

Regular

T-14283

Name Crabtree Endersby Ranch LLCAddress PO Box 2246  
Maupin Oregon 97551

## DESCRIPTION OF WATER RIGHT(S)

Name of Stream Clear Creek, Frog Creek, Clear Lake ResTrib. of White river, Clear Creek, Clear Lake  
Live Stock, SEUse Irrigation, Storage, Potable County Wasco

Quantity of water (CFS) \_\_\_\_\_ No. of Acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

App# Decree Per # White river Cert # 773210 PR Date \_\_\_\_\_App# 532044 Per # 525275 Cert # 77733 PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

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App# \_\_\_\_\_ Per # \_\_\_\_\_ Cert # \_\_\_\_\_ PR Date \_\_\_\_\_

## FEES PAID

Date 7/17/23 Amount 1,970.00 Receipt # 141776

## FEES REFUNDED

Date \_\_\_\_\_ Amount \_\_\_\_\_ Receipt # \_\_\_\_\_

Change in PO  
Date Filed 7/17/2023  
Initial notice date 7/25/2023  
DPD issued date \_\_\_\_\_  
PD issued date 5/13/2025  
PD notice date 5/13/2025  
Date of FO 6/24/2025 Vol 143 Page 1023-1027C-Date \_\_\_\_\_  
COBU due date \_\_\_\_\_  
COBU Received date \_\_\_\_\_  
Certificate issued \_\_\_\_\_Assignments: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_Irrigation District Juniper Flat District Improvement Co.

Agent \_\_\_\_\_

CWRE \_\_\_\_\_

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





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

June 24, 2025

Crabtree Endersby Ranch LLC  
78901 Victor Rd  
Maupin, OR 97037

REFERENCE: Transfer Application T-14283

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, Arla Davis, by telephone at (503) 979-3129 or by e-mail at [Arla.L.Davis@water.oregon.gov](mailto:Arla.L.Davis@water.oregon.gov).

Sincerely,

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

cc: Robert L. Wood, Watermaster Dist. # 3 (via email)  
Irrigation District: Juniper Flat District Improvement Co.  
Wasco 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-14283, Wasco County	)	PLACES OF USE

**Authority**

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

**Applicant**

CRABTREE ENDERSBY RANCH LLC  
PO BOX 226  
MAUPIN, OR 97037

**Findings of Fact**

1. On July 17, 2023, Crabtree Endersby Ranch, LLC, filed an application to change the place of use under Certificates 77326 and 77733. The Department assigned the application number T-14283.
2. Notice of the application for transfer was published on July 25, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. Transfer Application T-14283 proposes to transfer water rights involving certificates held by Juniper Flat District Improvement Company (District). On June 18, 2023, the District certified that they consented to the applicant's proposed water right transfer application and maps.
4. A Claim of Beneficial Use prepared by a Certified Water Right Examiner will be submitted by the District.
5. After proof of completion, any water right certificate issued to confirm or to describe confirmed changes to Certificates 77326 and 77733 under Transfer T-14283 are to remain in the name of the Juniper Flat District Improvement Company.

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.

6. On August 20, 2024, the Department received correspondence from Josh Newton, Attorney for the Confederated Tribes of the Warm Springs Reservation of Oregon (Tribe). The Tribe does not object to the Department processing the Transfer Application T-14283, in accordance with applicable law, and the Department's customary practice.
7. On November 20, 2024, the applicant provided documentation allowing Kim Mead to act as the agent for Transfer Application T-14283.
8. At time of submittal of Transfer Application T-14283, supporting documentation was not included with the evidence of use affidavit. On November 20 and 24, 2024, the agent for the applicant provided a copy of the Conservation Reserve Program (CRP) contract #CRP-1-CN-11234, indicating Certificates 77326 and 77733 were enrolled in the program during the 2020 irrigation season. The CRP contract is for Farm 1605, Tract 72, identified via email by the United States Department of Agriculture (USDA) that this contract includes the FROM lands proposed for transfer under Certificates 77326 and 77733.
9. On March 25, 2025, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-14283 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of April 25, 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.
10. On May 13, 2025, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14283 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on May 13, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

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

<b>Certificate:</b>	77326 in the name of JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY (confirmed by White River Decree)
<b>Use:</b>	IRRIGATION of 8.5 ACRES and STOCK
<b>Priority Date:</b>	JULY 1, 1903, for direct live flow from Clear Creek and Frog Creek, and AUGUST 19, 1904, for storage in Clear Lake Reservoir
<b>Limit/Duty:</b>	ONE ACRE-FOOT PER ACRE OR ACRE EQUIVALENT DURING ANY 30-DAY PERIOD UP TO JULY 1ST OF EACH YEAR AND NOT TO EXCEED 3.0 ACRE-FEET PER ACRE OR ACRE EQUIVALENT DURING ANY IRRIGATION SEASON; PROVIDED, THAT THE RATE OF FLOW SHALL NOT EXCEED ONE-FORTIETH OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT UP TO JULY 1ST OF EACH YEAR AND THEREAFTER NOT TO EXCEED ONE-EIGHTIETH OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT, EXCEPT IN CASE OF ROTATION.
<b>Source:</b>	DIRECT FLOW FROM CLEAR CREEK and FROG CREEK, and STORAGE of 1400 ACRE FEET in CLEAR LAKE RESERVOIR, tributaries of WHITE RIVER



**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Source of Water
4 S	9 E	WM	32	SE SE	CLEAR LAKE RESERVOIR DAM
4 S	9 E	WM	34	NE NE	FROG CREEK
5 S	9 E	WM	10	NW SE	CLEAR CREEK

**Authorized Place of Use:**

IRRIGATION and STOCK					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	12 E	WM	11	SE SW	8.5

12. Certificate 77326 contains a scrivener's error in its quarter-quarter description for the Point of Diversion (POD) for the Clear Creek diversion described above. The certificate incorrectly lists the quarter-quarter as the NW¼ SE¼. Based on the Juniper Flat District Improvement Company's HB 3111 maps, information provided by the applicant's agent, a past field visit and subsequent survey, the Department concluded that Certificate 77326 should be corrected to reflect the correct quarter-quarter description within the NE¼ SE¼, Section 10.
13. Transfer Application T-14283 proposes to change the place of use of the right to:

IRRIGATION and STOCK					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	13 E	WM	30	SE SE	8.5

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

**Certificate:** 77733 in the name of JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY (perfected under Permit S-25275)

**Use:** SUPPLEMENTAL IRRIGATION of 8.5 ACRES

**Priority Date:** NOVEMBER 11, 1915

**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 4.2 ACRE-FEET FOR EACH ACRE IRRIGATED OR ACRE EQUIVALENT DURING THE IRRIGATION SEASON OF EACH YEAR.

**Source:** CLEAR LAKE RESERVOIR (constructed under Permit R-2106), a tributary of WHITE RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	9 E	WM	32	SE SE	1390 FEET SOUTH AND 480 FEET WEST FROM THE E¼ CORNER OF SECTION 32

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	12 E	WM	11	SE SW	8.5

15. Transfer Application T-14283 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	13 E	WM	30	SE SE	8.5

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

16. Water has not been used on the portion of the rights proposed for transfer within the last five years according to the terms and conditions of rights, however, the applicant provided documentation that the portions of Certificates 77326 and 77733 proposed for transfer were enrolled in the Conservation Reserve Program (CRP) during the 2020 Irrigation season. The presumption of forfeiture would be rebutted under ORS 540.610.
17. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14283.
18. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
19. The proposed change, as conditioned, would not result in enlargement of the rights.
20. The proposed change would not result in injury to other existing water rights.
21. All other application requirements are met.

