

Regular

T-14354

Name Randy Kruse
Kruse Family Development Co., LLC
Address PO Box 1496
Redmond, OR 97756
randy@kruseprops.com

Change in POU, APOA
Date Filed 11/15/2023
Initial notice date 11/21/2023
DPD issued date _____
PD issued date 6/9/2025
PD notice date 6/10/2025
Date of FO 8/14/2025 Vol 135 Page 362-366

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

Assignments: _____

Irrigation District _____

Agent John Short
johnshort@usa.com

CWRE _____
CC's list Lake County

☐ - Oversized map - Location _____

DESCRIPTION OF WATER RIGHT(s)

Name of Stream A well
Trib. of Fort Rock Valley
Use Irrigation County Lake
Quantity of water (CFS) _____ No. of Acres _____
Name of ditch _____
App# G7651 Per # G7361 Cert # 80626 PR Date 4-29-1977
App# _____ Per # _____ Cert # _____ PR Date _____
App# _____ Per # _____ Cert # _____ PR Date _____
App# _____ Per # _____ Cert # _____ PR Date _____

FEES PAID		
Date	Amount	Receipt #
<u>11-15-2023</u>	<u>\$3,340.⁰⁰</u>	<u>141926</u>

FEES REFUNDED		
Date	Amount	Receipt #



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

August 14, 2025

Randy Kruse
PO BOX 1496
Redmond, OR 97756

REFERENCE: Transfer Application T-14354

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, Elyse Richman, by telephone at (971) 701-5485 or by e-mail at Elyse.d.richman@water.oregon.gov.

Sincerely,

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

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)
John A. Short, Agent
Lake County Planning Department, Local Government

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A CHANGE IN
T-14354, Lake County	)	POINT OF APPROPRIATION AND
	)	PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, 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

RANDY KRUSE
PO BOX 1496
REDMOND, OR 97756

Findings of Fact

1. On November 15, 2023, Randy Kruse filed an application to change the point of appropriation and place of use under Certificate 80626. The Department assigned the application number T-14354.
2. Notice of the application for transfer was published on November 21, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 29, 2025, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14354. The draft Preliminary Determination cover letter set forth a deadline of May 29, 2025, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. On May 7, 2025, the agent for the applicant requested a completion date of October 1, 2030, to provide enough time to drill the well and complete the new irrigation system pursuant to OAR 690-380-5140(3).
5. On May 15, 2025, the Department determined that the portion of acres involved in the transfer, described in the draft Preliminary Determination as 121.010, were rounded up. This would create enlargement, by increasing the acreage irrigated under the right if the transfer were to be approved. The Department determined that a revised draft Preliminary Determination should be issued to accurately describe the acres involved in T-14354.
6. On May 23, 2025, the Department sent a copy of the Revised draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14354. The draft Preliminary Determination cover letter provided a deadline of June 23, 2025, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination.
7. On June 9, 2025, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14354 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 June 10, 2025, and in the Lake County Examiner newspaper on June 18 and June 25, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
9. The portion of the right to be transferred is as follows:

Certificate: 80626 in the name of KENNETH V. AND KATHLEEN G. KRUSE (perfected under Permit G-7361)

Use: IRRIGATION OF 121.008 ACRES

Priority Date: APRIL 29, 1977

Rate: 1.515 CUBIC FEET PER SECOND, being 0.29 cfs from Well 1, 0.645 cfs from Well 3, and 0.58 cfs from Well 4, or its equivalent in case of rotation, measured at the wells.

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: 3 WELLS in the BUCK CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	14 E	WM	1	NE SE	WELL 4 - 2300 FEET NORTH AND 1310 FEET WEST FROM THE SE CORNER OF SECTION 1
26 S	14 E	WM	12	NW NE	WELL 1 - 17.1 CHAINS SOUTH AND 22.8 CHAINS WEST FROM THE NE CORNER OF SECTION 12

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	14 E	WM	13	NE SE	WELL 3 - 1330 FEET NORTH AND 1310 FEET WEST FROM THE SE CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	14 E	WM	13	NE SE	30.252
26 S	14 E	WM	13	NW SE	30.252
26 S	14 E	WM	13	SW SE	30.252
26 S	14 E	WM	13	SE SE	30.252
				Total	121.008

10. Transfer Application T-14354 proposes to change the point of appropriation with approximate distances from the existing points of appropriation identified as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Existing Wells
25 S	14 E	WM	28	SW NW	WELL "ON" - 1350 FEET SOUTH AND 1290 FEET EAST OF THE NW CORNER OF SECTION 28	WELL #1 - 4.09 miles Northwest
						WELL #3 - 5.43 miles Northwest
						WELL #4 - 3.60 miles Northwest

11. Transfer Application T-14354 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	14 E	WM	28	NE NW	30.252
25 S	14 E	WM	28	NW NW	30.252
25 S	14 E	WM	28	SW NW	30.252
25 S	14 E	WM	28	SE NW	30.252
				Total	121.008

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

12. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
13. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14354.
14. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
15. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).

16. The proposed changes, as conditioned, would not result in enlargement of the right.
17. The proposed change, as conditioned, would not result in injury to other existing water rights.
18. All other application requirements are met.

Conclusions of Law

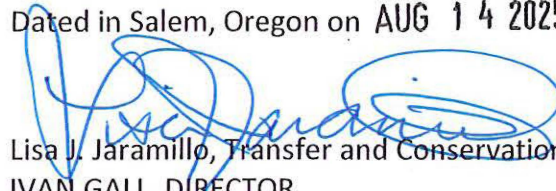
The change in point of appropriation and place of use proposed in Transfer Application T-14354 are consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The change in point of appropriation and change in place of use proposed in Transfer Application T-14354 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 Certificate 80626 and any related decree.
3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation or the new place of use.
4. Water right Certificate 80626 is cancelled. A new certificate will be issued describing the portions of the right not affected by this transfer.
5. The quantity of water diverted at the new point of appropriation (WELL "ON"), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 1, WELL 3, and WELL 4).
6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.
7. The former place of use of the transferred right shall no longer receive water under the right.
8. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each new point of appropriation.
 - b. The water user shall maintain the meters or measuring devices in good working order.

- c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
9. 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.
10. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on **AUG 14 2025**



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

Mailing Date: **AUG 15 2025**

STATE OF OREGON

COUNTY OF LAKE

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH V. AND KATHLEEN G. KRUSE
PO BOX 10
FORT ROCK, OR 97735

confirms the right to use the waters of 3 WELLS in the BUCK CREEK BASIN for IRRIGATION of 184.84 ACRES.

This right was perfected under Permit G-7361. The date of priority is APRIL 29, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 2.314 CUBIC FEET PER SECOND, being 0.45 cfs from Well 1, 0.984 cfs from Well 3, and 0.88 cfs from Well 4, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	14 E	WM	1	NE SE	WELL 4 - 2300 FEET NORTH AND 1310 FEET WEST FROM THE SE CORNER OF SECTION 1
26 S	14 E	WM	12	NW NE	WELL 1 - 17.1 CHAINS SOUTH AND 22.8 CHAINS WEST FROM THE NE CORNER OF SECTION 12
26 S	14 E	WM	13	NE SE	WELL 3 - 1330 FEET NORTH AND 1310 FEET WEST FROM THE SE CORNER OF SECTION 13

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

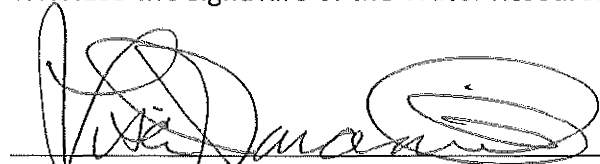
IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	14 E	WM	1	NE SE	18.93
26 S	14 E	WM	1	NW SE	18.64
26 S	14 E	WM	1	SW SE	35.01
26 S	14 E	WM	1	SE SE	35.77
26 S	14 E	WM	12	NE NE	4.78
26 S	14 E	WM	12	NW NE	4.26
26 S	14 E	WM	12	SW NE	2.08
26 S	14 E	WM	12	SE NE	8.64
26 S	14 E	WM	12	NE SE	25.06
26 S	14 E	WM	12	NW SE	31.67
				Total	184.84

This certificate describes that portion of water right Certificate 80626, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 14 2025, approving Transfer Application T-14354.

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 AUG 14 2025.



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

TRANSFER COVER SHEET

Transfer: T-14354

GR Application #: GR-

File Assigned- Transfer Specialist: Elyse D. Richman

Transfer Type: Regular Transfer

Reimbursement Authority? ☐

Applicant: RANDY KRUSE PO BOX 1496 REDMOND, OR 97756	Receiving Landowner: 	CWRE Agent: JOHN A. SHORT PO BOX 1830 BEND, OR 97709
Interested Parties: BOR (date): _____ Tribal Gov't: _____ Gov'ts: Lake County Planning Department County: LAKE	Irrigation District: Check area of interest on map ☐	Additional Contact Information:

Key Dates & Initial Actions (Support Staff)

Type of change(s) proposed- attach additional review checklists as necessary			
POINT OF APPROPRIATION ; PLACE OF USE : <u>WATER RIGHT POA</u>			
If change is Historic or Substitution, application will go directly to Final Order. Add'l questions on last page for Historic and Gov't Action.			
Fees Pd:	\$3340.00	WM Review request date sent - WM District:11	11/17/2023
Received Date:	November 15, 2023	WM Review - date received:	11/20/2023
Acknowledgement Letter Sent	Date: 11/17/2023	GW Review - date sent:	11/17/2023
County sent cc: of Ack Letter	Date: 11/17/2023	GW Review - date received:	11/20/2023
Initial Public Notice Date:	11/21/2023	ODFW Review - date sent: ODFW District:	
Comments Received:	Yes ☐ No: ☒	ODFW Review - date received:	

Water Rights Affected

File Marked	No.	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	1	G-7651	G-7361	80626	☒ Yes ☐ No	98439
☐	2				☐ Yes ☐ No	
☐	3				☐ Yes ☐ No	

I have confirmed that the information on this document is correct (or has been corrected): initials

Caseworker Actions:

Assigned in WRIS: 4/9/2025	DPD Workflow updated:	WRIS Notes:
PD and RR sent to Data Entry:	Certified mail date:	
Newspaper notice needed: Yes ☒ No: ☐	Name of Newspaper:	
PD notice email coordinator:	PD notice Request Date:	Amount Due: \$
		Received date:
Last day of publication:	Affidavit received:	

DOCUMENT	Drafted		Peer Review		Policy Review		Changes		ODFW contact info: ☐ included NA: ☐	
	Date	initials	Date	initials	Date	initials	Date	initials	WM contact info: ☐ included NA: ☐	
DPD	4/9/25		4/25/25	Scott					Number of Docs for signature:	
NOTICE									Date in Signature bin	Signature date
PD										6/9/2025
FO										8/14/2025
RR										
Special Issues:										

