' E OF NE COR SEC 15

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 # 87736

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
9	S	21	E	15	SW	SE	101		(2.6)	IS	POD 1-2	1947	APOD	9	S	21	E	15	SW	SE	101		(2.6)	IS	POD 1-3	1947
"	"	"	"	22	NW	NE	"		(9.1)	"	"	"	"	"	"	"	"	22	NW	NE	"		(9.1)	"	"	"
"	"	"	"	"	NW	NE	104		(0.1)	"	"	"	"	"	"	"	"	"	NW	NE	104		(0.1)	"	"	"
"	"	"	"	"	NE	NW	101		(22.6)	"	"	"	"	"	"	"	"	"	NE	NW	101		(22.6)	"	"	"
"	"	"	"	"	NW	NW	"		(6.0)	"	"	"	"	"	"	"	"	"	NW	NW	"		(6.0)	"	"	"
"	"	"	"	"	SW	NW	"		(25.7)	"	"	"	"	"	"	"	"	"	SW	NW	"		(25.7)	"	"	"
"	"	"	"	"	SE	NW	"		(15.7)	"	"	"	"	"	"	"	"	"	SE	NW	"		(15.7)	"	"	"
"	"	"	"	"	NW	SW			(24.4)	"	"	"	"	"	"	"	"	"	NW	SW			(24.4)	"	"	"
TOTAL ACRES:									(106.2)									TOTAL ACRES: (106.2)								

Additional remarks: THE .THE SUPPLEMENTAL PORTION OF C-87736 IS LAYERED WITH C-87734 & C-87738 AND THIS TRANSFER PROPOSES ADDING AN ADDITIONAL POD TO THE SUPPLEMENTAL PORTION OF C-87736, LEAVING THE PRIMARY PORTION UNCHANGED.

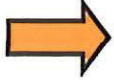
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For Place of Use or Character of Use Changes

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: **87734, 87738.**



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 # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

- ☐ 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

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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

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 # 87738

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Description of Water Delivery System

System capacity: 1.25 cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

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

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or Is It Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L- _)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
HISTORIC POD #1	☒ Authorized ☐ Proposed	N/A	9	S	21	E	22	NE	SW	TL 101	50' S, 1590' E OF W ¼ COR SEC 22
HISTORIC POD #2	☒ Authorized ☐ Proposed	N/A	9	S	21	E	22	SE	NW	TL 101	310' N, 1530' E OF W ¼ COR SEC 22
POD #3 (ADDITIONAL)	☐ Authorized ☒ Proposed	N/A	9	S	21	E	22	NE	SW	TL 101	250' S, 1630' E OF W ¼ COR SEC 22
	☐ 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 # 87738

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.

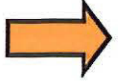
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2	S	9	E 15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1	NW	NW	500	1	10.0		POD #5	1901	
													2	S	9	E 2	SW	NW	500		5.0		POD #6	1901	
												APOD	9	S	21	E 15	SW	SE	101		2.6	IR	POD 1-3	1868	
												"	"	"	"	22	NW	NE	"		7.6	"	"	"	
												"	"	"	"	"	NW	NE	104		0.1	"	"	"	
												"	"	"	"	"	NE	NW	101		9.2	"	"	"	
												APOD/POU	"	"	"	"	"	NW	NW	"		2.2	"	"	"
												"	"	"	"	"	SW	NW	"		0.3	"	"	"	
												APOD	"	"	"	"	"	SE	NW	"		5.4	"	"	"
												APOD/POU	"	"	"	"	"	NW	SW	"		22.7	"	"	"
TOTAL ACRES:													TOTAL ACRES:							50.1					

Additional remarks:.

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: **87736**.



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 # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

- ☐ 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.