**Conclusions of Law**

The change in places of use proposed in Transfer Application T-14283 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

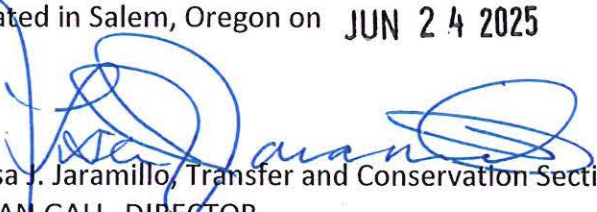
**Now, therefore, it is ORDERED:**

1. The change in places of use proposed in Transfer Application T-14283 is approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 77326 and 77733 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 place of use.
4. Water right Certificates 77326 and 77733 are modified. After satisfactory proof of completion has been determined by the Department, superseding water right certificates in the name of Juniper Flat District Improvement Company will be issued when the Department determines it is necessary for record keeping.
5. The former place of use of the transferred rights shall no longer receive water under the rights.



6. The approved change shall be completed, and 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 Juniper Flat District Improvement Company to the Department within one year after the deadline for completion of the change and full beneficial use of the water.

Dated in Salem, Oregon on **JUN 24 2025**



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

Mailing date: **JUN 25 2025**



# 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](http://www.oregon.gov/owrd)

May 13, 2025

VIA CERTIFIED MAIL AND E-MAIL

CRABTREE ENDERSBY RANCH LLC

PO BOX 226

MAUPIN, OR 97037

SUBJECT: Water Right Transfer Application T-14283

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14283. 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 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 Department's notice.

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 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov), if I may be of assistance.

Sincerely,

*Arla L Davis*

Arla L Davis

Transfer Specialist

Transfer and Conservation Section

cc: Transfer Application file T-14283  
Robert L. Wood, District 3 Watermaster *(via e-mail)*  
Juniper Flat District Improvement Co. *(via e-mail)*

encs



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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-14283, Wasco County	)	PROPOSING APPROVAL OF A CHANGE IN
	)	PLACES OF USE

**Authority**

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

**Applicant**

CRABTREE ENDERSBY RANCH LLC  
PO BOX 226  
MAUPIN, OR 97037

**Findings of Fact**

1. On July 17, 2023, Crabtree Endersby Ranch, LLC, filed an application to change the place of use under Certificates 77326 and 77733. The Department assigned the application number T-14283.
2. Notice of the application for transfer was published on July 25, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. Transfer Application T-14283 proposes to transfer water rights involving certificates held by Juniper Flat District Improvement Company (District). On June 18, 2023, the District certified that they consented to the applicant's proposed water right transfer application and maps.
4. A Claim of Beneficial Use prepared by a Certified Water Right Examiner will be submitted by the District.
5. After proof of completion, any water right certificate issued to confirm or to describe confirmed changes to Certificates 77326 and 77733 under Transfer T-14283 are to remain in the name of the Juniper Flat District Improvement Company.

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.
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6. On August 20, 2024, the Department received correspondence from Josh Newton, Attorney for the Confederated Tribes of the Warm Springs Reservation of Oregon (Tribe). The Tribe does not object to the Department processing the Transfer Application T-14283, in accordance with applicable law, and the Department's customary practice.
7. On November 20, 2024, the applicant provided documentation allowing Kim Mead to act as the agent for Transfer Application T-14283.
8. At time of submittal of Transfer Application T-14283, supporting documentation was not included with the evidence of use affidavit. On November 20 and 24, 2024, the agent for the applicant provided a copy of the Conservation Reserve Program (CRP) contract #CRP-1-CN-11234, indicating Certificates 77326 and 77733 were enrolled in the program during the 2020 irrigation season. The CRP contract is for Farm 1605, Tract 72, identified via email by the United States Department of Agriculture (USDA) that this contract includes the FROM lands proposed for transfer under Certificates 77326 and 77733.
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10. The portion of the first right to be transferred is as follows:

**Certificate:** 77326 in the name of JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY (confirmed by White River Decree)

**Use:** IRRIGATION of 8.5 ACRES and STOCK

**Priority Date:** JULY 1, 1903, for direct live flow from Clear Creek and Frog Creek, and AUGUST 19, 1904, for storage in Clear Lake Reservoir

**Limit/Duty:** ONE ACRE-FOOT PER ACRE OR ACRE EQUIVALENT DURING ANY 30-DAY PERIOD UP TO JULY 1ST OF EACH YEAR AND NOT TO EXCEED 3.0 ACRE-FEET PER ACRE OR ACRE EQUIVALENT DURING ANY IRRIGATION SEASON; PROVIDED, THAT THE RATE OF FLOW SHALL NOT EXCEED ONE-FORTIETH OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT UP TO JULY 1ST OF EACH YEAR AND THEREAFTER NOT TO EXCEED ONE-EIGHTIETH OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT, EXCEPT IN CASE OF ROTATION.

**Source:** DIRECT FLOW FROM CLEAR CREEK and FROG CREEK, and STORAGE of 1400 ACRE FEET in CLEAR LAKE RESERVOIR, tributaries of WHITE RIVER

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Source of Water
4 S	9 E	WM	32	SE SE	CLEAR LAKE RESERVOIR DAM
4 S	9 E	WM	34	NE NE	FROG CREEK
5 S	9 E	WM	10	NW SE	CLEAR CREEK



**Authorized Place of Use:**

IRRIGATION and STOCK					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	12 E	WM	11	SE SW	8.5D

11. Certificate 77326 contains a scrivener's error in its quarter-quarter description for the Point of Diversion (POD) for the Clear Creek diversion described above. The certificate incorrectly lists the quarter-quarter as the NW¼ SE¼. Based on the Juniper Flat District Improvement Company's HB 3111 maps, information provided by the applicant's agent, a past field visit and subsequent survey, the Department concluded that Certificate 77326 should be corrected to reflect the correct quarter-quarter description within the NE¼ SE¼, Section 10.

12. Transfer Application T-14283 proposes to change the place of use of the right to:

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(perfected under Permit S-25275)

**Use:** SUPPLEMENTAL IRRIGATION of 8.5 ACRES

**Priority Date:** NOVEMBER 11, 1915

**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 4.2 ACRE-FEET FOR EACH ACRE IRRIGATED OR ACRE EQUIVALENT DURING THE IRRIGATION SEASON OF EACH YEAR.

**Source:** CLEAR LAKE RESERVOIR (constructed under Permit R-2106), a tributary of WHITE RIVER

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Twp	Rng	Mer	Sec	Q-Q	Measured Distances
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**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
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14. Transfer Application T-14283 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	13 E	WM	30	SE SE	8.5

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

15. Water has not been used on the portion of the rights proposed for transfer within the last five years according to the terms and conditions of rights, however, the applicant provided documentation that the portions of Certificates 77326 and 77733 proposed for transfer were enrolled in the Conservation Reserve Program (CRP) during the 2020 Irrigation season. The presumption of forfeiture would be rebutted under ORS 540.610.
16. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14283.
17. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
18. The proposed change, as conditioned, would not result in enlargement of the rights.
19. The proposed change would not result in injury to other existing water rights.
20. All other application requirements are met.

**Determination and Proposed Action**

The change in places of use proposed in Transfer Application T-14283 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

*If Transfer Application T-14283 is approved, the final order will include the following:*

1. *The change in places of use proposed in Transfer Application T-14283 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 77326 and 77733 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 place of use.*
4. *Water right Certificates 77326 and 77733 are modified. After satisfactory proof of completion has been determined by the Department, superseding water right certificates in the name of Juniper Flat District Improvement Company will be issued when the Department determines it is necessary for record keeping.*
5. *The former place of use of the transferred rights shall no longer receive water under the rights.*



6. *The approved change shall be completed, and 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 Juniper Flat District Improvement Company to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

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



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

This Preliminary Determination was prepared by Arla Davis. If you have any questions about the information in this document, you may reach me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@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 97331

## DAVIS Arla L \* WRD

---

**From:** DAVIS Arla L \* WRD  
**Sent:** Tuesday, March 25, 2025 3:09 PM  
**Cc:** WOOD Robert L \* WRD; Kim Mead  
**Subject:** Issuance of Draft Preliminary Determination for Transfer Application T-14283 for Crabtree Endersby Ranch LLC - ACTION REQUIRED!!!!  
**Attachments:** T-14283-dpd.pdf; T-14283-dpd-cov.pdf

**THIS CORRESPONDENCE WAS ALSO SENT TO THE APPLICANT BY REGULAR MAIL**



# 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](http://www.oregon.gov/owrd)

March 25, 2025

VIA E-MAIL

CRABTREE ENDERSBY RANCH LLC  
PO BOX 226  
MAUPIN, OR 97037

Reference: Water Right Transfer Application T-14283

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-14283. 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 April 25, 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 April 25, 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 rights are 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_to_transfer_form.pdf)

**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. The Department will publish a notice in their weekly publication, which opens a 30-day period in which the transfer can be protested.