PERMANENT TRANSFER APPLICATION CHECKLIST☐ RA**Transfer #: T-14354**

CW	PR	Coord	
☒	☐		Save all certificates in electronic "T" folder and highlight Priority Date, Rate, Use and Limit/Duty paragraph
☐	☐	☐	☐ Supplemental checklist for transfers w/in a District (S:\groups\wr\TACS\WRISApps Templates\Transfer Checklists\SUPP_Within District Processing Checklist 9-5-2019) If this is a Living Certificate – check with Ann Reece See Supplemental Language document for language

Transfer Application Review and Deficiencies

CW	PR	Coord	
☒	☐	☐	Are all applicants/agents listed in WRIS with email addresses, if available? ☒ Yes ☐ No
☒	☐	☐	Have all permit/certificates been entered in WRIS under Transfer #? ☒ Yes ☐ No
☒	☐	☐	Were timely Public Comments received? (if yes, enter commenter names/email on mailing list) ☐ Yes ☒ No
Add finding for any comments received (see Supplemental Language document)			

Groundwater Modification Application Review and Deficiencies

CW	PR	Coord	
			☒ N/A
☐	☐	☐	If for a Groundwater Modification, were there any assignments? All GR Mod applicants must be the holder of record. ☐ Yes ☐ No
☐	☐	☐	Are there any past GR Modifications and/or letters documenting changes to the GR These must be accounted for in the GR Mod Order. ☐ Yes ☐ No

Review "From" and "To" Lands and/or POD/POA

CW	PR	Coord	
☒	☐	☐	Are only the authorized POD(s)/POA(s)/POU listed on the "from" map? ☒ Yes ☐ No
☒	☐	☐	Does the "from" map match the certificate map? If No, what is different? T-9213 changed the right – moved the corners of the right elsewhere. ☐ Yes ☒ No
☒	☐	☐	Compare FROM POU in application (Table 2) with certificate. Mark certificate with acres being xferred, any RR acres and any acres being cancelled.
☒	☐	☐	Compare TO POU in Table 2 with the TO Lands on map (for accuracy)
☒	☐	☐	Are any of the "from" lands being cancelled/diminished? ☐ Yes ☒ No
☐	☐	☐	If Yes, were cancellation/diminution affidavits submitted? (see findings and additional authority in Supplemental Language doc) ☐ Yes ☐ No
☒	☐	☐	Are any instream water rights affected? If Yes, Cert # (If Yes, check criteria for injury-upstream POD move, moving closer to SW, or return flows affected) ☐ Yes ☒ No

Layered/Supplemental Rights

CW	PR	Coord	
			☐ N/A

☒	☐	☐	Are there any layered irrigation rights?	☐ Yes	☒ No
☒	☐	☐	If Yes, were they included in application? <i>If No, they must move with the primary, to a "like" primary, or they will be cancelled though the transfer process</i>	☐ Yes	☐ No
☐	☐	☐	Layered right(s) Cert:		
☐	☐	☐	Are any supplemental rights being transferred? (verify that it is actually a supplemental right)	☐ Yes	☐ No
☐	☐	☐	If Yes, are they being transferred to a "like" primary (i.e. similar reliability)?	☐ Yes	☐ No
☐	☐	☐	Notes:		

Transfer Review Criteria					
CW	PR	Coord			
☒	☐	☐	Validity of the right – Has the right been used in the last 5 years and is not subject to forfeiture?	☒ Yes	☐ No
☒	☐	☐	☒ Evidence of use and supporting documentation ☐ Confirming (not a remaining right) cert issued within the last 5 years ☐ Rebuttal to forfeiture (ORS 540.610)		
☒	☐	☐	Ready, Willing and Able – ☒ Current delivery system sufficiently described in application. Does delivery system have capacity to fully divert and use the authorized rate/duty of the right?	☒ Yes	☐ No
☒	☐	☐	Would the proposed transfer result in enlargement? If Yes, why? What conditions, if any, will avoid?	☐ Yes	☒ No
☒	☐	☐	Would the proposed transfer result in injury? If Yes, why? What conditions, if any, will avoid?	☐ Yes	☒ No
☐	☐	☐	If injury, has WM or GW provided a list of injured water right holders? ☒ N/A	☐ Yes	☐ No
☒	☐	☐	If POD/POA/APOD/APOA change, will it be from the same source? <i>If No, deny per OAR 690-380-2110(2)</i> ☐ N/A	☒ Yes	☐ No
☐	☐	☐	Notes:		

Draft Preliminary Determination and Cover Letter – 12 pt. Calibri font			
CW	PR	Coord	
☒	☐	☐	Prepare ModPod workareas
☒	☐	☐	Prepare DPD (save as T-XXXXX-dpd-approve/deny (where XXXXX is the transfer number)
☒	☐	☐	Prepare DPD Cover letter (save as T-XXXXX-dpd-cov)
☒	☐	☐	Prepare Public Notice ☐ and/or ☒ newspaper notice (if required) (save as T-XXXXX-pd-notice)
☒	☐	☐	Prepare Remaining Right(s) (if applicable). Send with DPD, cover letter and notice for peer review.

Issue Draft Preliminary Determination	
CW	
☒	Copy DPD and cover letter for paper file
☒	Save DPD and cover letter as PDF
☒	Mail/email to applicant/agent/WM
☒	Add workflow item "Draft PD Issued"

Report of Ownership Information (ROI)					
CW	PR	Coord			
☒	☐	☐	Does legal description in ROI/Deed match "from" lands?	☒ Yes	☐ No
☒	☐	☐	Have all owners on the ROI/Deed signed the application?	☒ Yes	☐ No
☒	☐	☐	Has a notarized statement of consent been submitted? (if applicable) ☒ N/A	☐ Yes	☐ No

Newspaper Notice (if required)

CW	PR	Coord	☐ N/A
☒	☐	☐	Prepare/send letter to applicant/agent regarding newspaper notice cost ☒ Yes ☐ No
☐	☐	☐	TACS Support delivered receipted funds to caseworker ☐ Yes ☐ No

Preliminary Determination and Cover Letter Preparation

CW	PR	Coord	See cheat sheet at (S:\groups\wr\TACS\6. Transfers\Procedures\DPD to PD Conversion 12-8-2016) for more detailed instructions
☒	☐	☐	Was application amended after DPD was issued? - Make sure amended pages were scanned to WRIS (see support staff) and make sure you mark amended (replaced) pages with SUPERSEDED. Also make findings in PD. ☐ Yes ☒ No
☐	☐	☐	If Yes, what was amended?
☐	☐	☐	Did amendment change outcome from denial to approval? <i>If Yes, make findings in PD.</i> ☐ Yes ☐ No
☐	☐	☐	☐ If POD/POA changes or changes in "from" lands – re-review required from WM ☐ If POA changes – re-review required from GW
<i>Note: If POD was amended and changed from a downstream move to upstream within an ISWR reach – Consent to Injury may be required.</i>			
☒			Save DPD as a new document (T-XXXXX-pd-approve/deny.doc) – 12 pt. Calibri font
☒			Remove "Draft" from document
☒			Unhide hidden findings (cntrl-A, select Font, uncheck "hidden" box) and add dates
☐			If application was amended, add finding including date of amendment
☐			Change language resulting from any amendments in response to the DPD, including language under Determination and Proposed Action
☒			Unhide appeal (protest) language at the end of the document
☒			Prepare PD Cover Letter (save as T-XXXXX-pd-cov)
☒			Check email address(s) for accuracy
☐			Notes:
☒			Send to caseworker/coordinator for Peer Review

Data Center Review of PD

CW	PR	Coord	
☒	☐	☐	Email PD and RR(s)(with new cert numbers) to Data* for review – indicate if file is RA *email address is in key
☒	☐	☐	Data Center will send notification that file is complete
☒	☐	☐	Make any necessary changes to PD or prepare Revised DPD (if substantive changes)

Issue Preliminary Determination

CW	
☐	Print PD and put in Manager's box for signature and issuance (support will print cover letter)
☐	Add workflow notes

Protest

CW	PR	Coor	
☐	☐	☐	Have protests been received? ☐ Yes ☐ No If YES, STOP! Coordinate with Protest section.

Final Order

CW See cheat sheet at (S:\groups\wr\TACS\6. Transfers\Procedures\PD to FO Conversion 12-8-2016) for more detailed instructions

Do not issue Final Order before this date: (protest period end date or 30 days after date of last newspaper publication)

- | | |
|--------------------------|---|
| ☐ | If application had a newspaper notice, verify that Affidavit of Publication was received. Date: |
| ☐ | Save PD as a new document (T-XXXXX-ord-approve (or deny)) |
| ☐ | Remove "PRELIMINARY DETERMINATION" from document title and replace with "FINAL ORDER." Unhide hidden findings (cntrl-a, select Font, uncheck "hidden" box) |
| ☐ | Replace "PROPOSING APPROVAL/DENIAL OF" with APPROVING/DENYING |
| ☐ | Replace the "judicial review/reconsideration rights" box in the first page footer for the "Final Order" judicial review language; unhide and add Special Order Volume (support will add page #) |
| ☐ | Update the hidden paragraph following the public notice and amendments findings (regarding issuance of PD) |
| ☐ | Change "Determination and Proposed Action" to "Conclusions of Law" and update paragraph |
| ☐ | Replace "If application T-XXXXX is approved . . ." with Now, therefore, it is ORDERED:" |
| ☐ | Select list of conditions below "It is ORDERED" section and turn off Italics. Check numbering (start at "1"). |
| ☐ | Delete Protest language, Document preparation box, and Notice Regarding Servicemembers; Insert "Mailing Date: _____" |
| ☐ | Final Check: All Conclusions of Law are supported by Findings and Transfer Review Criteria |

Remaining Rights

- | CW | PR | Coord | ☐ N/A |
|--------------------------|--------------------------|--------------------------|--|
| ☐ | ☐ | ☐ | Make sure all RR certs have new cert numbers and are entered on the right side of the footer of each RR |
| ☐ | ☐ | ☐ | Update left side of footer to read: T-XXXXX.rr.YYYYYY.ini, where YYYYYY is original cert number and .ini stands for your initials. New certificate should be on the right. |
| ☐ | ☐ | ☐ | Print RR on certificate paper and include with Final Order for signature |

Issue Final Order

- | CW | |
|--------------------------|--|
| ☐ | Pull "Working Copy" folder from file |
| ☐ | Print and put FO and RR in Manager's box for signature (manager will deliver to support for processing and issuance) |