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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

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

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Applicant(s): JOHN WEISNER / CONTENTION RANCH, LLC

Mailing Address: 60285 SUNSET VIEW DR

City: BEND

State: OR

Zip Code: 97702

Daytime Phone: 541-314-0882

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>9S</u>	<u>21E</u>	<u>15 & 22</u>	___	<u>101</u>	<u>EFU-1</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>IRRIGATION</u>
<u>"</u>	<u>"</u>	<u>22</u>	___	<u>104</u>	<u>"</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>IRRIGATION</u>
___	___	___	___	___	___	☐ Diverted	☐ Conveyed	☐ Used	___
___	___	___	___	___	___	☐ Diverted	☐ Conveyed	☐ Used	___

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

WHEELER

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) ROWE CREEK

Estimated quantity of water needed: 3.15 ☒ 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 SUPPLEMENTAL IRRIGATION

Briefly describe:

TRANSFER TO SWAP PLACE OF USE ON SAME PROPERTY AND ADD AN ADDITIONAL POINT OF DIVERSION.

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

See bottom of Page 3. →

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For Local Government Use Only

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): WCZO § 3.1(3)(a)
- ☐ 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
		☐ 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.

Name: Matt Davis Title: Planning Director

Signature:  Phone: 541-763-3200 Date: 8/4/2023

Government Entity: Wheeler 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: _____

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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

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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)
) ss

County of DESCHUTES

I, JOHN WEISNER, in my capacity as OWNER,

mailing address 60285 SUNSET VIEW DR BEND, OR 97702

telephone number 503-314-0882, 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 # 87734 & 87738; **AND**

☒ 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)
87736	9	S	21	E	WM	15	SW	SE		(2.6)
"	"	"	"	"	"	22	NW	NE		(9.1)
"	"	"	"	"	"	"	NW	NE		(0.1)
"	"	"	"	"	"	"	NE	NW		(22.6)
"	"	"	"	"	"	"	NW	NW		(6.0)
"	"	"	"	"	"	"	SW	NW		(25.7)
"	"	"	"	"	"	"	SE	NW		(15.7)
"	"	"	"	"	"	"	NW	SW		(24.4)

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)**

14317

AUG 21 2023

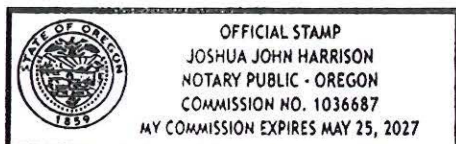
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS & PASTURE

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. **OWRD**

Signature of Affiant

Date

Signed and sworn to (or affirmed) before me this 18th day of AUGUST, 2023.



Notary Public for Oregon

My Commission Expires: 05/25/2027

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

Columbia Power

Account History Help | Inquiry | Search View

Mbr Sep: Search Display: Custom

Bill Date	↑↓	Bill Amount	Arrears	Paid Amt	Paid Date	Meter Read	Read Date	KWH	↑↓	Demand Read
05/31/23		364.66	.00	-364.66	06/28/23	79030	05/31/23	5356		18.580
04/30/23		200.78	.00	-200.78	05/31/23	73674	04/30/23	2070		16.710
03/31/23		285.07	.00	-285.07	05/03/23	71604	03/31/23	4329		15.200
02/28/23		165.00	.00	-165.00	03/28/23	67275	02/28/23	0		.000
01/31/23		.00	.00	.00		67275	01/31/23	0		.000
12/31/22		.00	.00	.00		67275	12/31/22	0		.000
11/30/22		.00	.00	.00		67275	11/30/22	0		.000
10/31/22		.00	.00	.00		67275	10/31/22	0		.000
09/30/22		256.93	.00	-256.93	10/25/22	67275	09/30/22	3258		18.190
08/31/22		402.65	.00	-402.65	09/28/22	64017	08/31/22	6585		18.190
07/31/22		350.40	.00	-350.40	08/23/22	57432	07/31/22	5392		18.190
06/30/22		223.99	.00	-223.99	07/28/22	52040	06/30/22	2665		17.080
05/31/22		281.57	.00	-281.57	06/22/22	49375	05/31/22	3984		17.049

Chan

WEISNER JOHN & JODI

Mbr Sep: 10457-010

Big Bottom Pivot

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AUG 21 2023
OWRD

14317

Mbr Sep:

Search

Display:

Custom



Customize

Bill Date	↑↓	Bill Amount	Arrears	Paid Amt	Paid Date	Meter Read	Read Date	KWH	↑↓	Demand Read
04/30/22		263.85	.00	-263.85	05/25/22	45391	04/30/22	3535		17.360
03/31/22		167.16	.00	-167.16	04/27/22	41856	03/31/22	2244		11.110
02/28/22		165.00	.00	-165.00	03/22/22	39612	02/28/22	0		.000
01/31/22		.00	.00	.00		39612	01/31/22	0		.000
12/31/21		.00	.00	.00		39612	12/31/21	0		.000
11/30/21		.00	.00	.00		39612	11/30/21	0		.000
10/31/21		.00	.00	.00		39612	10/31/21	0		.000
09/30/21		243.79	.00	-243.79	10/26/21	39612	09/30/21	3101		17.390
08/31/21		281.69	.00	-281.69	09/21/21	36511	08/31/21	4058		16.810
07/31/21		358.33	.00	-358.33	08/24/21	32453	07/31/21	5811		16.900
06/30/21		381.77	.00	-381.77	07/28/21	26642	06/30/21	6079		18.780
05/31/21		349.28	.00	-349.28	06/23/21	20563	05/31/21	5316		18.880
04/30/21		261.33	.00	-261.33	05/18/21	15247	04/30/21	3383		18.234

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WEISNER JOHN & JODI

Mbr Sep: 10457-010

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POD Locations:

Historic POD #1: 50' S, 1590' E of W 1/4 Cor Sec 22

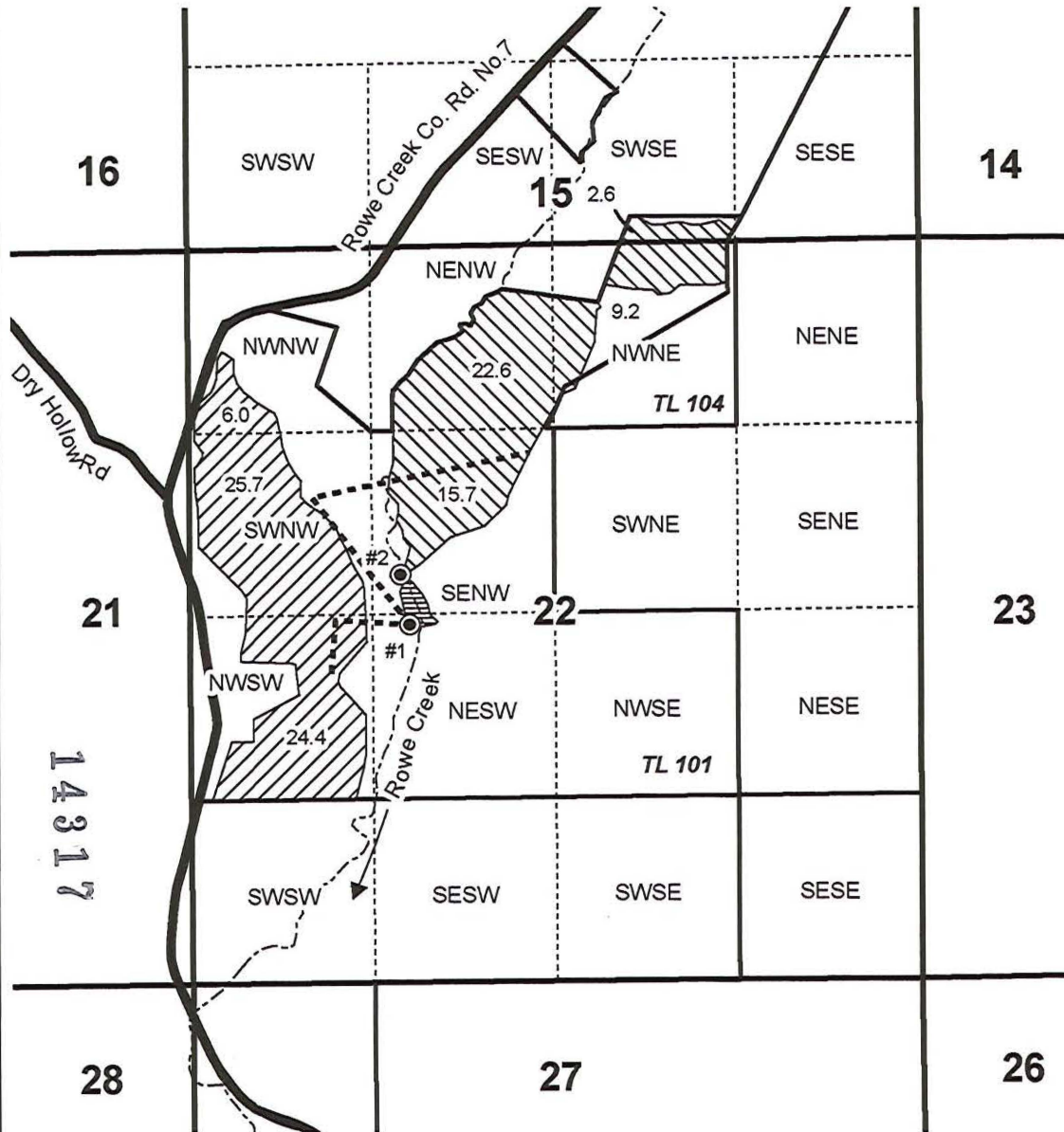
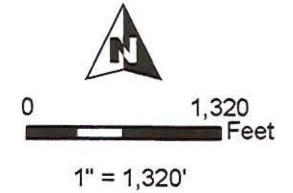
Historic POD #2: 310' N, 1530' E of W 1/4 Cor Sec 22