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.

**If we do not receive the items listed above by April 25, 2025, a Preliminary Determination may be issued denying the application as incomplete.**

Please don't hesitate to contact me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov), if I may be of assistance.

Sincerely,  
Arla L Davis  
Transfer Specialist  
Transfer and Conservation Section

cc: Transfer Application file T-14283  
Robert L. Wood, District 3 Watermaster *(via e-mail)*  
Kim Mead, Agent for Applicant *(via e-mail)*

**Arla L. Davis**  
She/Her/Hers  
Water Rights Transfer Specialist  
Transfer and Conservation Section  
725 Summer St. NE, Suite A | Salem, OR 97301 | Phone: 503-979-3129



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

In the Matter of Transfer Application  
T-14283, Wasco County

)  
)  
)  
)  
)

**D R A F T**

PRELIMINARY DETERMINATION  
PROPOSING APPROVAL OF A CHANGE IN  
PLACES OF USE

**Authority**

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

**Applicant**

CRABTREE ENDERSBY RANCH LLC  
PO BOX 226  
MAUPIN, OR 97037

**Findings of Fact**

1. On July 17, 2023, Crabtree Endersby Ranch, LLC, filed an application to change the place of use under Certificates 77326 and 77733. The Department assigned the application number T-14283.
2. Notice of the application for transfer was published on July 25, 2023, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. Transfer Application T-14283 proposes to transfer water rights involving certificates held by Juniper Flat District Improvement Company (District). On June 18, 2023, the District certified that they consented to the applicant's proposed water right transfer application and maps.
4. A Claim of Beneficial Use prepared by a Certified Water Right Examiner will be submitted by the District.
5. After proof of completion, any water right certificate issued to confirm or to describe confirmed changes to Certificates 77326 and 77733 under Transfer T-14283 are to remain in the name of the Juniper Flat District Improvement Company.

6. On August 20, 2024, the Department received correspondence from Josh Newton, Attorney for the Confederated Tribes of the Warm Springs Reservation of Oregon (Tribe). The Tribe does not object to the Department processing the Transfer Application T-14283, in accordance with applicable law, and the Department's customary practice.
7. On November 20, 2024, the applicant provided documentation allowing Kim Mead to act as the agent for Transfer Application T-14283.
8. At time of submittal of Transfer Application T-14283, supporting documentation was not included with the evidence of use affidavit. On November 20 and 24, 2024, the agent for the applicant provided a copy of the Conservation Reserve Program (CRP) contract #CRP-1-CN-11234, indicating Certificates 77326 and 77733 were enrolled in the program during the 2020 irrigation season. The CRP contract is for Farm 1605, Tract 72, identified via email by the United States Department of Agriculture (USDA) that this contract includes the FROM lands proposed for transfer under Certificates 77326 and 77733.
9. The portion of the first right to be transferred is as follows:

**Certificate:** 77326 in the name of JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY (confirmed by White River Decree)

**Use:** IRRIGATION of 8.5 ACRES and STOCK

**Priority Date:** JULY 1, 1903, for direct live flow from Clear Creek and Frog Creek, and AUGUST 19, 1904, for storage from Clear Lake Reservoir

**Limit/Duty:** ONE ACRE-FOOT PER ACRE OR ACRE EQUIVALENT DURING ANY 30-DAY PERIOD UP TO JULY 1ST OF EACH YEAR AND NOT TO EXCEED 3.0 ACRE-FEET PER ACRE OR ACRE EQUIVALENT DURING ANY IRRIGATION SEASON; PROVIDED, THAT THE RATE OF FLOW SHALL NOT EXCEED ONE-FORTIETH OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT UP TO JULY 1ST OF EACH YEAR AND THEREAFTER NOT TO EXCEED ONE-EIGHTIETH OF A SECOND FOOT PER ACRE OR ACRE EQUIVALENT, EXCEPT IN CASE OF ROTATION.

**Source:** DIRECT FLOW FROM CLEAR CREEK and FROG CREEK, and STORAGE of 1400 ACRE FEET in CLEAR LAKE RESERVOIR, tributaries of WHITE RIVER

**Authorized Points of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Source of Water
4 S	9 E	WM	32	SE SE	CLEAR LAKE RESERVOIR DAM
4 S	9 E	WM	34	NE NE	FROG CREEK
5 S	9 E	WM	10	NW SE	CLEAR CREEK

**Authorized Place of Use:**

IRRIGATION and STOCK					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	12 E	WM	11	SE SW	8.5

10. Certificate 77326 contains a scrivener's error in its quarter-quarter description for the Point of Diversion (POD) for the Clear Creek diversion described above. The certificate incorrectly lists the quarter-quarter as the NW¼ SE¼. Based on the Juniper Flat District Improvement Company's HB 3111 maps, information provided by the applicant's agent, a past field visit and subsequent survey, the Department is led to conclude that Certificate 77326 should be corrected to reflect the correct quarter-quarter description within the NE¼ SE¼, Section 10.
11. Transfer Application T-14283 proposes to change the place of use of the right to:

IRRIGATION and STOCK					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	13 E	WM	30	SE SE	8.5

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

**Certificate:** 77733 in the name of JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY (perfected under Permit S-25275)

**Use:** SUPPLEMENTAL IRRIGATION of 8.5 ACRES

**Priority Date:** NOVEMBER 11, 1915

**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 4.2 ACRE-FEET FOR EACH ACRE IRRIGATED OR ACRE EQUIVALENT DURING THE IRRIGATION SEASON OF EACH YEAR.

**Source:** CLEAR LAKE RESERVOIR (constructed under Permit R-2106), a tributary of WHITE RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
4 S	9 E	WM	32	SE SE	1390 FEET SOUTH AND 480 FEET WEST FROM THE E¼ CORNER OF SECTION 32

**Authorized Place of Use:**

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
5 S	12 E	WM	11	SE SW	8.5

13. Transfer Application T-14283 proposes to change the place of use of the right to:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 S	13 E	WM	30	SE SE	8.5



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

14. Water has not been used on the portion of the rights proposed for transfer within the last five years according to the terms and conditions of rights, however, the applicant provided documentation that the portions of Certificates 77326 and 77733 proposed for transfer were enrolled in the Conservation Reserve Program (CRP) during the 2020 Irrigation season. The presumption of forfeiture would be rebutted under ORS 540.610.
15. A water delivery system sufficient to use the full amount of water allowed under the existing rights was present within the five-year period prior to submittal of Transfer Application T-14283.
16. The water rights are subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
17. The proposed change, as conditioned, would not result in enlargement of the rights.
18. The proposed change would not result in injury to other existing water rights.
19. All other application requirements are met.