Notes:

**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 # **145271**

INVOICE # _____

RECEIVED FROM: Kruse Family Development
BY: Co LLC

APPLICATION	
PERMIT	
TRANSFER	T 14354

CASH: ☐ CHECK:# 4834 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 109.20

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46118 \$
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 109.20

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:

145271

DATED:

5-27-25

BY:

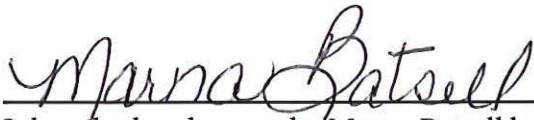
[Signature]

**AFFIDAVIT OF PUBLICATION
STATE OF OREGON,
COUNTY OF LAKE**

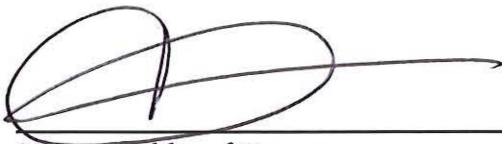
I, Marna Batsell, Account Executive, being first duly sworn, depose and say that I am the principal clerk of the publisher of the Lake County Examiner a newspaper in general circulation, as defined by Chapter 193 ORS, printed and published at Klamath Falls in the aforesaid county and state: that I know from my personal knowledge that the Legal # 5998 T-14354 Water Right Transfer a printed copy of which is hereto annexed, was published in the entire issue of said newspaper for: 2

Insertion(s) in the following issues: 06/18/25, 06/25/25

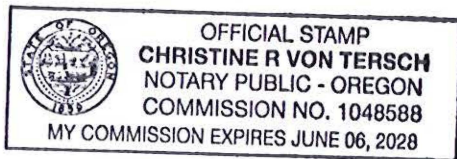
Total Cost: \$91.00



Subscribed and sworn by Marna Batsell before me on:
On 30th day of June, in the year of 2025



Notary Public of Oregon
My commission expires June 6, 2028



Received
JUL 03 2025
OWRD

**Notice of Preliminary Determination for
Water Right Transfer T-14354**

T-14354 filed by Randy Kruse, PO Box 1496, Redmond, OR 97756, proposes a change in point of appropriation and place of use under Certificate 80626. The right allows the use of 1.515 cubic feet per second from three wells in Sects. 1, 12, and 13, T26S, R14E, WM for irrigation in Sect 13, T26S, R14E, WM. The applicant proposes to change the point of appropriation to Sec. 28, T25S, R14E, WM and to change the place of use to Sec. 28, T25S, R14E, WM. The Water Resources Department proposes to approve the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, 06/25/2025. 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.

Dates of Publication:

June 18, 2025

June 25, 2025

5998

Received
JUL 03 2025
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

June 9, 2025

VIA CERTIFIED MAIL AND E-MAIL

KRUSE FAMILY DEVELOPMENT CO., LLC

ATTN: RANDY KRUSE

PO BOX 1496

REDMOND, OR 97756

SUBJECT: Water Right Transfer Application T-14354

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14354. 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 Lake County Examiner 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 971-701-5485 or at elyse.d.richman@water.oregon.gov, if I may be of assistance.

Sincerely,

Transfer Specialist

Transfer and Conservation Section

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-14354, Lake County	)	PROPOSING APPROVAL OF A CHANGE IN
	)	POINT OF APPROPRIATION AND
	)	PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, 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

RANDY KRUSE
PO BOX 1496
REDMOND, OR 97756

Findings of Fact

1. On November 15, 2023, Randy Kruse filed an application to change the point of appropriation and place of use under Certificate 80626. The Department assigned the application number T-14354.
2. Notice of the application for transfer was published on November 21, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 29, 2025, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14354. The draft Preliminary Determination cover letter set forth a deadline of May 29, 2025, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. On May 7, 2025, the agent for the applicant requested a completion date of October 1, 2030, to provide enough time to drill the well and complete the new irrigation system pursuant to OAR 690-380-5140(3).
5. On May 15, 2025, the Department determined that the portion of acres involved in the transfer, described in the draft Preliminary Determination as 121.010, were rounded up. This would create enlargement, by increasing the acreage irrigated under the right if the transfer were to be approved. The Department determined that a revised draft Preliminary Determination should be issued to accurately describe the acres involved in T-14354.
6. On May 23, 2025, the Department sent a copy of the Revised draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14354. The draft Preliminary Determination cover letter provided a deadline of June 23, 2025, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination.
7. The portion of the right to be transferred is as follows:

Certificate: 80626 in the name of KENNETH V. AND KATHLEEN G. KRUSE (perfected under Permit G-7361)

Use: IRRIGATION OF 121.008 ACRES

Priority Date: APRIL 29, 1977

Rate: 1.515 CUBIC FEET PER SECOND, being 0.29 cfs from Well 1, 0.645 cfs from Well 3, and 0.58 cfs from Well 4, or its equivalent in case of rotation, measured at the wells.

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: 3 WELLS in the BUCK CREEK BASIN

Authorized Points of Appropriation:

Twtp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	14 E	WM	1	NE SE	WELL 4 - 2300 FEET NORTH AND 1310 FEET WEST FROM THE SE CORNER OF SECTION 1
26 S	14 E	WM	12	NW NE	WELL 1 - 17.1 CHAINS SOUTH AND 22.8 CHAINS WEST FROM THE NE CORNER OF SECTION 12
26 S	14 E	WM	13	NE SE	WELL 3 - 1330 FEET NORTH AND 1310 FEET WEST FROM THE SE CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION					
Twtp	Rng	Mer	Sec	Q-Q	Acres
26 S	14 E	WM	13	NE SE	30.252
26 S	14 E	WM	13	NW SE	30.252

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	14 E	WM	13	SW SE	30.252
26 S	14 E	WM	13	SE SE	30.252
Total					121.008

8. Transfer Application T-14354 proposes to change the point of appropriation with approximate distances from the existing points of appropriation identified as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Existing Wells
25 S	14 E	WM	28	SW NW	WELL "ON" - 1350 FEET SOUTH AND 1290 FEET EAST OF THE NW CORNER OF SECTION 28	WELL #1 - 4.09 miles Northwest
						WELL #3 - 5.43 miles Northwest
						WELL #4 - 3.60 miles Northwest

9. Transfer Application T-14354 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	14 E	WM	28	NE NW	30.252
25 S	14 E	WM	28	NW NW	30.252
25 S	14 E	WM	28	SW NW	30.252
25 S	14 E	WM	28	SE NW	30.252
Total					121.008

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

10. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14354.
12. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
13. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
14. The proposed changes, as conditioned, would not result in enlargement of the right.
15. The proposed change, as conditioned, would not result in injury to other existing water rights.
16. All other application requirements are met.

Determination and Proposed Action

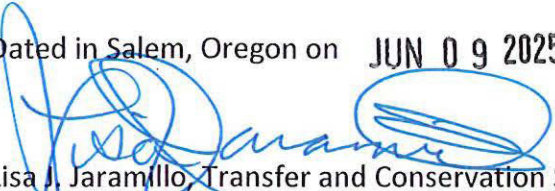
The change in point of appropriation and place of use proposed in Transfer Application T-14354 appear to be not consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14354 is approved, the final order will include the following:

- 1. The change in point of appropriation and change in place of use proposed in Transfer Application T-14354 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 Certificate 80626 and any related decree.*
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation or the new place of use.*
- 4. Water right Certificate 80626 is cancelled. A new certificate will be issued describing the portions of the right not affected by this transfer.*
- 5. The quantity of water diverted at the new point of appropriation (WELL "ON"), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 1, WELL 3, and WELL 4).*
- 6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
- 7. The former place of use of the transferred right shall no longer receive water under the right.*
- 8. Water use measurement conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each new point of appropriation.*
 - b. The water user shall maintain the meters or measuring devices in good working order.*
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
- 9. 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.*

10. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on JUN 09 2025


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

This Preliminary Determination was prepared by Elyse Richman. If you have questions about the information in this document, you may reach me at 971-701-5485 or at elyse.d.richman@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.



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 23, 2025

VIA E-MAIL

RANDY KRUSE
PO BOX 1496
REDMOND, OR 97756

Reference: Water Right Transfer Application T-14354

Your water right transfer is in the first of three phases of processing. Enclosed is a revised draft of the Department's Preliminary Determination regarding Transfer Application T-14354. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response is required by June 23, 2025.

Required items needing your immediate attention:

1. Please carefully review the revised Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by June 23, 2025, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions of your water right...

The Watermaster has required a water measurement device at the new appropriation point prior to appropriation of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

Please note the proposed date by which all conditions must be met: October 1, 2030. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs).

Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the revised Draft Preliminary Determination (e-mail is acceptable); and

If we do not receive the items listed above by June 23, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at (971) 701-5485 or at elyse.d.richman@water.oregon.gov, if I may be of assistance.

Sincerely,



Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14354
Jeremy T. Giffin, District 11 Watermaster (*via e-mail*)
John A. Short, Agent for the applicant (*via e-mail*)

encs

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

In the Matter of Transfer Application
T-14354, Lake County

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)
)
)
)

R E V I S E D

DRAFT PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A CHANGE IN
POINT OF APPROPRIATION AND PLACE OF
USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, 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

RANDY KRUSE
PO BOX 1496
REDMOND, OR 97756

Findings of Fact

1. On November 15, 2023, Randy Kruse filed an application to change the point of appropriation and place of use under Certificate 80626. The Department assigned the application number T-14354.
2. Notice of the application for transfer was published on November 21, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On April 29, 2025, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14354. The draft Preliminary Determination cover letter set forth a deadline of May 29, 2025, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
4. On May 7, 2025, the agent for the applicant requested a completion date of October 1, 2030 to provide enough time to drill the well and complete the new irrigation system pursuant to OAR 690-380-5140(3).

5. On May 15, 2025, the Department determined that the portion of acres involved in the transfer, described in the draft Preliminary Determination as 121.010, were rounded up. This would create enlargement, by increasing the acreage irrigated under the right if the transfer were to be approved. The Department determined that a revised draft Preliminary Determination should be issued to correctly describe the amount of acres involved in T-14354.

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

Certificate: 80626 in the name of KENNETH V. AND KATHLEEN G. KRUSE (perfected under Permit G-7361)

Use: IRRIGATION OF 121.008 ACRES

Priority Date: APRIL 29, 1977

Rate: 1.515 CUBIC FEET PER SECOND, being 0.29 cfs from Well 1, 0.645 cfs from Well 3, and 0.58 cfs from Well 4, or its equivalent in case of rotation, measured at the wells.