**T9S R21E, WM
WHEELER COUNTY, OR**

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- POD
- Pipeline
- Creek
- Reservoir
- C-87734 IR (1868) "OFF"
- C-87738 IR (1883) "OFF"
- Section
- Quarter Quarter
- Tax Lot



RENEWAL DATE 12/31/2024



**TRANSFER "OFF" MAP
CONTENTION RANCH, LLC / BIG BOTTOM RANCH**

Date: 7/6/2023

Cert-87734 & Cert-87738

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

POD Locations:

Historic POD #1: 50' S, 1590' E of W 1/4 Cor Sec 22

Historic POD #2: 310' N, 1530' E of W 1/4 Cor Sec 22

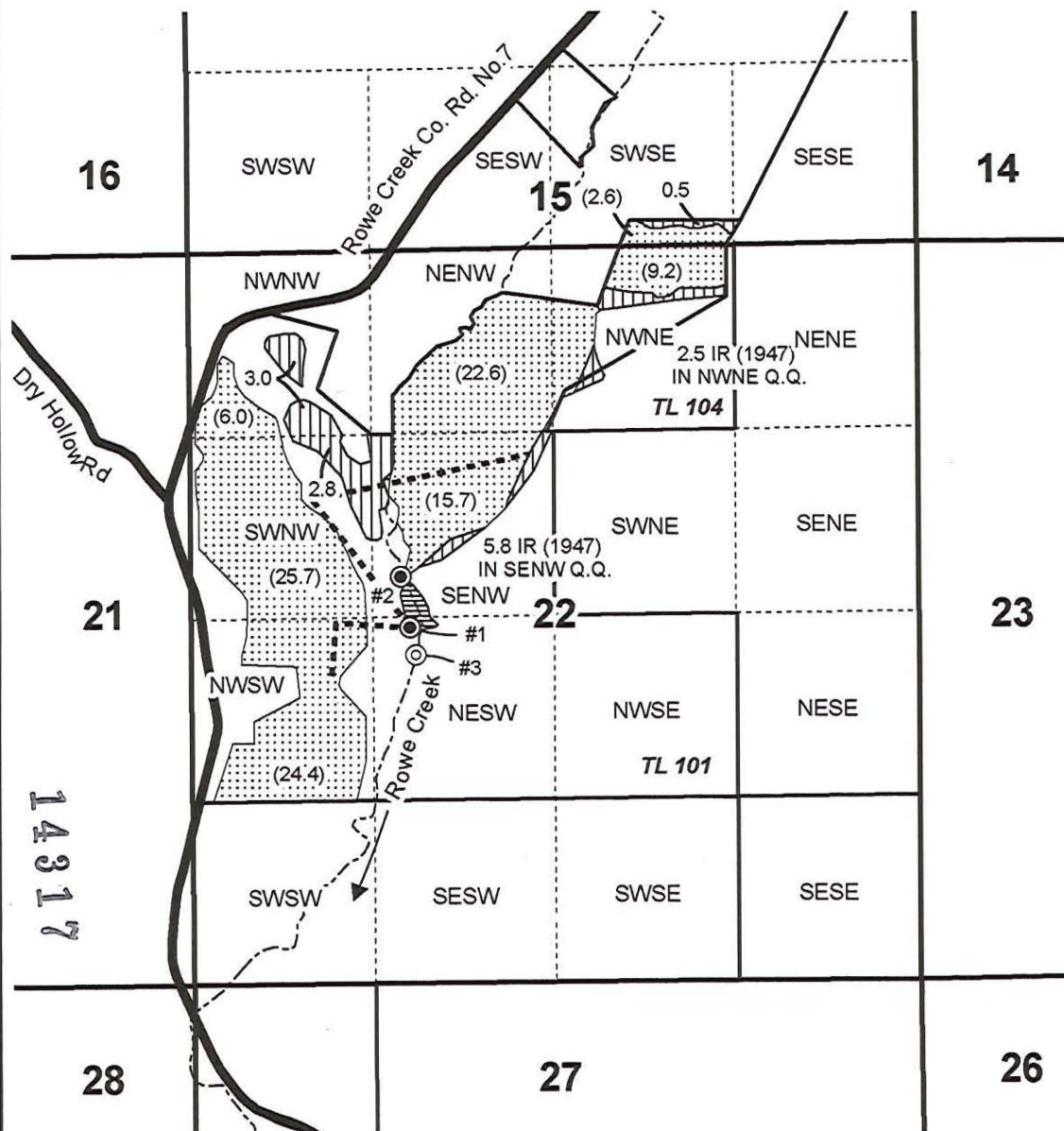
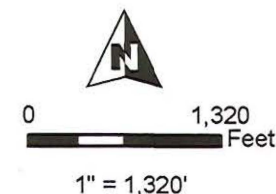
POD #3 (Additional): 250' S, 1630' E of W 1/4 Cor Sec 22