**Determination and Proposed Action**

The change in places of use proposed in Transfer Application T-14283 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

*If Transfer Application T-14283 is approved, the final order will include the following:*

1. *The change in places of use proposed in Transfer Application T-14283 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificates 77326 and 77733 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 place of use.*
4. *Water right Certificates 77326 and 77733 are modified. After satisfactory proof of completion has been determined by the Department, superseding water right certificates in the name of Juniper Flat District Improvement Company will be issued when the Department determines it is necessary for record keeping. .*
5. *The former place of use of the transferred rights shall no longer receive water under the rights.*

6. *The approved change shall be completed and 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 Juniper Flat District Improvement Company to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

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 Arla Davis. If you have any questions about the information in this document, you may reach me at 503-979-3129 or [arla.l.davis@water.oregon.gov](mailto:arla.l.davis@water.oregon.gov)

<b>CRP-1</b> (12-02-19)		<b>U.S. DEPARTMENT OF AGRICULTURE</b> Commodity Credit Corporation	
<b>CONSERVATION RESERVE PROGRAM CONTRACT</b>		1. ST. & CO. CODE & ADMIN. LOCATION 41 065	2. SIGN-UP NUMBER 54
5A. COUNTY FSA OFFICE ADDRESS (Include Zip Code) WASCO COUNTY FARM SERVICE AGENCY 2325 RIVER ROAD SUITE 1 THE DALLES, OR 97058-3551		3. CONTRACT NUMBER 11234	4. ACRES FOR ENROLLMENT 212.86
5B. COUNTY FSA OFFICE PHONE NUMBER (Include Area Code): (541) 298-8559		6. TRACT NUMBER 72	7. CONTRACT PERIOD FROM: (MM-DD-YYYY) 10-01-2020 TO: (MM-DD-YYYY) 09-30-2030
8. SIGNUP TYPE: General			
THIS CONTRACT is entered into between the Commodity Credit Corporation (referred to as "CCC") and the undersigned owners, operators, or tenants (referred to as "the Participant"). The Participant agrees to place the designated acreage into the Conservation Reserve Program ("CRP") or other use set by CCC for the stipulated contract period from the date the Contract is executed by the CCC. The Participant also agrees to implement on such designated acreage the Conservation Plan developed for such acreage and approved by the CCC and the Participant. Additionally, the Participant and CCC agree to comply with the terms and conditions contained in this Contract, including the Appendix to this Contract, entitled Appendix to CRP-1, Conservation Reserve Program Contract (referred to as "Appendix"). By signing below, the Participant acknowledges receipt of a copy of the Appendix/Appendices for the applicable contract period. The terms and conditions of this contract are contained in this Form CRP-1 and in the CRP-1 Appendix and any addendum thereto. BY SIGNING THIS CONTRACT PARTICIPANTS ACKNOWLEDGE RECEIPT OF THE FOLLOWING FORMS: CRP-1; CRP-1 Appendix and any addendum thereto; CRP-2; CRP-2C; or CRP-2G.			
9A. Rental Rate Per Acre      \$ 38.13		10. Identification of CRP Land (See Page 2 for additional space)	
9B. Annual Contract Payment      \$ 8,116.00		A. Tract No.	B. Field No.
9C. First Year Payment      \$		C. Practice No.	D. Acres
(Item 9C is applicable only when the first year payment is prorated.)		E. Total Estimated Cost-Share	F. Total Estimated Cost-Share
(Item 9C is applicable only when the first year payment is prorated.)		72	0001
(Item 9C is applicable only when the first year payment is prorated.)		72	0002
(Item 9C is applicable only when the first year payment is prorated.)		72	0003
11. PARTICIPANTS (If more than three individuals are signing, see Page 3.)			
A(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code) MELVIN AMBROSE PO BOX 226 MAUPIN, OR 97037-0226	(2) SHARE 50.00 %	(3) SIGNATURE (By) <i>Melvin Ambrose</i>	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY (5) DATE (MM-DD-YYYY) 2-18-2020
B(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code) BARBARA AMBROSE PO BOX 226 MAUPIN, OR 97037-0226	(2) SHARE 50.00 %	(3) SIGNATURE (By) <i>Barbara Ambrose</i>	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY (5) DATE (MM-DD-YYYY) 2-18-2020
C(1) PARTICIPANT'S NAME AND ADDRESS (Include Zip Code)	(2) SHARE %	(3) SIGNATURE (By)	(4) TITLE/RELATIONSHIP OF THE INDIVIDUAL SIGNING IN THE REPRESENTATIVE CAPACITY (5) DATE (MM-DD-YYYY)
12. CCC USE ONLY		A. SIGNATURE OF CCC REPRESENTATIVE <i>Laura J. Butcher</i>	
B. DATE (MM-DD-YYYY) 2/18/2020		C. COPIES FOR CCC	

**NOTE:** The following statement is made in accordance with the Privacy Act of 1974 (5 USC 552a - as amended). The authority for requesting the information identified on this form is the Commodity Credit Corporation Charter Act (15 U.S.C. 714 et seq.), the Food Security Act of 1985 (16 U.S.C. 3801 et seq.), the Agricultural Act of 2014 (16 U.S.C. 3831 et seq.), the Agricultural Improvement Act of 2018 (Pub. L. 115-334) and 7 CFR Part 1410. The information will be used to determine eligibility to participate in and receive benefits under the Conservation Reserve Program. The information collected on this form may be disclosed to other Federal, State, Local government agencies, Tribal agencies, and nongovernmental entities that have been authorized access to the information by statute or regulation and/or as described in applicable Routine Uses identified in the System of Records Notice for USDA/FSA-2, Farm Records File (Automated). Providing the requested information is voluntary. However, failure to furnish the requested information will result in a determination of ineligibility to participate in and receive benefits under the Conservation Reserve Program.

**Paperwork Reduction Act (PRA) Statement:** The information collection is exempted from PRA as specified in 7 U.S.C. 6091(2)(c)(B). The provisions of appropriate criminal and civil fraud, privacy, and other statutes may be applicable to the information provided. **RETURN THIS COMPLETED FORM TO YOUR COUNTY FSA OFFICE.**

In accordance with Federal civil rights law and U.S. Department of Agriculture (USDA) civil rights regulations and policies, the USDA, its Agencies, offices, and employees, and institutions participating in or administering USDA programs are prohibited from discriminating based on race, color, national origin, religion, sex, gender identity (including gender expression), sexual orientation, disability, age, marital status, family/parental status, income derived from a public assistance program, political beliefs, or reprisal or retaliation for prior civil rights activity, in any program or activity conducted or funded by USDA (not all bases apply to all programs). Remedies and complaint filing deadlines vary by program or incident.

Persons with disabilities who require alternative means of communication for program information (e.g., Braille, large print, audiotope, American Sign Language, etc.) should contact the responsible Agency or USDA's TARGET Center at (202) 720-2600 (voice and TTY) or contact USDA through the Federal Relay Service at (800) 877-8339. Additionally, program information may be made available in languages other than English.

To file a program discrimination complaint, complete the USDA Program Discrimination Complaint Form, AD-3027, found online at [http://www.ascr.usda.gov/complaint\\_filing\\_cust.html](http://www.ascr.usda.gov/complaint_filing_cust.html) and at any USDA office or write a letter addressed to USDA and provide in the letter all of the information requested in the form. To request a copy of the complaint form, call (866) 632-9992. Submit your completed form or letter to USDA by: (1) mail, U.S. Department of Agriculture Office of the Assistant Secretary for Civil Rights, 1400 Independence Avenue, SW Washington, D.C. 20250-9410, (2) fax: (202) 690-7442, or (3) email: [program.intake@usda.gov](mailto:program.intake@usda.gov). USDA is an equal opportunity provider.

**RECEIVED**

**FEB 18 2020**

**WASCO-HOOD RIVER  
COUNTY FSA**

Date Printed: 02/18/2020

**CONTINUATION OF ITEM 10 – Identification of CRP Land**

[illegible]