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: 3 WELLS in the BUCK CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	14 E	WM	1	NE SE	WELL 4 - 2300 FEET NORTH AND 1310 FEET WEST FROM THE SE CORNER OF SECTION 1
26 S	14 E	WM	12	NW NE	WELL 1 - 17.1 CHAINS SOUTH AND 22.8 CHAINS WEST FROM THE NE CORNER OF SECTION 12
26 S	14 E	WM	13	NE SE	WELL 3 - 1330 FEET NORTH AND 1310 FEET WEST FROM THE SE CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	14 E	WM	13	NE SE	30.252
26 S	14 E	WM	13	NW SE	30.252
26 S	14 E	WM	13	SW SE	30.252
26 S	14 E	WM	13	SE SE	30.252
				Total	121.008

7. Transfer Application T-14354 proposes to change the point of appropriation with approximate distances from the existing points of appropriation identified as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Existing Wells
25 S	14 E	WM	28	SW NW	WELL "ON" - 1350 FEET SOUTH AND 1290 FEET EAST OF THE NW CORNER OF SECTION 28	WELL #1 - 4.09 miles Northwest WELL #3 - 5.43 miles Northwest WELL #4 - 3.60 miles Northwest

8. Transfer Application T-14354 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	14 E	WM	28	NW NE	30.252
25 S	14 E	WM	28	NW NW	30.252
25 S	14 E	WM	28	SW NW	30.252
25 S	14 E	WM	28	SE NW	30.252
				Total	121.008

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

9. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
10. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14354.
11. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
12. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
13. The proposed changes would increase the total amount of acres for the water right and would result in enlargement of the right.
14. The proposed change, as conditioned, would not result in injury to other existing water rights.
15. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation and place of use proposed in Transfer Application T-14354 appear to be not consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14354 is approved, the final order will include the following:

- 1. The change in point of appropriation and change in place of use proposed in Transfer Application T-14354 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 Certificate 80626 and any related decree.*
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation or the new place of use.*
- 4. Water right Certificate 80626 is cancelled. A new certificate will be issued describing the portions of the right not affected by this transfer.*
- 5. The quantity of water diverted at the new point of appropriation (WELL "ON"), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 1, WELL 3, and WELL 4).*
- 6. Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
- 7. The former place of use of the transferred right shall no longer receive water under the right.*
- 8. Water use measurement conditions:*
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
 - b. The water user shall maintain the meters or measuring devices in good working order.*
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
- 9. 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.*

10. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

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

This draft Preliminary Determination was prepared by Elyse Richman. If you have questions about the information in this document, you may reach me at 971-701-5485 or at elyse.d.richman@water.oregon.gov.



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

April 29, 2025

VIA E-MAIL

RANDY KRUSE
PO BOX 1496
REDMOND, OR 97756

Reference: Water Right Transfer Application T-14354

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14354. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by May 29, 2025.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by May 29, 2025, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right is currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; **AND**
 - e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of consent form (**Consent By Deeded Landowner**) is available at: [https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf](https://www.oregon.gov/OWRD/WRDFormsPDF/consent%20to%20transfer%20form.pdf)
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. In the transfer application, you requested to use the Frontier Advertiser; however, that newspaper is no longer in business. For Lake County transfers we suggest using the Lake County Examiner to publish the newspaper notice.

Conditions of your water right...

The Watermaster has required a water measurement device at the new appropriation point prior to appropriation of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device.

Please note the proposed date by which all conditions must be met: October 1, 2026. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized points of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs).

Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must

indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

3. The name of the newspaper you wish the Department to use for publication of the notice of the Preliminary Determination.

If we do not receive the items listed above by May 29, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at (971) 701-5485 or at elyse.d.richman@water.oregon.gov, if I may be of assistance.

Sincerely,



Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-14354
Jeremy T. Giffin, District 11 Watermaster (*via e-mail*)
John A. Short, Agent for the applicant (*via e-mail*)

encs

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

In the Matter of Transfer Application
T-14354, Lake County

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D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A CHANGE IN
POINT OF APPROPRIATION AND A
CHANGE IN PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, 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

RANDY KRUSE
PO BOX 1496
REDMOND, OR 97756

Findings of Fact

1. On November 15, 2023, Randy Kruse filed an application to change the point of appropriation and to change the place of use under Certificate 80626. The Department assigned the application number T-14354.
2. Notice of the application for transfer was published on November 21, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The portion of the right to be transferred is as follows:

Certificate: 80626 in the name of KENNETH V. AND KATHLEEN G. KRUSE (perfected under Permit G-7361)
Use: IRRIGATION OF 121.01 ACRES
Priority Date: APRIL 29, 1977
Rate: 1.515 CUBIC FEET PER SECOND, being 0.29 cfs from Well 1, 0.645 cfs from Well 3, and 0.58 cfs from Well 4, or its equivalent in case of rotation, measured at the wells.

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

Source: 3 WELLS in the BUCK CREEK BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
26 S	14 E	WM	1	NE SE	WELL 4 - 2300 FEET NORTH AND 1310 FEET WEST FROM THE SE CORNER OF SECTION 1
26 S	14 E	WM	12	NW NE	WELL 1 - 17.1 CHAINS SOUTH AND 22.8 CHAINS WEST FROM THE NE CORNER OF SECTION 12
26 S	14 E	WM	13	NE SE	WELL 3 - 1330 FEET NORTH AND 1310 FEET WEST FROM THE SE CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
26 S	14 E	WM	13	NE SE	30.252
26 S	14 E	WM	13	NW SE	30.252
26 S	14 E	WM	13	SW SE	30.252
26 S	14 E	WM	13	SE SE	30.252
				Total	121.01

4. Transfer Application T-14354 proposes to change the point of appropriation with approximate distances from the existing points of appropriation identified as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate Distance from Existing Wells
25 S	14 E	WM	28	SW NW	WELL "ON" - 1350 FEET SOUTH AND 1290 FEET EAST OF THE NW CORNER OF SECTION 28	WELL #1 - 4.09 miles Northwest
						WELL #3 - 5.43 miles Northwest
						WELL #4 - 3.60 miles Northwest

Transfer Application T-14354 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
25 S	14 E	WM	28	NW NE	30.252
25 S	14 E	WM	28	NW NW	30.252
25 S	14 E	WM	28	SW NW	30.252
25 S	14 E	WM	28	SE NW	30.252
				Total	121.01

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

5. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
6. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14354.
7. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
8. The proposed point of appropriation develops groundwater from the same aquifer as the authorized points of appropriation, as required by OAR 690-380-2110(2).
9. The proposed changes, as conditioned, would not result in enlargement of the right.
10. The proposed change, as conditioned, would not result in injury to other existing water rights.
11. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation and change in place of use proposed in Transfer Application T-14354 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14354 is approved, the final order will include the following:

1. *The change in point of appropriation and change in place of use proposed in Transfer Application T-14354 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 Certificate 80626 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation or the new place of use.*
4. *Water right Certificate 80626 is cancelled. A new certificate will be issued describing the portions of the right not affected by this transfer.*

5. *The quantity of water diverted at the new point of appropriation (WELL "ON"), shall not exceed the quantity of water lawfully available at the original points of appropriation (WELL 1, WELL 3, and WELL 4).*
6. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*
7. *The former place of use of the transferred right shall no longer receive water under the right.*
8. *Water use measurement conditions:*
 - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of appropriation (new and existing).*
 - b. *The water user shall maintain the meters or measuring devices in good working order.*
 - c. *The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.*
9. *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.*
10. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

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

This draft Preliminary Determination was prepared by Elyse Richman. If you have questions about the information in this document, you may reach me at 971-701-5485 or at elyse.d.richman@water.oregon.gov.

Groundwater Transfer Review Summary Form

Transfer/PA # T- 14354

GW Reviewer Grayson Fish Date Review Completed: 11/1/2024

Summary of Same Source Review:

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

Summary of Water Level Decline Condition Review:

☐ Water levels at the original point(s) of appropriation have exceeded the allowed decline threshold defined by conditions in the originating water right.

Summary of Injury Review:

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

Summary of GW-SW Transfer Similarity Review:

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

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



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

Ground Water Review Form:

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

Application: T-14354 Applicant Name: Randy Kruse/ Kruse Family Development Company, LLC

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

Reviewer(s): Grayson Fish

Date of Review: 11/1/2024

Date Returned to WRSD: 11/1/2024

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

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

1. Basic description of the changes proposed in this transfer: The applicant proposes to change the place of use on Certificate 80626 of 121.01 acres and the POA for those acres to a new proposed well located approximately 4.5 miles to the northwest of the currently authorized POU/POA. The currently authorized POA are Well #1 (LAKE 340), Well #3 (LAKE 341) and Well #4 (LAKE 309/310*).

*Note: There appears to be a mis-checked box in table 1 of the application. Well #4 is marked as a "Proposed well" in table 1, when it is listed as an authorized well in table 2. Certificate 80626 lists well #4 as an authorized POA. This GW review assumes that Well #4 should be listed as an authorized well in table 1.

Additionally, no original construction log exists for Well #4, LAKE 309 and LAKE 310 appear to be well deepening reports for the same well.

Will the proposed POA develop the same aquifer (source) as the existing authorized POA?

☒ Yes ☐ No Comments: Groundwater in the Fort Rock Valley-Christmas Valley area (Fort Rock Classified Area) is identified as a single groundwater system. Groundwater is found in both a shallower predominantly basin-fill sediment unit and a deeper predominantly volcanic rocks and sediments unit below. The predominantly basin fill sediment unit and the predominantly volcanic rocks and sediment unit both readily yield groundwater, and the two units are hydraulically connected.

Miller (1986) describes the groundwater source as the main groundwater reservoir. That reservoir includes groundwater in different geologic units. The reservoir has three characteristics. First, the "natural" groundwater level changes less than 1.5 feet annually, indicating the system is highly modulated. Second, the 1980s potentiometric surface was approximately 4292 feet elevation amsl basin-wide with Silver Lake an exception. Third, the reservoir consists of numerous water producing zones in several formations, all having an essentially common potentiometric level, and all being very transmissive in general.