**T9S R21E, WM
WHEELER COUNTY, OR**

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AUG 21 2023

OWRD



- ⊙ Additional POD
- POD
- Pipeline
- Creek
- Reservoir
- C-87736 IR (1947) "Remaining"
- C-87736 (IS) (1947) "APOD"
- Section
- Quarter Quarter
- Tax Lot



RENEWAL DATE 12/31/2024



**TRANSFER "APOD / REMAINING RIGHT" MAP
CONTENTION RANCH, LLC / BIG BOTTOM RANCH**

Date: 7/6/2023

Cert-87736

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

POD Locations:

Historic POD #1: 50' S, 1590' E of W 1/4 Cor Sec 22

Historic POD #2: 310' N, 1530' E of W 1/4 Cor Sec 22

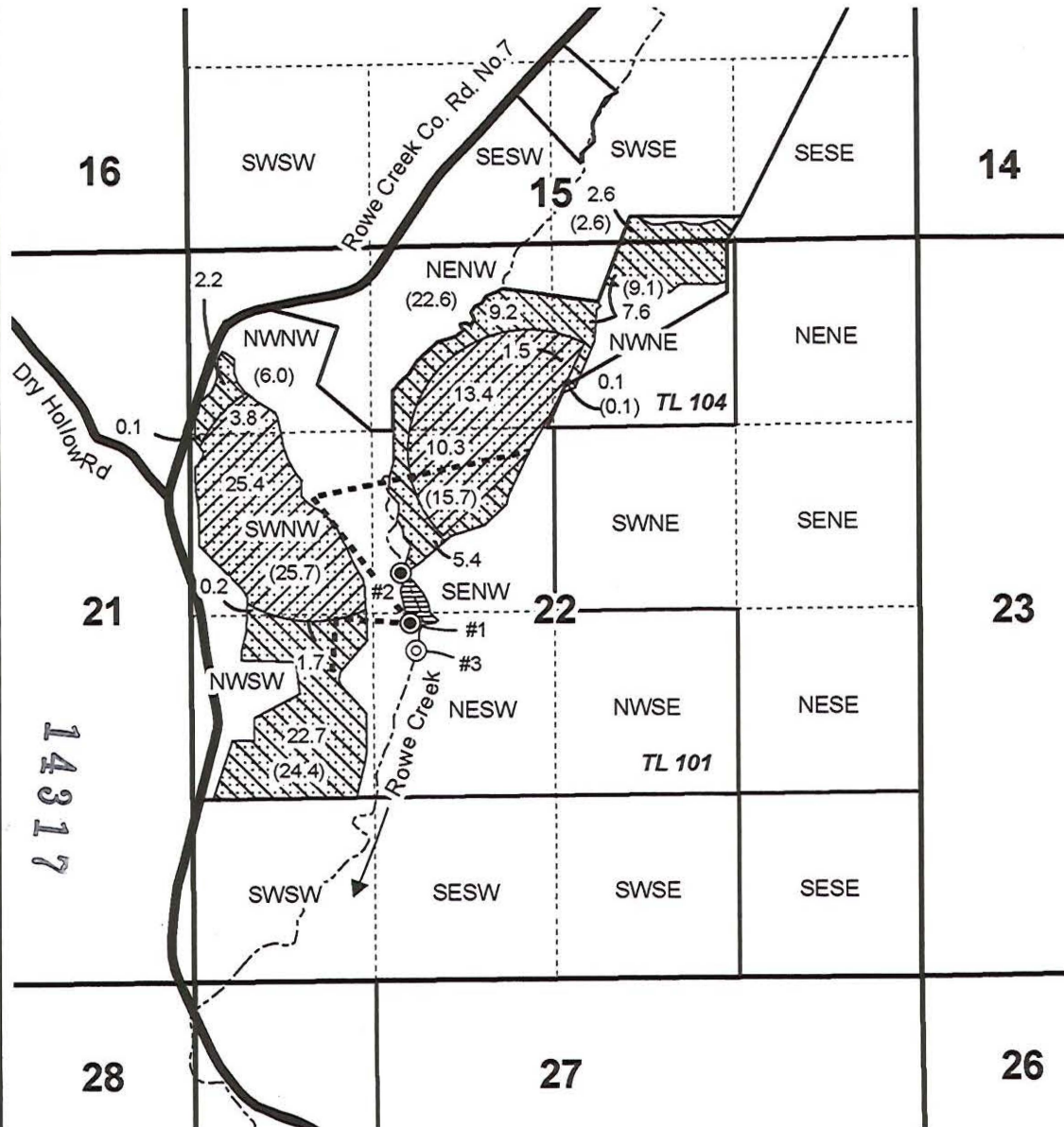
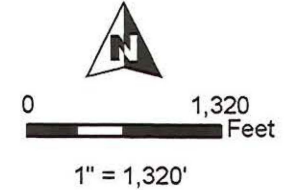
POD #3 (Additional): 250' S, 1630' E of W 1/4 Cor Sec 22

**T9S R21E, WM
WHEELER COUNTY, OR**

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- ⊙ Additional POD
- POD
- Pipeline
- Creek
- Reservoir
- C-87734 IR (1868) "ON/APOD"
- C-87738 IR (1883) "ON/APOD"
- C-87736 (IS) (1947) "APOD"
- Section
- Quarter Quarter
- Tax Lot



RENEWAL DATE 12/31/2024



**TRANSFER "ON" MAP
CONTENTION RANCH, LLC / BIG BOTTOM RANCH**