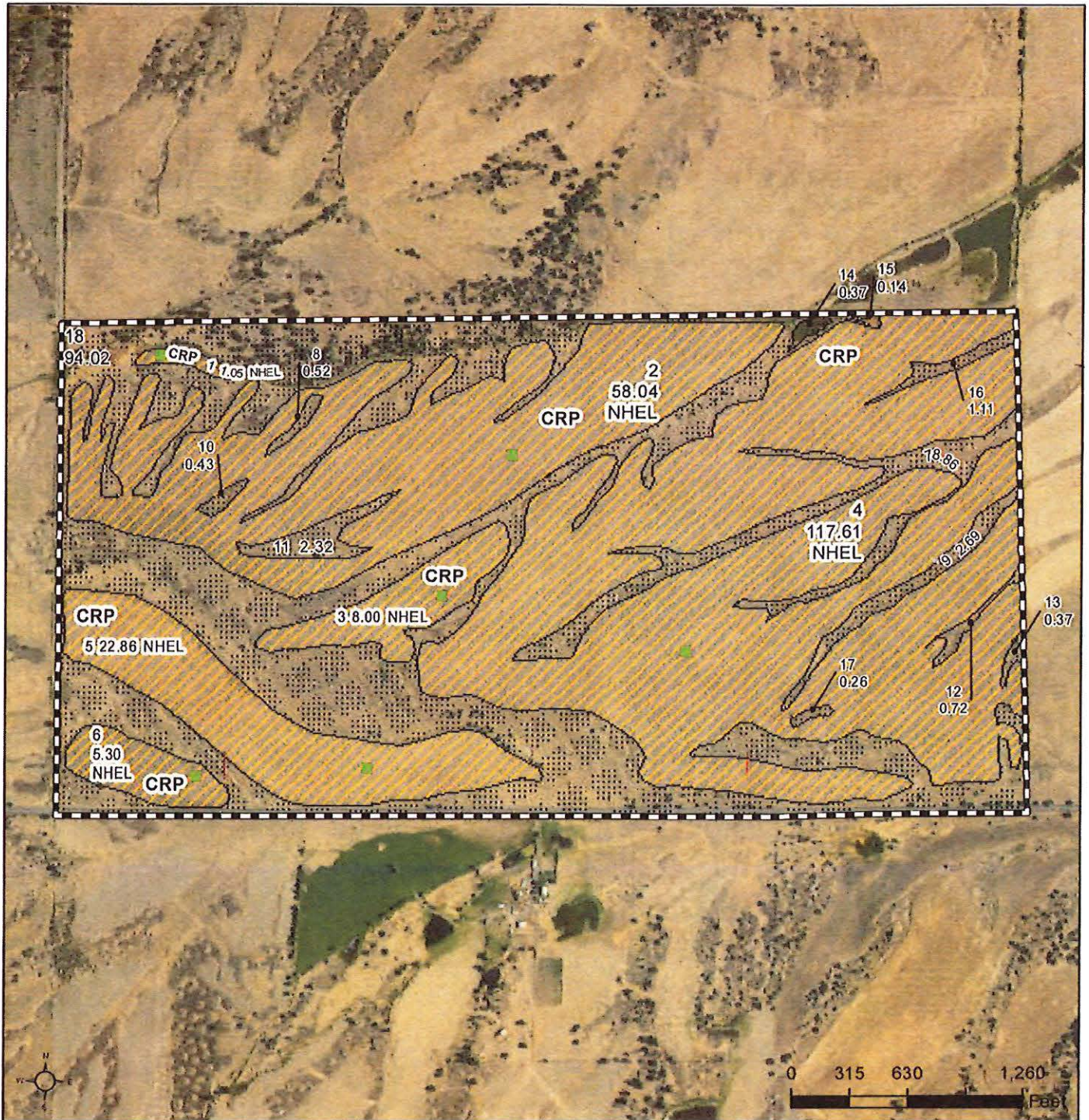




United States  
Department of  
Agriculture

## Wasco County, Oregon

Gabel



### Common Land Unit

- Non-Cropland
- Cropland
- Tract Boundary
- CRP

### Wetland Determination Identifiers

- Restricted Use
- Limited Restrictions
- Exempt from Conservation
- Compliance Provisions

Tract Cropland Total: 212.86 acres

2022 Program Year

Map Created November 15, 2021

Farm 1605

Tract 72

United States Department of Agriculture (USDA) Farm Service Agency (FSA) maps are for FSA Program administration only. This map does not represent a legal survey or reflect actual ownership; rather it depicts the information provided directly from the producer and/or National Agricultural Imagery Program (NAIP) imagery. The producer accepts the data 'as is' and assumes all risks associated with its use. USDA-FSA assumes no responsibility for actual or consequential damage incurred as a result of any user's reliance on this data outside FSA Programs. Wetland identifiers do not represent the size, shape, or specific determination of the area. Refer to your original determination (CPA-026 and attached maps) for exact boundaries and determinations or contact USDA Natural Resources Conservation Service (NRCS).



TO: Arla Davis  
FROM: Barbra Ambrose  
RE: Acting Agent

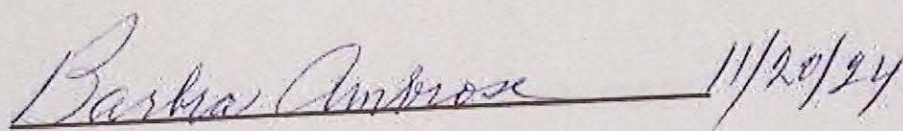
To Whom it May Concern:

I, Barbra Ambrose, on this date, November 20, 2024 give permission for my daughter, Kimberly S Mead to be the acting agent on my behalf.

All communications need to be sent in her name to:

78901 Victor Rd.  
Maupin, OR 979037

Respectfully,

  
Barbra Ambrose

After Recording Return to:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

### GENERAL DURABLE POWER OF ATTORNEY

I, Barbra Joan Ambrose, of Maupin, Wasco County, Oregon, revoke any general power of appointment that I have given to any person heretofore and do designate Melvin Simon Ambrose as my attorney-in-fact and agent (subsequently called "agent").

If the attorney-in-fact named by me shall die, become legally disabled, resign, refuse to act or be unavailable, I name the following persons to act alone and successively in the order named, as successor attorney-in-fact and agent:

Kimberly Sue Mead  
Donna Val Barton  
Thomas Melvin Ambrose

I authorize my agent to serve without bond in my name and for my benefit:

1. GENERAL GRANT OF POWER: To exercise or perform any act, power, duty, right, or obligation whatsoever that I now have or may hereafter acquire, relating to any person, matter, transaction, or property, real or personal, tangible or intangible, now owned or hereafter acquired by me, including, without limitation, the following specifically enumerated powers. I grant to my agent full power and authority to do everything necessary in exercising any of the powers herein granted as fully as I might or could do if personally present, with full power of substitution or revocation, hereby ratifying and confirming all that my agent shall lawfully do or cause to be done by virtue of this Power of Attorney and the powers herein granted.

2. BUSINESS INTERESTS: To continue any business interest owned by me, either individually or as co-partner, as a going concern, my said agent shall be vested with every power in connection therewith.

3. POWERS OF COLLECTION AND PAYMENT: To forgive, request, demand, sue for, recover, collect, receive, hold all such sums of money, debts, dues, commercial paper, checks, drafts, accounts, deposits, legacies, bequests, devises, notes, interests, stock certificates, bonds, dividends, certificates of deposit, annuities, pension, profit

sharing, retirement, social security, insurance, and other contractual benefits and proceeds, all documents of title, all property, real or personal, intangible and tangible property and property rights and demands whatsoever, liquidated or unliquidated, now or hereafter owned by, or due, owing, payable or belonging to me, or in which I have, or may hereafter acquire, an interest; to have, use, and take all lawful means and equitable and legal remedies and proceedings in my name for the collection and recovery thereof and to adjust, sell, compromise, and agree for the same, and to execute and deliver for me, on my behalf and in my name, all endorsements, releases, receipts, or other sufficient discharges for the same.

4. POWER TO ACQUIRE AND SELL:

(a) To acquire, purchase, exchange, grant options to sell, execute and deliver deeds, and sell and convey real or personal property, tangible or intangible or interests therein, on such terms and conditions as my agent shall deem proper. To invest in my name in any stock, shares, bonds (including U.S. Treasury Bonds referred to as "flower bonds"), such investments as my agent, in my agent's sole discretion, may deem best.

(b) The power exists and extends to real property I presently own, located in Wasco County, Oregon, and any real property hereafter acquired by me.

(c) If, for any reason, I should require long term care in a facility so that I am unable to continue to live in my current residence and there appears to be little or no likelihood of my ever returning to my residence, then I authorize my attorney-in-fact to make distribution of my tangible personal property in accordance with my Last Will and/or living trust, except for those items which my fiduciary determines to be necessary or proper for my own use. As a guide to my fiduciary in making distribution hereunder, I instruct my fiduciary to consider my needs first, as well as possible disqualification from governmental benefits balanced against the cost of storing, safeguarding, and insuring my tangible personal property. If such distribution is made in good faith, my fiduciary shall incur no liability therefor.