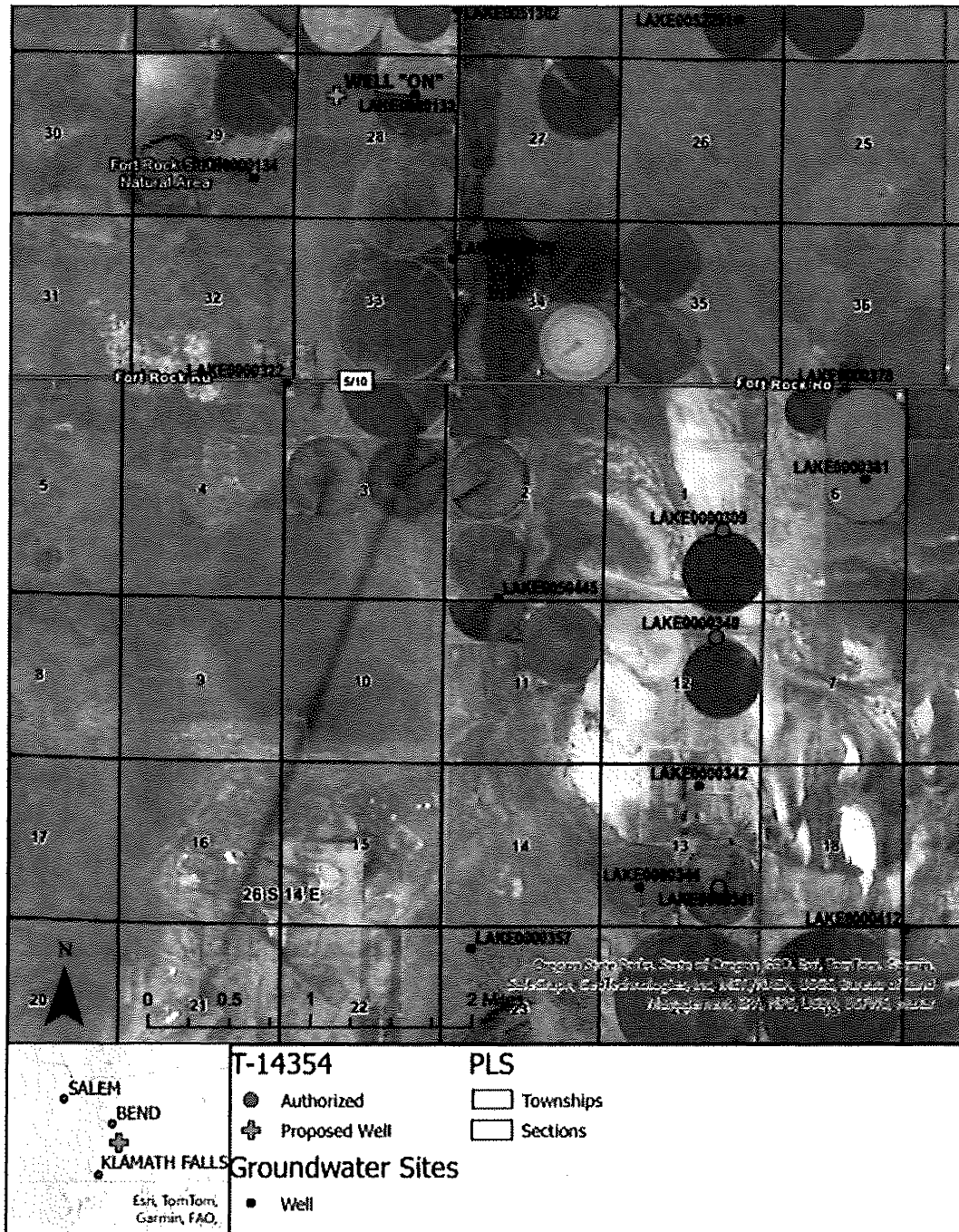
The authorized wells produce groundwater from water bearing zones within the predominantly basin-fill sediment and/or the underlying predominantly volcanic rocks and sediment unit of the main groundwater reservoir. The proposed well (WELL "ON") will also produce groundwater from water bearing zones within the main groundwater reservoir.

2. a) Is the existing authorized POA subject to a water level decline condition?
☐ Yes ☒ No Comments: No decline conditions exist on Certificate 80626.
- b) If yes, for each POA identify the reference level, most recent spring-high water level, and whether an applicable permit decline condition has been exceeded: N/A
3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No Comments: _____
- b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): N/A
4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with another ground water right?
☒ Yes ☐ No Comments: The proposed POA "WELL ON" will be located closer to existing wells on other groundwater rights than authorized POAs and is likely to result in an increase in interference with those wells.
- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: The nearest authorized POA to proposed POA "WELL ON" is LAKE 4369 on certificate 57563 which is located ~2,600 feet to the west. The Theis equation was used to calculate the potential increase in drawdown (see attachment) that may result from this transfer. The values used for the calculation are conservative and appropriate until better values become available. The calculation used an intermediate storage coefficient (0.001). The transmissivity used in the calculation (15,000 ft²/day) is from Morgan (1988) and McFarland and Ryals (1991). At the maximum allowed pumping rate (1.51 cfs), the results predict a drawdown of ~5 feet after a 245-day pumping period, which would not meet the standard of "substantial or undue interference".

The long-term impact on the groundwater system should be the same. That impact is to continue contributing to the ongoing annual Fort Rock Classified area groundwater level decline.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☐ Yes ☒ No Comments: The POA change moves the net pumping further away from Paulina Marsh and Silver Lake. The proposed change is not expected to result in an increase in interference with another surface water source.
- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
Stream: _____ ☐ Minimal ☐ Significant
Stream: _____ ☐ Minimal ☐ Significant
Provide context for minimal/significant impact: N/A
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
☐ Yes ☐ No Comments: N/A
7. What conditions or other changes in the application are necessary to address any potential issues identified above: _____
8. Any additional comments: _____

T-14354



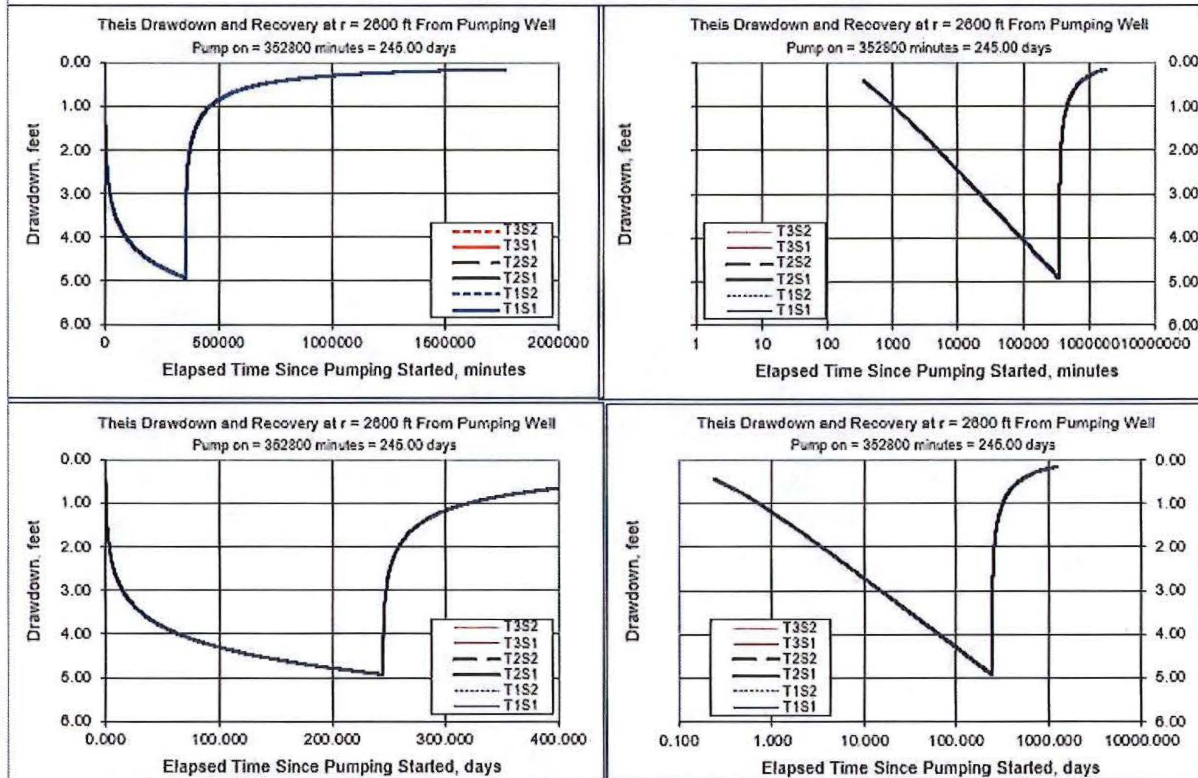
Theis Time-Drawdown Worksheet v.5.00

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

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

Input Data:	Var Name	Scenario 1	Scenario 2	Scenario 3	Units	
Total pumping time	t		245		d	
Radial distance from pumped well:	r		2600		ft	Q conversions
Pumping rate	Q		1.51		cfs	677.69 gpm
Hydraulic conductivity	K	150	150	150	ft/day	1.51 cfs
Aquifer thickness	b		100		ft	90.60 cfm
Storativity	S_1		0.001			130,464.00 cfd
	S_2		0.001			3.00 af/d
Transmissivity Conversions	T_{ft2pd}	15000	15000	15000	ft ² /day	
	T_{ft2pm}	10.416667	10.416667	10.416667	ft ² /min	
	T_{gpd2ft}	112200	112200	112200	gpd/ft	

Use the Recalculate button if recalculation is set to manual



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-14354

Review Due Date: 12/17/2023

Applicant Name: Randy Kruse

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

Reviewer(s): Giffin

Date of Review: 11/20/2023

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
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:

We have had a problem with the "off" lands turning back on after the transfer is complete in this area. I will be monitoring the "off" lands every summer.

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

☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

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

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

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

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

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

☐ Yes ☒ No If "Yes", explain:

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

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐

Weir

☐

Submerged Orifice

☐

Parshall Flume

☐

Flow Restrictor

☐

Other: ____

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T- **14354**



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



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



at each new point of diversion/appropriation.

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

Watermaster name: **Jeremy Giffin**

District: **11**

Address: **231 Scalehouse Lp, STE 103**

City/State/Zip: **Bend, OR 97702**

Phone: **541-306-6885**

Email: **Jeremy.T.Giffin@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

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

November 17, 2023

Randy Kruse

PO Box 1496

Redmond, OR 97756

Reference: Application T-14354

On November 15, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$3340.00. Receipt number 141926 is enclosed.