Date: 7/6/2023 Cert-87734, Cert-87738, & Cert-87736 Supplemental Portion

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

Business Bill Pay

[Add Payee](#) | [Profile](#) | [Help](#)

Payees

Scheduled

History

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AUG 21 2023

OWRD

big bottom pivot

X

View:

Last 24 months

[Download History](#) | [My Spending Report](#)

Sent ▼	Payee ◆	Amount ◆	Payment Account ◆	Deliver by ◆	Status ◆	Action
06/20/23	Big Bottom Pivot	\$364.66	...8390	06/27/23	Check Mailed	...
05/16/23	Big Bottom Pivot	\$200.78	...8390	05/23/23	Check Cleared	...
04/17/23	Big Bottom Pivot	\$285.07	...8390	04/24/23	Check Cleared	...
03/13/23	Big Bottom Pivot	\$165.00	...8390	03/20/23	Check Cleared	...
10/18/22	Big Bottom Pivot	\$256.93	...8390	10/25/22	Check Cleared	...
09/19/22	Big Bottom Pivot	\$402.65	...8390	09/26/22	Check Cleared	...
08/12/22	Big Bottom Pivot	\$350.40	...8390	08/19/22	Check Cleared	...
07/18/22	Big Bottom Pivot	\$223.99	...8390	07/25/22	Check Cleared	...
06/14/22	Big Bottom Pivot	\$281.57	...8390	06/22/22	Check Cleared	...