5. POWER TO ESTABLISH TRUST:

(a) Establish a revocable or irrevocable trust, amend or terminate an existing trust, and transfer any of my real or personal property to a trust. My agent shall have the authority to withdraw income and principal from the trust for the purpose of making gifts authorized under paragraph 13 of this instrument. This shall include the authority to withdraw assets from my revocable living trust for my benefit or for the benefit of my spouse and place

those assets in my name or in my spouse's name alone, without breach of fiduciary duty and with my full prior consent to this exercise of my reserved power to withdraw assets from the revocable trust.

(b) To do all acts necessary to qualify me for public benefits to which I am entitled, including Medicaid. This includes the power to establish an income cap, supplemental needs, or Medicaid-qualifying trust, on my behalf and for my benefit, including, without limitation, the power and authority to sign my name as attorney in fact as grantor and to serve as trustee of said trust. This specific grant of authority is given to avoid the necessity of the appointment of a conservator, special conservator, or the need for a protective order to establish an income cap, supplemental needs, or Medicaid-qualifying trust.

6. MANAGEMENT POWERS: To enter upon and take possession of, maintain, repair, improve, invest, manage, insure and reinsure, rent, lease, pay taxes, encumber, and in any manner deal with any real or personal property, tangible or intangible, or any interest therein, that I now own or may hereafter acquire in my name and for my benefit upon such terms and conditions as my agent shall deem proper. To engage, employ, and dismiss any agents, clerks, servants, or other persons as my agent, in my agent's sole discretion, shall deem necessary and advisable. To vote at meetings of shareholders or other meetings of any corporation or company and to execute any proxies or other instruments in connection therewith.

7. BANKING POWERS: To make, receive, and endorse checks and drafts, deposit, and withdraw funds, acquire and redeem certificates of deposit in banks, savings and loan associations, and other institutions, execute or release such deeds of trust or other security agreements as may be necessary or proper in the exercise of the rights and powers herein granted. This power shall specifically extend to my attorney-in-fact for me in my name and for my benefit to demand, collect, and receive all sums of money due and payable to me from promissory notes, commercial paper mortgages, deeds of trust, judgments, bank accounts, savings accounts, and individual retirement accounts, and accounts of any kind.

8. MOTOR VEHICLES: To apply for a Certificate of Title upon and endorse and transfer title thereto for any automobile, truck, pickup, van, motorcycle, or other motor vehicle, and to represent in such transfer assignment that the title to said motor vehicle is free and clear of all liens and encumbrances except those specifically set forth in such transfer assignment.

9. TAX POWERS: To execute, acknowledge, and file all federal, state, and local tax returns of every kind and nature, including, without limitation, income, gift, and property tax returns such as returns for any year or years, declarations of estimated tax, claims for refunds, and consents to gifts and to utilize any gift-splitting provision or any other tax election. To pay any and all taxes, charges, and assessments in connection with the foregoing tax returns or that may be levied, assessed, or imposed upon any of such lands, buildings, tenements, or other hereditaments that may belong to me. To execute disclaimers both of inheritance as a result of testamentary gifts or intestacy law and joint interests resulting in survivorship disposition pursuant to state law, both for purposes of tax and estate planning pursuant to state and federal law.

10. SAFE DEPOSIT BOXES: To have access at any time or times to any safe deposit box rented by me, wheresoever located, and to remove all or any part of the contents thereof and to surrender or relinquish said safe deposit box. Any institution in which any such safe deposit box may be located shall not incur any liability to me or my estate as a result of permitting my agent to exercise this power.

11. FAMILY SUPPORT: To make expenditures for my care, support, maintenance, and reasonable comforts. To distribute such sums as are necessary for the care, support, maintenance, or education of my spouse and/or issue as my agent, in my agent's sole discretion, shall determine to be necessary and advisable. To make gifts to my spouse and/or issue upon such terms and conditions as my agent, in my agent's sole discretion, shall determine.

12. LEGAL PROCEEDINGS: To commence, prosecute, discontinue, or defend all actions or other legal proceedings pertaining to me or my estate or any part thereof; to settle, compromise, or submit to arbitration any debt, demand, or other right or matter due me or concerning my estate as my agent, in my agent's sole discretion, shall deem best and for such purpose to execute and deliver such releases, discharges, or other instruments as my agent may deem necessary or advisable; and to satisfy mortgages, including the execution of a good and sufficient release, or other discharge of such mortgage.

13. GIFTS:

(a) Make gifts and consent to split gifts on my behalf, whether outright, in trust, or in custodianship, to or for the benefit of my spouse and my lineal descendants.

(b) Gifts made under this paragraph shall be consistent with my existing estate plan to the extent reasonably possible and with the reduction or elimination of estate and inheritance taxes payable by reason of my death.



(c) If my agent determines that it is to my benefit, to the benefit of my spouse, or to the benefit of my children that I qualify for government aid to assist with the expense of my medical or custodial care, then I authorize my agent to make such gifts as appropriate and necessary, in the agent's sole discretion, to qualify me for government aid at the earliest possible time. All gifts must be made, as much as possible, according to my plan for the distribution of my estate as if I survived my spouse. My agent may receive such gifts.

14. INTERPRETATION AND GOVERNING LAW: This instrument is to be construed and interpreted as a general durable power of attorney. The enumeration of specific powers herein is not intended to, nor does it, limit or restrict the general powers herein granted to my agent. This instrument is executed and delivered in the state of Oregon and the laws of the state of Oregon shall govern all questions as to the validity of this power and the construction of its provisions.

I expressly declare that the powers of my agent herein described shall be exercisable by my said agent on my behalf, notwithstanding that I may become disabled, incapacitated or otherwise incompetent by reason of illness or accident or any other reason.

Incompetency shall be defined as to include the inability to perform the duties required by my business or business interest which I may own.

15. CONSTRUCTION: The paragraph headings used are for convenience only and shall not be resorted to for interpretation of this Power. Wherever the context so requires, the masculine shall include the feminine and neuter and the singular shall include the plural. If any portion of this General Durable Power of Attorney is held to be void or unenforceable, the balance of this General Durable Power of Attorney shall nevertheless be carried into effect.

16. LIABILITY: My agent is authorized to act on my behalf wherever it is incumbent upon my agent to do so in accordance with my agent's best judgment and provided my agent is acting within my agent's powers, my agent shall be responsible for good faith only.

17. THIRD-PARTY RELIANCE: Third parties may rely upon the representations of my agent as to all matters relating to any power granted to my agent and no person who may act in reliance upon the representations of my agent or the authority granted to my agent shall incur any liability to me, or my estate, as a result of permitting my agent to exercise any power.

18. COMPENSATION: My said agent shall be entitled to receive reasonable compensation for services rendered hereunder and shall also be reimbursed for all reasonable expenses incurred in the management and protection of my assets.

IN WITNESS WHEREOF, I have executed this General Durable Power of Attorney and have directed that photographic copies of this power be made, which shall have the same force and effect as an original.

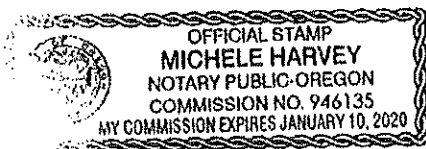
DATED this 22 day of January, 2018.

Barbra Joan Ambrose  
Barbra Joan Ambrose

STATE OF OREGON       )  
                                  ) ss.  
County of Wasco       )

BEFORE ME, the undersigned, a notary public within and for the county of Wasco, state of Oregon, personally appeared Barbra Joan Ambrose, known to me to be the person whose name is subscribed to the within instrument and further acknowledged before me that he executed the same for the purposes therein contained.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal on this 22 day of January, 2018.