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

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

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

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

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

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

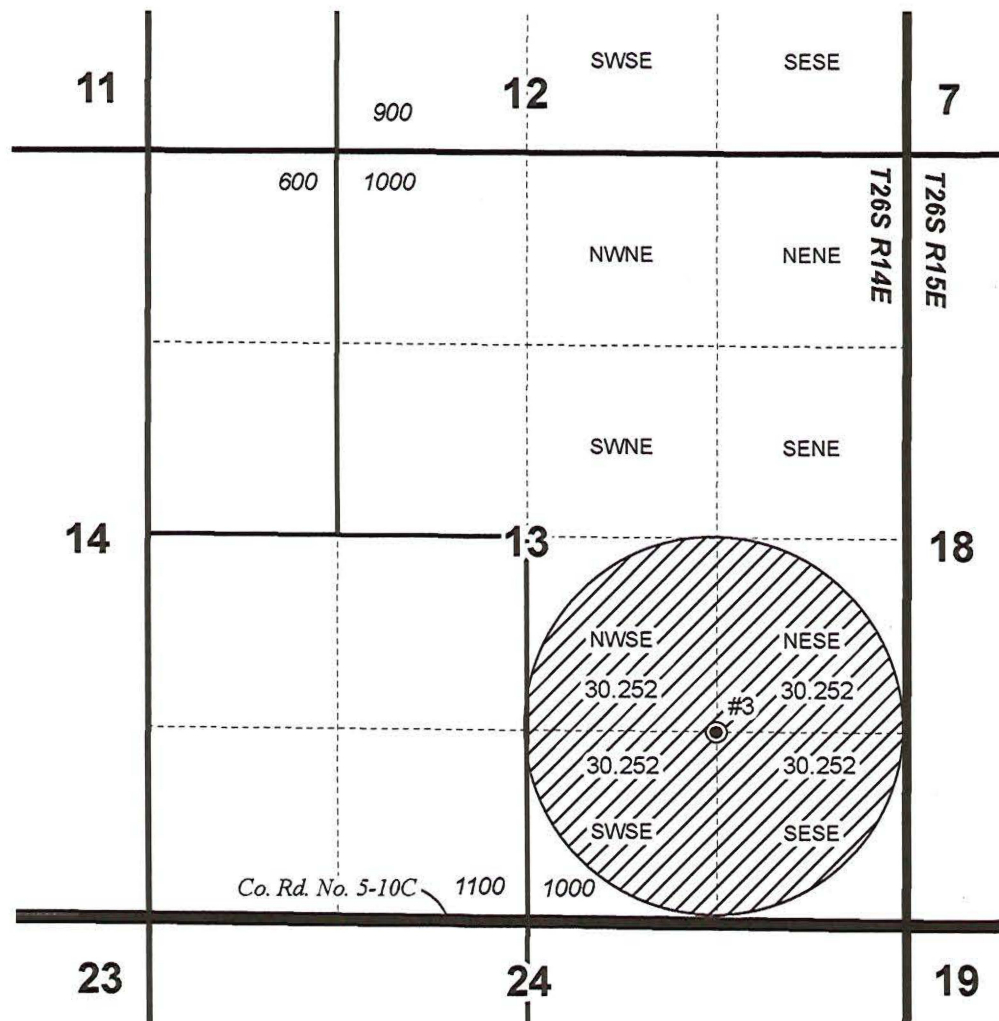
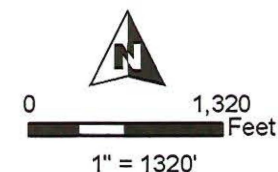
Cc: Watermaster Dist. #11, Jeremy T. Giffin (*via email*)

John A. Short, Agent

Lake County Planning Department

Enclosure

T26S R14E, WM, LAKE COUNTY, OR



- Well
- Pipeline
- Township
- Section
- Quarter Quarter
- POU IR "OFF" C-80626 4/29/1977 Priority

Well #3 (LAKE 341) Location:
1330' N, 1310' W of SE Cor Sec 13



RECEIVED
NOV 15 2023
OWRD

RENEWAL DATE 12/31/2024

PERMANENT TRANSFER "OFF" MAP KRUSE RANCH

Date: 10/23/2023

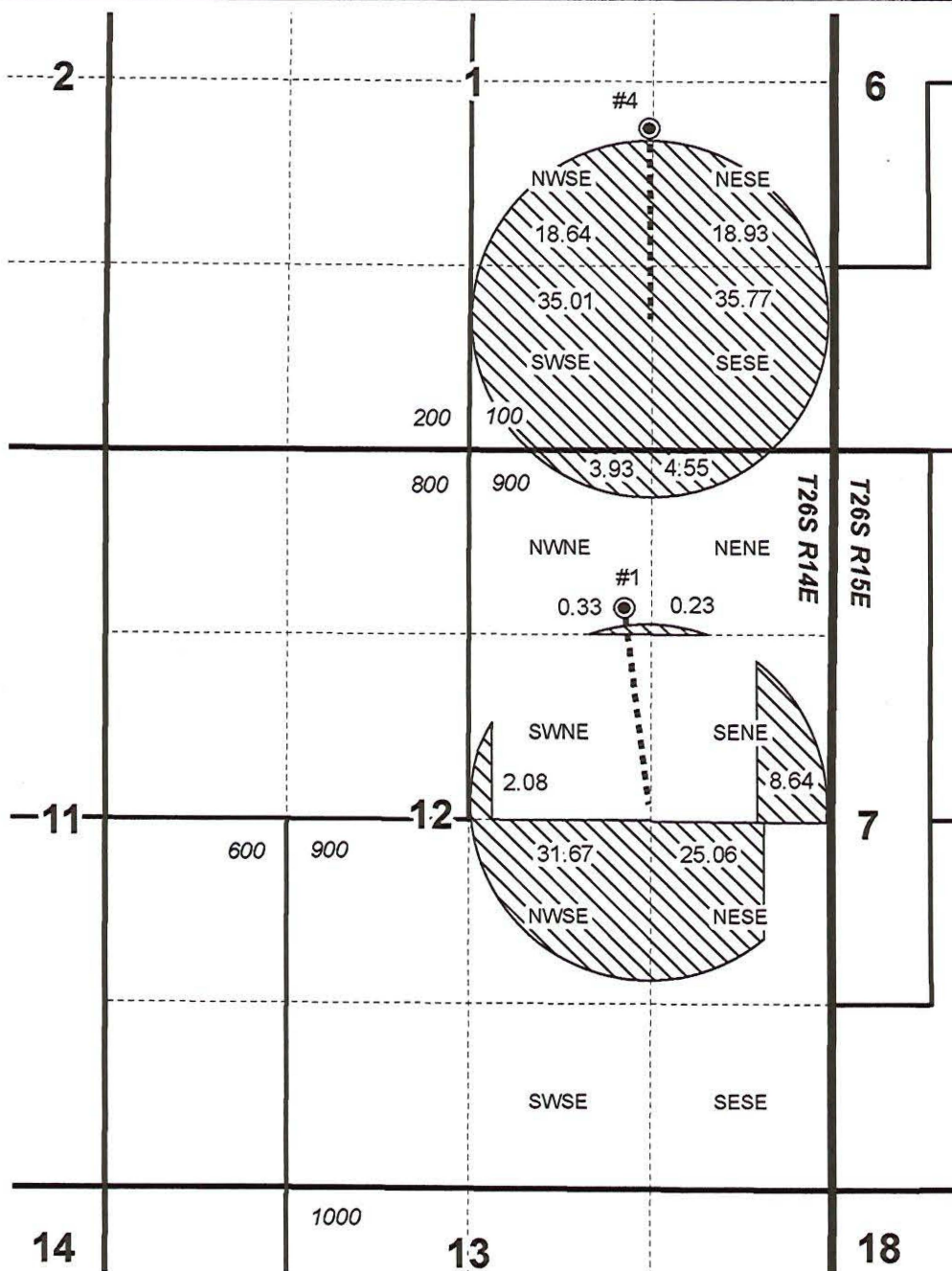
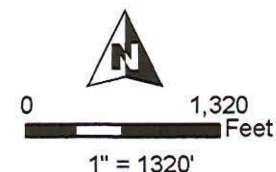
C-80626 4/29/1977 Priority

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 541-389-2837
johnshort@usa.com CCB # 197121

14354 -

**T26S R14E, WM,
LAKE COUNTY, OR**



- Well
- Pipeline
- Township
- Section
- Quarter Quarter
- POU IR "NO CHANGE" C-80626 4/29/1977 Priority

Well #1 (LAKE 340) Location:
17.1 CH. S, 22.8 CH. W of NE Cor Sec 12

Well #4 (LAKE 309/310) Location:
2300' N, 1310' W of SE Cor Sec 1

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RENEWAL DATE 12/31/2024

**PERMANENT TRANSFER "REMAINING RIGHT" MAP
KRUSE RANCH**

Date: 10/23/2023

C-80626 4/29/1977 Priority

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

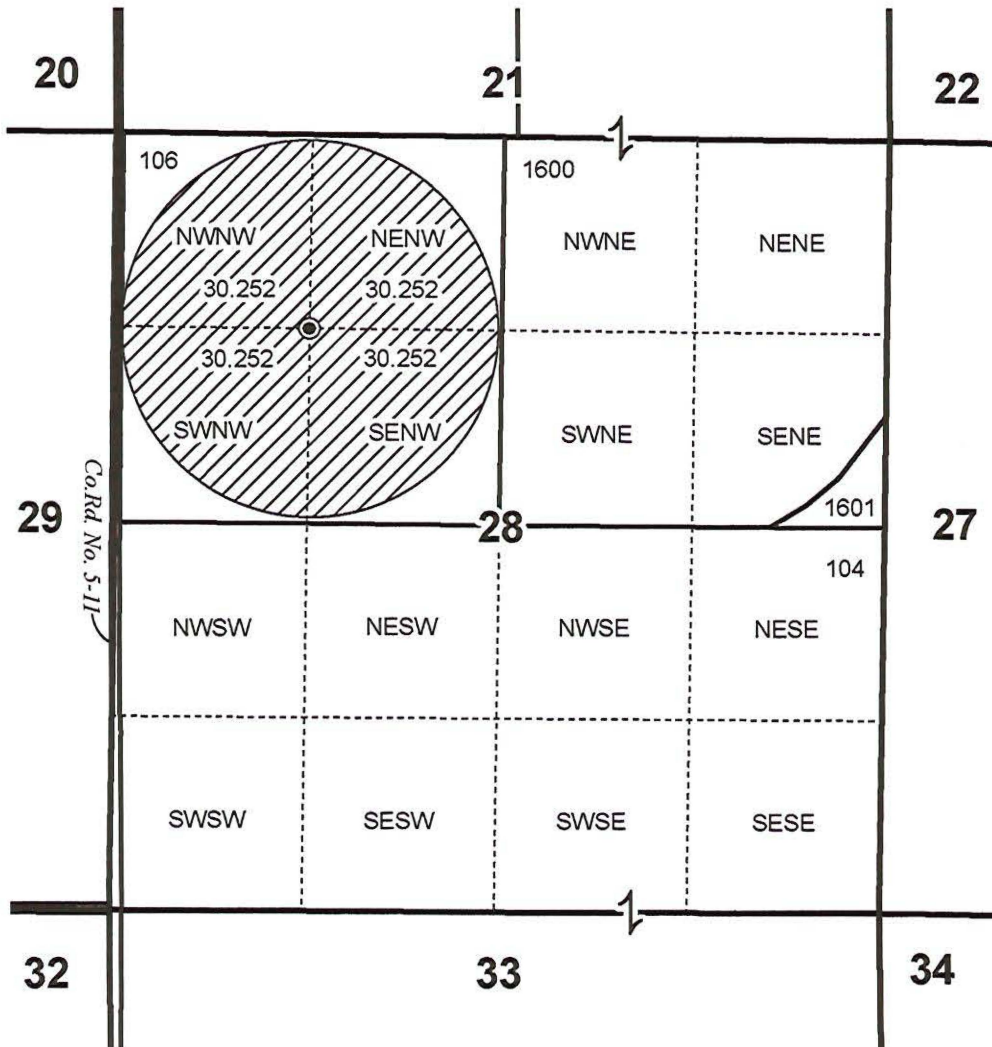
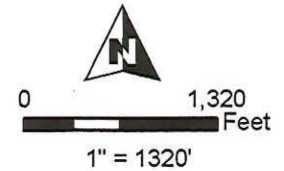
WWW.OREGONWATER.US 541-389-2837

johnshort@usa.com

CCB # 197121

14354 -

**T25S R14E, WM,
LAKE COUNTY, OR**



● Well "ON"