14317

						Action
05/16/22	Big Bottom Pivot	\$263.85	...8390	05/23/22	Check Cleared	...
04/20/22	Big Bottom Pivot	\$167.16	...8390	04/27/22	Check Cleared	...
03/15/22	Big Bottom Pivot	\$165.00	...8390	03/22/22	Check Cleared	...
10/18/21	Big Bottom Pivot	\$243.79	...8390	10/25/21	Check Cleared	...
09/13/21	Big Bottom Pivot	\$281.69	...8390	09/20/21	Check Cleared	...
08/16/21	Big Bottom Pivot	\$358.33	...8390	08/23/21	Check Cleared	...
07/19/21	Big Bottom	\$381.77	...8390	07/26/21	Check --	...

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AUG 21 2023

OWRD

14317

**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 # **141708**

INVOICE # _____

RECEIVED FROM: Contention Ranch LLC

BY: _____

APPLICATION _____

PERMIT _____

TRANSFER T-14317

CASH: ☐ CHECK: # 1608 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,478.86

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 47124 R 11461-25 \$ _____

0412 OTHER: (IDENTIFY) Transfer Reimbursement \$ 1,478.86

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

0407 COPY & TAPE FEES \$ _____

0410 RESEARCH FEES \$ _____

0408 MISC REVENUE: (IDENTIFY) _____ \$ _____

TC162 DEPOSIT LIAB. (IDENTIFY) _____ \$ _____

0240 EXTENSION OF TIME \$ _____

WATER RIGHTS:

EXAM FEE

RECORD FEE

0201 SURFACE WATER \$ _____ 0202 \$ _____

0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ _____

WELL CONSTRUCTION

EXAM FEE

LICENSE FEE

0218 WELL DRILL CONSTRUCTOR \$ _____ 0219 \$ _____

LANDOWNER'S PERMIT 0220 \$ _____

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

0211 WELL CONST START FEE \$ _____ CARD# _____

0210 MONITORING WELLS \$ _____ CARD# _____

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

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

HYDRO APPLICATION \$ _____

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION \$ _____

RECEIPT: **141708**

DATED: 10-2-2023 BY: [Signature]

**REIMBURSEMENT AUTHORITY
APPLICANT'S AGREEMENT
Contract Number: R11-461-25**

**RECEIVED
OCT 02 2023
OWRD**

This Agreement is between the **Oregon Water Resources Department**, hereafter OWRD, and **Contention Ranch, LLC**, hereafter Applicant, hereafter known together as the parties.

OWRD Information

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

Applicant's Information

Name: Contention Ranch, LLC
Contact: John Weisner
Address: 60285 Sunset View Dr
Bend, OR 97702

Phone: (503) 314-0882
Fax:
Email: johnweisner@coralconstruction.com

Applicant's Representative

Name: Water Right Services, LLC
Contact: Bryce Withers
Address: P.O. 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-14317**)

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 **\$1,478.86**. Applicant agrees to pay the full amount of **\$1,478.86** 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.

- Revised December 2, 2022.shp

Permanent Transfer Application Checklist

Check the Certificates in WRIS

Transfer #

Checked by <u>__Dante__</u> Date <u>9/1/2023</u>	Type of Change(s) Proposed: NO other changes allowed other than those listed	
Fee Received: \$4080	☒ POU ☐ POD ☒ APOD ☐ POA ☐ APOA ☐ USE	
Calculated Fee: \$4080		How many rights to be Transferred? 3
Deficiencies and Observations:		Certificate #(s) 87734, 87736, & 87738

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

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

- ☒ 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder.

OR:

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

Actions taken:

Permanent Transfer Application Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: ☐ 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) <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in 3a above: _____ (3b) <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 » ☐ Yes: enter \$410 »		
4		4	0
	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		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
	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 »		
7	If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	