Michele Harvey  
Notary Public for Oregon  
My commission expires: 1/10/2020

SPECIMEN SIGNATURE OF AGENT:

Melvin S. Ambrose  
Melvin Simon Ambrose, Agent

SPECIMEN SIGNATURE OF AGENT:

\_\_\_\_\_  
Kimberly Sue Mead, Agent

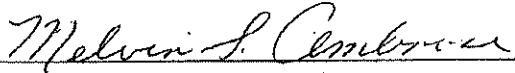
SPECIMEN SIGNATURE OF AGENT:

\_\_\_\_\_  
Donna Val Barton, Agent

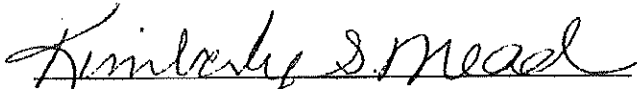
SPECIMEN SIGNATURE OF AGENT:

\_\_\_\_\_  
Thomas Melvin Ambrose, Agent

SPECIMEN SIGNATURE OF AGENT:

  
Melvin Simon Ambrose, Agent

SPECIMEN SIGNATURE OF AGENT:

  
Kimberly Sue Mead, Agent


SPECIMEN SIGNATURE OF AGENT:

\_\_\_\_\_  
Donna Val Barton, Agent

SPECIMEN SIGNATURE OF AGENT:

\_\_\_\_\_  
Thomas Melvin Ambrose, Agent


SPECIMEN SIGNATURE OF AGENT:

  
Melvin Simon Ambrose, Agent

SPECIMEN SIGNATURE OF AGENT:

\_\_\_\_\_  
Kimberly Sue Mead, Agent

SPECIMEN SIGNATURE OF AGENT:

  
Donna Val Barton, Agent

SPECIMEN SIGNATURE OF AGENT:

\_\_\_\_\_  
Thomas Melvin Ambrose, Agent

SPECIMEN SIGNATURE OF AGENT:

Melvin S. Ambrose  
Melvin Simon Ambrose, Agent

SPECIMEN SIGNATURE OF AGENT:

\_\_\_\_\_  
Kimberly Sue Mead, Agent

SPECIMEN SIGNATURE OF AGENT:

\_\_\_\_\_  
Donna Val Barton, Agent

SPECIMEN SIGNATURE OF AGENT:

Thomas Melvin Ambrose  
Thomas Melvin Ambrose, Agent



TO: Arla Davis  
FROM: Barbra Ambrose  
RE: Acting Agent

Received  
DEC 02 2024  
OWRD

To Whom it May Concern:

I, Barbra Ambrose, on this date, November 20, 2024 give permission for my daughter, Kimberly S Mead to be the acting agent on my behalf.

All communications need to be sent in her name to:

78901 Victor Rd.  
Maupin, OR 979037

Respectfully,

  
Barbra Ambrose

11/20/24



Google Earth  
6/5/2024

Victor Rd

Claymier Lane

Received  
DEC 02 2024  
OWRD

Outlined in red is the property of Melvin & Barbara Ambrose Tax lot 5S 12E 0 2200, Section 11 Township 5 South Range 12 East, W.M. located at South 1/2 Sec 11, 5S, 12E on the north side of Claymier Lane





# BBK

BEST BEST & KRIEGER LLP  
ATTORNEYS AT LAW

Josh Newton  
Partner  
(541) 318-9817  
josh.newton@bbklaw.com

August 20, 2024

**VIA E-MAIL ONLY:**

**JEREMY.T.GIFFIN@WATER.OREGON.GOV**

**ANN.L.REECE@WATER.OREGON.GOV**

**SARAH.A.HENDERSON@WATER.OREGON.GOV**

Jeremy Giffin  
Watermaster - District 11  
Oregon Water Resources Department  
231 SW Scalehouse Loop, Suite 103  
Bend, OR 97702

Ann Reece  
Sarah A. Henderson  
Oregon Water Resources Department  
725 Summer Street NE, Suite A  
Salem, OR 97301

**Re: Confederated Tribes of Warm Springs Letter of Non-Objection to  
Sixteen (16) Transfer Applications**

Dear Mr. Giffin, Ms. Reece, and Ms. Henderson:

We represent the Confederated Tribes of the Warm Springs Reservation of Oregon ("Tribe"). The Department of Water Resources ("Department") has provided the Tribe with certain information concerning several transfer applications. This letter pertains to the following transfer applications, which are further identified in **Appendix A** (the "Applications") available at the following link: [https://www.imanageshare.com/#hl1ik96vq/folder/4H44IKNWSGw0saldzuMVOpG\\_Dgqs-I7Q5ZaPpL2RaoU](https://www.imanageshare.com/#hl1ik96vq/folder/4H44IKNWSGw0saldzuMVOpG_Dgqs-I7Q5ZaPpL2RaoU)

Transfer Application	Transfer Applicant
T-14309	Wanek Ranch LLC
T-14066	Big Falls Ranch Co
T-13939	Oregon Water Utilities Inc.
T-13575	Aspen Valley Ranch; Jim Wood
T-13897	Philip Knight
T-14208	Sigman Ranch LLC
T-13864	Lindberg
T-14214	Idleway Improvement Dist Inc
T-14366	Tumalo Irrigation Dist
T-12698	Tumalo Irrigation Dist
T-13665	Botug LLC
T-13686	Dice
T-13710	Desert Springs Ranch Lmt'd Partnership
T-14071	Tumalo Town Dist Improvement Co
T-14283	Crabtree Endersby Ranch LLC
T-14336	Dry Fly Management Co for Big Falls Ranch

Best Best & Krieger LLP | 360 SW Bond Street, Suite 400, Bend, Oregon 97702  
Phone: (541) 382-3011 | Fax: (541) 388-5410 | bbklaw.com

12805.12126\42573098.1

Jeremy Giffin  
Ann Reece  
Sarah A. Henderson  
August 20, 2024  
Page 2

The Tribe has reviewed the Applications. Based on that information, the Tribe does not object to the Department processing the Applications in accordance with applicable law, and the Department's customary practice. The Tribe expressly reserves, and does not waive, all rights, claims, and defenses that it may possess in connection with the Applications, including, but not limited to, whether the Applications violate the Treaty of June 25, 1855, with the Tribes of Middle Oregon, 12 Stat. 963, or the Confederated Tribes of the Warm Springs Reservation Water Rights Settlement Agreement, dated November 17, 1997, as amended.

Please let us know if you have any questions.

Sincerely,

A handwritten signature in blue ink, appearing to read "Josh Newton".

Josh Newton  
of BEST BEST & KRIEGER LLP

JN

cc: Robert A. Brunoe  
Austin Smith, Jr.  
Brad Houslet  
David Filippi, Esq.  
Alison K. Toivola, Esq.

# Permanent Transfer Application Checklist

## Check the Certificates in WRIS

Transfer # T-14283

Checked by <u>Dante</u> Date <u>7/18/2023</u>	Type of Change(s) Proposed: <b>NO</b> other changes allowed other than those listed	
Fee Received: \$1970	<input checked="" type="checkbox"/> POU <input type="checkbox"/> POD <input type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE	
Calculated Fee: \$1970		How many rights to be Transferred? 2
Deficiencies and Observations: Waiting on Evidence of Use Aerial Photo		Certificate #(s) 77326 77733

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

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

OR:

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

Actions taken:

date \_\_\_\_\_

## Permanent Transfer Application Checklist

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)			
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed: <input type="checkbox"/> Place of Use <input type="checkbox"/> Character of Use <input type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = _____ (2a) Subtract 1 from the number in line 2a = _____ (2b) <i>If only one change, this will be 0</i>		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer _____ (3a) Subtract 1 from the number in line 3a above: _____ (3b) <i>If only one water right this will be 0</i>		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well? <input type="checkbox"/> No: enter 0 » <input type="checkbox"/> Yes: enter \$410 »		
4		4	0
	Do you propose to change the place of use or character of use? <input type="checkbox"/> No: enter 0 on line 5 » <input type="checkbox"/> Yes: enter the cfs for the portions of the rights to be transferred (see example below*): _____ (5a) Subtract 1.0 from the number in 5a above: _____ (5b) If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: _____ (5c) and multiply 5c by \$350, then enter on line 5 »		
5		5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	0
	Is this transfer: <input type="checkbox"/> necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? <input type="checkbox"/> endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7 »	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

July 24, 2023

CRABTREE ENDERSBY RANCH LLC

PO BOX 226

MAUPIN, OR 97037

Reference: Application T-14283

On July 17, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1970.00. Receipt number 141176 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.