POU IR "ON" C-80626 4/29/1977 Priority

Section

Quarter Quarter

Tax Lot

Well "ON" (Proposed) Location:
1350' S, 1290' E of NW Cor Sec 28

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NOV 15 2023
OWRD



RENEWAL DATE 12/31/2024

**PERMANENT TRANSFER "ON" MAP
KRUSE RANCH**

Date: 10/23/2023

C-80626 4/29/1977 Priority

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 541-389-2837
johnshort@usa.com CCB # 197121

14354 -

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 # 141926

INVOICE #

RECEIVED FROM: Kruse Family Development
CO LLC

CASH: ☐ CHECK: # ☒ 4560 OTHER: (IDENTIFY) ☐

APPLICATION
PERMIT
TRANSFER T-14354

TOTAL REC'D \$3340.00

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 4610
0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
0240 EXTENSION OF TIME \$

WATER RIGHTS:
0201 SURFACE WATER EXAM FEE \$ RECORD FEE \$
0203 GROUND WATER \$ 0204 \$
0205 TRANSFER \$3340.00
WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ LICENSE FEE \$
LANDOWNER'S PERMIT 0219 \$ 0220 \$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND TITLE
OBJ. CODE VENDOR #
DESCRIPTION \$

RECEIPT: 141926

DATED 11-15-2023 BY: Lye D Myer

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

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 # 141926

INVOICE #

RECEIVED FROM: Kruse Family Development
CO LLC

CASH: ☐ CHECK: # ☒ 4560 OTHER: (IDENTIFY) ☐

APPLICATION
PERMIT
TRANSFER T-14354

TOTAL REC'D \$3340.00

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 4610
0407 COPY & TAPE FEES \$
0410 RESEARCH FEES \$
0408 MISC REVENUE: (IDENTIFY) \$
TC162 DEPOSIT LIAB. (IDENTIFY) \$
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WELL CONSTRUCTION
0218 WELL DRILL CONSTRUCTOR EXAM FEE \$ LICENSE FEE \$
LANDOWNER'S PERMIT 0219 \$ 0220 \$

OTHER (IDENTIFY)

0536 TREASURY 0437 WELL CONST. START FEE

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

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: 141926

DATED 11-15-2023 BY: Lye D Myer

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

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

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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? 1 List them here: C-80626**
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°).

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

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

14354 -

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME RANDY KRUSE / KRUSE FAMILY DEVELOPMENT COMPANY, LLC		PHONE NO. 541-408-2055	ADDITIONAL CONTACT NO.
ADDRESS PO BOX 1496		FAX NO.	
CITY REDMOND	STATE OR	ZIP 97756	E-MAIL randy@kruseprops.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 P.O. Box 1830		FAX NO.	
CITY Bend	STATE OR	ZIP 97709	E-MAIL johnshort@usa.com
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

Explain in your own words what you propose to accomplish with this transfer application, and why:

Move a portion of C-80626 to a new place of use and a new proposed point of appropriation.

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

Check One Box

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

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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: **Frontier Advertiser.**
- 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.



Randy Kruse

Applicant signature

Print Name (and Title if applicable)

11-9-23

Date

[Signature]

Applicant signature

Print Name (and Title if applicable)

11-9-23

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

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NOV 15 2023

OWRD

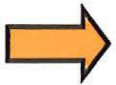
RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: ☐ Applicant ☐ Receiving Landowner				

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

IRRIGATION DISTRICT NAME	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 LAKE COUNTY PLANNING DEPARTMENT	ADDRESS 513 CENTER ST	
CITY LAKEVIEW	STATE OR	ZIP 97630

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 80626

Description of Water Delivery System

System capacity: 1.51 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 from well to pivot**

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
WELL #1	☒ Authorized ☐ Proposed	LAKE 340	26 S	14 E	12	NW NE	900	17.1 CH. S, 22.8 CH. W of NE Cor Sec 12
WELL #3	☒ Authorized ☐ Proposed	LAKE 341	" "	" "	13	NE SE	1000	1330' N, 1310' W of SE Cor Sec 13
WELL #4	☐ Authorized ☒ Proposed	LAKE 309/310	" "	" "	1	NE SE	100	2300' N, 1310' W of SE Cor Sec 1
WELL "ON"	☐ Authorized ☒ Proposed	PROPOSED	25 S	14 E	28	SW NW	106	1350' S, 1290' E of NW Cor Sec 28

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☒ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

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NOV 15 2023

OWRD

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 # 80626

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
26	S	14	E 13	NE	SE	1000		30.252	IR	WELLS 1, 3, & 4	1977	POU, POA	25	S	14	E 28	NE	NW	106		30.252	IR	WELL "ON"	1977
"	"	"	" "	NW	SE	"		30.252	"	"	"	"	"	"	"	"	NW	NW	"		30.252	"	"	"
"	"	"	" "	SW	SE	"		30.252	"	"	"	"	"	"	"	"	SW	NW	"		30.252	"	"	"
"	"	"	" "	SE	SE	"		30.252	"	"	"	"	"	"	"	"	SE	NW	"		30.252	"	"	"
TOTAL ACRES:						121.01							TOTAL ACRES:						121.01					

Additional remarks: _____.

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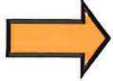
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For Place of Use or Character of Use Changes

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:_____.



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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
WELL "ON"	NO		420'	14"	+2'-150'	0-20'			BASALT	

NOTICE TO WATER WELL CONTRACTOR

The original and first copy
of this report are to be
filed with the

STATE ENGINEER, SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

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State Well No.

State Permit No. 265/14E-13

DEPT.

JUN 23 1976

(1) OWNER:

Name Ken KruseAddress Fort Rock, Oregon 97735

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☒ Driven ☐
Cable ☐ Jetted ☐
☐ Bored ☐

(4) PROPOSED USE (check):

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

(5) CASING INSTALLED:

Threaded ☐ Welded ☒
14" Diam. from + 2 ft. to 108 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static levelWas a pump test made? ☐ Yes ☒ No If yes, by whom?

d: gal./min. with ft. drawdown after hrs.

" " " "

" Blowing 1200 GPM " "

Ballor test gal./min. with 30 ft. drawdown after 1 hrs.

Fan flow g.p.m.

Temperature of water 54 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used cement

Well sealed from land surface to 18 ft.

Diameter of well bore to bottom of seal 18 in.

Diameter of well bore below seal 18 in.

Number of sacks of cement used in well seal 16 sacks

Number of sacks of bentonite used in well seal 0 sacks

Brand name of bentonite

Number of pounds of bentonite per 100 gallons

of water lbs./100 gals.

Was a drive shoe used? ☐ Yes ☒ No Plugs Size: location ft.Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

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

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County Lake Driller's well number

NW 1/4 SE 1/4 Section 13 T. 26S R. 14E W.M.

Bearing and distance from section or subdivision corner

1340' N & 1340' W of SE corner Sec 13

(11) WATER LEVEL: Completed well.

Depth at which water was first found 18 ft.

Static level 13 ft. below land surface. Date 5/23/76

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 3

Depth drilled 210 ft. Depth of completed well 210 ft.

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

MATERIAL	From	To	SWL
brn sandy soil	0	1	
tan clay	1	18	
blk sand (WB)	18	35	
green clay (WB)	35	41	
blk sand (WB)	41	55	
green clay	55	68	
blk sand & green clay (WB)	68	81	
brn sandstone	81	108	
gray rock (WB)	108	181	
brkn gray rock (WB)	181	191	
green clay & pumice (WB)	191	210	13

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Work started 5/13 1976 Completed 5/23 1976

Date well drilling machine moved off of well 5/23 1976

Drilling Machine Operator's Certification:

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

[Signed] W. L. Williams Date 6/15, 1976
(Drilling Machine Operator)

Drilling Machine Operator's License No. 864

Water Well Contractor's Certification:

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

Name Crawford Well Drilling
(Person, firm or corporation) (Type or print)Address 3626 NW Coyner Redmond, Ore[Signed] John V. Johnson
(Water Well Contractor)

Contractor's License No. 595 Date 6/15, 1976

(USE ADDITIONAL SHEETS IF NECESSARY)

SP*45658-110

14354 -

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

WATER WELL REPORT

WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310
within 30 days from the date
of well completion.

STATE OF OREGON
(Please type or print)

AUG 31977

State Well No. 265/146-1da

State Permit No.

(1) OWNER: WATER RESOURCES DEPT.

Name KENNETH KRUSE SALEM, OREGON

Address FORT ROCK, OR. 97725

(2) TYPE OF WORK (check):

New Well ☐ Deepening ☒ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

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

(4) PROPOSED USE (check):

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

(5) CASING INSTALLED:

Threaded ☐ Welded ☐

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

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No.

Type of perforator used

Size of perforations in. by in.
perforations from ft. to ft.
perforations from ft. to ft.
perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

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

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? OWNER
Yield: 180 gal./min. with 30 ft. drawdown after 5 hrs.

Ball test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m.

Temperature of water 58° Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used UNDISTURBED
Well sealed from land surface to ft.
Diameter of well bore to bottom of seal in.
Diameter of well bore below seal in.
Number of sacks of cement used in well seal sacks
How was cement grout placed?

Was a drive shoe used? ☐ Yes ☐ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

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

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County LAKE Driller's well number
NE 1/4 SE 1/4 Section 1 T. 26S R. 14E W.M.

Bearing and distance from section or subdivision corner

1710' N + 1283' W 2E SE CORNER SEC 1

(11) WATER LEVEL: Completed well.

Depth at which water was first found ft.

Static level 20 ft. below land surface. Date 7-5-77

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 8" "

Depth drilled 425 ft. Depth of completed well 425 ft.

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

MATERIAL	From	To	SWL
HP BRKN ROCK	W/B 325	365	
BLK SAND & GEN CLAY	W/B 365	398	
BRKN GRAY LAVA RR.	W/B 398	425	20'

Work started 7-3 1977 Completed 7-5 1977

Date well drilling machine moved off of well 7-5 1977

Drilling Machine Operator's Certification:

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

[Signed] W. D. Williams Date 7-31, 1977
(Drilling Machine Operator)

Drilling Machine Operator's License No. 864

Water Well Contractor's Certification:

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

Name Willim D. Williams AQUA TERR DRILLING
(Person, firm or corporation) (Type or print)

Address P.O. Box 1310 LAKEVIEW, OR. 97630

[Signed] Willim D. Williams
(Water Well Contractor)

Contractor's License No. 665 Date 7-31, 1977

(USE ADDITIONAL SHEETS IF NECESSARY)

SP*45656-119

14354 -

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

JUL 26 1977

(Do not write above this line)

State Well No.

265/148-1 da

State Permit No.

WATER RESOURCES DEPT.

(1) OWNER:

SALEM, OREGON

Name

KEN KRUSE

Address

FORT ROCK OR 97735

(2) TYPE OF WORK (check):

New Well ☐ Deepening ☒ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

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

(4) PROPOSED USE (check):

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

(5) CASING INSTALLED:

UNDISTURBED

Threaded ☐ Welded ☐

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(6) PERFORATIONS:

Perforated? ☐ Yes ☐ No.

Type of perforator used

Size of perforations in. by in.

perforations from ft. to ft.

perforations from ft. to ft.

perforations from ft. to ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☐ No

Manufacturer's Name

Type Model No.

Diam. Slot size Set from ft. to ft.

Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:

Drawdown is amount water level is
lowered below static levelWas a pump test made? ☒ Yes ☐ No If yes, by whom? OWNER

Yield: 500 gal./min. with 70 ft. drawdown after 2 hrs.

" " " "

" " " "

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

Artesian flow g.p.m.

Temperature of water 50 Depth artesian flow encountered ft.

(9) CONSTRUCTION:

Well seal—Material used UNDISTURBED

Well sealed from land surface to ft.

Diameter of well bore to bottom of seal in.

Diameter of well bore below seal in.

Number of sacks of cement used in well seal sacks

How was cement grout placed?

Was a drive shoe used? ☐ Yes ☐ No Plugs Size: location ft.Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? depth of strata

Method of sealing strata off

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

Gravel placed from ft. to ft.

(10) LOCATION OF WELL:

County LAKE

Driller's well number W

NE 1/4 SE 1/4 Section 1 T. 26S R. 14E W.M.

Bearing and distance from section or subdivision corner 1710' N

+ 1283 W OF SE CORNER SEC 1

(11) WATER LEVEL: Completed well.

Depth at which water was first found ft.

Static level 20 ft. below land surface. Date 6-20-77

Artesian pressure lbs. per square inch. Date

(12) WELL LOG:

Diameter of well below casing 12"

Depth drilled 325 ft. Depth of completed well 325 ft.

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

MATERIAL	From	To	SWL
COARSE SAND CONGL W/B	259	271	20
BRN CLAY	271	292	
BRN CLAY + BK SAND W/B	292	299	
HD RED LAVA ROCK W/B	299	302	
HD BLACK ROCK BRKN W/B	302	325	20

Work started 6-17 1977 Completed 6-20 1977

Date well drilling machine moved off of well 6-20 1977

Drilling Machine Operator's Certification:

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

[Signed] W.D. Williams Date 6-30, 1977
(Drilling Machine Operator)

Drilling Machine Operator's License No. 864

Water Well Contractor's Certification:

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

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

Address 538 W. 2nd Street, Portland, OR

[Signed] (Water Well Contractor)

Contractor's License No. 488 Date 7/24, 1977

(USE ADDITIONAL SHEETS IF NECESSARY)

SP*45656-119

14354 -

STATE OF OREGON
COUNTY OF LAKE
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

KENNETH V. AND KATHLEEN G. KRUSE
P.O. BOX 10
FORT ROCK, OREGON 97735

confirms the right to use the waters of 3 WELLS in the BUCK CREEK BASIN for IRRIGATION of 305.85 ACRES.

This right was perfected under Permit G-7361. The date of priority is APRIL 29, 1977. The amount of water to which this right is entitled is limited to an amount actually beneficially used, and shall not exceed 3.829 CUBIC FEET PER SECOND, being 0.74 cfs from Well 1, 1.629 cfs from Well 3, and 1.46 cfs from Well 4, or its equivalent in case of rotation, measured at the wells.

The wells are located as follows:

WELL 1 - NW $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 12, T 26 S, R 14 E, W.M.; 17.1 CHAINS SOUTH AND 22.8 CHAINS WEST from the NE CORNER OF SECTION 12.

WELL 3 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 13, T 26 S, R 14 E, W.M.; 1330 FEET NORTH and 1310 FEET WEST from the SE CORNER, SECTION 13.

WELL 4 - NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 1, T 26 S, R 14 E, W.M.; 2300 FEET NORTH AND 1310 FEET WEST from the SE CORNER, SECTION 1.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 18.93 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 18.64 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 35.01 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 35.77 ACRES

SECTION 1

NE $\frac{1}{4}$ NE $\frac{1}{4}$ 4.78 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$ 4.26 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$ 2.08 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$ 8.64 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$ 25.06 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 31.67 ACRES

SECTION 12

NE $\frac{1}{4}$ SE $\frac{1}{4}$ 30.252 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$ 30.252 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$ 30.252 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$ 30.252 ACRES

SECTION 13

TOWNSHIP 26 SOUTH, RANGE 14 EAST, W.M.

This certificate describes that portion of the water right confirmed by Certificate 76571, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered MAY 26 2004, approving Transfer Application 9213.

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 MAY 26 2004


Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80626.

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, BRYCE WITHERS, in my capacity as WATER RIGHT SPECIALIST,

mailing address PO BOX 1830 BEND, OR 97709

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

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

☐ Personal observation

☒ Professional expertise

2. I attest that:

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

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

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
80626	26	S	14	E	WM	13	NE	SE		30.252
"	"	"	"	"	"	"	NW	SE		"
"	"	"	"	"	"	"	SE	SE		"
"	"	"	"	"	"	"	SE	SE		"

OR

☐ Confirming Certificate # _____ has been issued within the past five years; OR

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); OR

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

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

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.

B. Whit

Signature of Affiant

October 25, 2023

Date

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Signed and sworn to (or affirmed) before me this 25 day of October, 2023.



Linda Lee Miller
Notary Public for Oregon

My Commission Expires: July 12, 2025

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

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14
T26S R14E

13

18
T26S R15E

24

19



1000 ft

14354 -

Land Use Information Form



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

Applicant(s): RANDY KRUSE

Mailing Address: PO BOX 1496

City: REDMOND

State: OR

Zip Code: 97756

Daytime Phone: 541-408-2055

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	1/4 1/4	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>25S</u>	<u>14E</u>	<u>28</u>		<u>106</u>	<u>FARM USE</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>Irrigation</u>

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

LAKE

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)

Estimated quantity of water needed: 1.51 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

Water Right Transfer of a portion of a certificate to a new place of use and a new proposed well.

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. →

RECEIVED

NOV 15 2023

OWRD

RECEIVED

NOV 15 2023

OWRD

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): Lake County Zoning Ordinance - Article 3 - A-2 zone.
- ☐ Land uses to be served by the proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being pursued."**

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

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

25-14-28-106

Name: Dylan Johnson Title: Planning Director

Signature: [Signature] Phone: 541-747-6036 Date: 1 Nov 2023

Government Entity: Lake County Planning Dept.

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: _____

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

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

Today's Date: Thursday, November 16, 2023

Fee Calculation

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

\$1,360.00

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

Types of Change Proposed:

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

\$1,090.00

Enter total number of water rights included in transfer.

\$0.00

☒ Check this box if you propose to add or change a well, or change from a surface water POD to a well.

\$480.00

Enter total number of groundwater wells (POAs) included in transfer.

\$0.00

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

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

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

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

Certificate #	Total acres in the water right	# of acres to be transferred	Total cfs in the water right certificate	OR If certificate does not list cfs, enter 1/___ cfs per acre	Transfer cfs
80626	305.85	121	3.829		1.514824

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

\$410.00

Subtotal:

\$3,340.00

Check each box that applies.

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

Discount:

Transfer Fee:

\$3,340.00

14354

Permanent Transfer Application Intake Checklist

Transfer # T-14354

Reviewer Corie Date 11/16/2023	Type of Change(s) Proposed: ☒ POU ☐ POD ☐ APOD ☒ POA ☐ APOA ☐ USE ☐ Substitution ☐ Gov't Action ☐ Sup to Primary ☐ SW to GW
Calculated Fee \$ Use fee calculator on back of this form	Fee Received \$
Certificate(s): 80626	Check <u>all</u> Certs in WRIS to confirm they are not cancelled
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs	
☐ YES ☐ NO ☒ N/A	
Notes:	

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

Map Requirements: OAR 690-380-3100			
4.	☒ YES	☐ NO	Has the map been completed and signed by a CWRE?
5.	☐ YES	☐ NO	☒ N/A Map Waiver? The map waiver must be issued by the Department
Notes:			

Attachments: OAR 690-380-3000			
6.	☒ YES	☐ NO	Evidence of Use included, signed, & notarized w/supporting documentation?
7.	☒ YES	☐ NO	☐ N/A Land Use Form included and signed by the County?
8.	☐ YES	☐ NO	☒ N/A Consent Form included, signed, and notarized?
9.	☐ YES	☐ NO	☒ N/A District: Place of use is in <u>or</u> near an irrigation district?
	☐ YES	☐ NO	If Yes, is Form D included? Name of the District
10.	☒ YES	☐ NO	☐ N/A For changes in POA/APOA – are the well logs included?
11.	☐ YES	☐ NO	☒ N/A For change in POU within Umatilla County, Supplemental Form U included?

☒	Application complete: no deficiencies identified, assign a T-number and put this checklist in T-folder.
☐	Application DEFICIENT: DO NOT accept - return to applicant with letter explaining deficiencies identified.