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 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. #3, Robert L. Wood (*via email*)  
Wasco County Planning Department  
Juniper Flat District Improvement Co.

Enclosure

# WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14283

Transfer Specialist:

Transfer Type: Regular Transfer

Reimbursement Authority? ☐

<b>Applicant:</b> CRABTREE ENDERSBY RANCH LLC PO BOX 226 MAUPIN, OR 97037	<b>Agent:</b>	<b>Receiving Landowner:</b>
<b>Current Landowner if other than Applicant:</b>	<b>CWRE:</b>	<b>Irrigation District:</b> Juniper Flat District Improvement Co.
<b>Affected Local Gov'ts:</b> Wasco County Planning Department	<b>Affected Tribal Gov't:</b>	<b>BOR Notified (date):</b>

## Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	Decree	White River	77326	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	S32044	S25275	77733	<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>				<input type="checkbox"/> Yes <input type="checkbox"/> No	

## Key Dates & Initial Actions (Support Staff)

Rec'd: July 17, 2023	Proposed Action(s): PLACE OF USE	
Fees Pd: 1970.00	Acknowledgement Letter Sent <input checked="" type="checkbox"/>	Basin: 5 Deschutes
Initial Public Notice: 07/25/2023	County sent cc: of Ack Letter <input checked="" type="checkbox"/>	County: WASCO
WM District: 3 Robert L. Wood	WM Review request sent:	WM Review date received:
ODFW District:	ODFW Review sent:	ODFW Review date received:
Groundwater	GW Review sent:	GW Review date received:

## Caseworker Actions: Newspaper & PD Notice:

Newspaper notice needed: <input type="checkbox"/>	Name of Newspaper:
Newspaper notice sent to coordinator:	Newspaper notice quote requested (NRS1):
Request for news \$ sent:	News \$ received:
Affidavit of publication received:	Last day of publication:

## Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	CW Sent: _____ WM Sheet <input type="checkbox"/> ODFW Sheet: <input type="checkbox"/>	N/A
PD	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____ Data Review Date: _____	Date: _____	Date: _____
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ No. of docs for sig: _____	Date: _____

Special Issues: \_\_\_\_\_

Special Order Volume: Vol. \_\_\_\_\_ Pages \_\_\_\_\_

**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

RECEIPT #

**141176**

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

INVOICE # \_\_\_\_\_

RECEIVED FROM: Crab Tree Enders by Ranch LLC

BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	<u>T-4283</u>

CASH: ☐ CHECK: # 1105 OTHER: (IDENTIFY) ☐ \_\_\_\_\_

TOTAL REC'D \$ 1,970.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_

OTHER: (IDENTIFY) \$ \_\_\_\_\_

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

0407 COPY & TAPE FEES \$ \_\_\_\_\_

0410 RESEARCH FEES \$ \_\_\_\_\_

0408 MISC REVENUE: (IDENTIFY) \$ \_\_\_\_\_

TC162 DEPOSIT LIAB. (IDENTIFY) \$ \_\_\_\_\_

0240 EXTENSION OF TIME \$ \_\_\_\_\_

**WATER RIGHTS:**

0201 SURFACE WATER \$ \_\_\_\_\_ 0202 \$ \_\_\_\_\_

0203 GROUND WATER \$ \_\_\_\_\_ 0204 \$ \_\_\_\_\_

0205 TRANSFER \$ 1,970.00

**WELL CONSTRUCTION**

0218 WELL DRILL CONSTRUCTOR \$ \_\_\_\_\_ 0219 \$ \_\_\_\_\_

LANDOWNER'S PERMIT 0220 \$ \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

**0536 TREASURY 0437 WELL CONST. START FEE**

0211 WELL CONST START FEE \$ \_\_\_\_\_ CARD# \_\_\_\_\_

0210 MONITORING WELLS \$ \_\_\_\_\_ CARD# \_\_\_\_\_

OTHER (IDENTIFY) \_\_\_\_\_

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

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

HYDRO APPLICATION \$ \_\_\_\_\_

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_

OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_

DESCRIPTION \$ \_\_\_\_\_

RECEIPT:

**141176**

DATED:

7-17-2023

BY:

M Coley



# Application for Permanent Water Right Transfer



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

## Part 1 of 5 – Minimum Requirements Checklist

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

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

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

- ☒ 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](http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator).
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 2 List them here: Certificate 77326 and 77733**

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.**

RECEIVED

JUN 29 2023

OWRD

### Attachments:

- ☒ Completed Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ ☐ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)
- ☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.
- ☒ ☐ N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone.
- ☐ ☒ N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.
- ☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

- |  |  |
|--|--|
| <input type="checkbox"/> Application fee not enclosed/insufficient | <input type="checkbox"/> Map not included or incomplete                  |
| <input type="checkbox"/> Land Use Form not enclosed or incomplete  | <input type="checkbox"/> Evidence of Use Form not enclosed or incomplete |
| <input type="checkbox"/> Additional signature(s) required          | <input type="checkbox"/> Part _____ is incomplete                        |

Other/Explanation \_\_\_\_\_

Staff: \_\_\_\_\_ 503- \_\_\_\_\_ Date: \_\_\_\_/\_\_\_\_/\_\_\_\_

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## Part 2 of 5 – Transfer Application Map

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/](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°).

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## FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

## FEE WORKSHEET for SUBSTITUTION

## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Crabtree Endersby Ranch LLC</b>			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS <b>PO Box 226</b>			FAX NO.	
CITY <b>Maupin</b>	STATE <b>OR</b>	ZIP <b>97037</b>	E-MAIL	
<b>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.</b>				

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

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
<b>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.</b>				

Explain in your own words what you propose to accomplish with this transfer application, and why:  
Change the location of 8.5 acres from Ambrose Ranch to ours.

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

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

Barbra Ambrose  
Applicant signature

Barbra Ambrose 6-18-2023  
Print Name (and Title if applicable) Date

Melvin S. Ambrose  
Applicant signature

MELVIN S. AMBROSE 6-18-2023  
Print Name (and Title if applicable) Date

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

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

Check the following boxes that apply:

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

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

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

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

[https://www.oregon.gov/owrd/WRDFormsPDF/Transfer\\_Property\\_Transactions.pdf](https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf)

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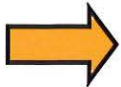
RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: <input type="checkbox"/> Applicant <input type="checkbox"/> Receiving Landowner				

☒ 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 <b>Juniper Flat District Improvement Company</b>	ADDRESS <b>PO Box 368</b>	
CITY <b>Maupin</b>	STATE <b>OR</b>	ZIP <b>97037</b>

☐ 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 <b>Wasco County Planning</b>	ADDRESS <b>2705 East Second Street</b>	
CITY <b>The Dalles</b>	STATE <b>OR</b>	ZIP <b>97058</b>

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 # **77326**

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### Description of Water Delivery System

System capacity: **53** cubic feet per second (cfs) OR  
\_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is delivered by Juniper Flat DIC. This is gravity flow ditch system to the individual water users. Some irrigation is by flood irrigation and some is sprinkler irrigated.**

**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)
Clear Creek	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		5 S	9 E	10	NE	SE		680' S and 1250' W from E 1/4 Cor Sec 10
Frog Creek	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		4 S	9 E	34	NE	NE		750' S and 850' W from NE Cor Sec 34
Clear Lake Reservoir	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		4 S	9 E	32	SE	SE		880' N and 780' W from SE Cor Sec 32
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE)                        | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                       |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)              |

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

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

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

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

**Table 2. Description of Changes to Water Right Certificate # 77326**

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							
<b>EXAMPLE</b>																											
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	
5	S	12	E	11	SE	SW	2200		8.5	Irrigation and Stock	All	1903/19 04	POU	4	S	13	E	30	SE	SE	7000		8.5	Irrigation and Stock	All	1903/1904	
TOTAL ACRES:									8.5 and Stock					TOTAL ACRES:									8.5 and Stock				

Additional remarks:\_\_\_\_\_.

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**For Place of Use or Character of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: 77733.

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

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

Ground water supplemental Permit or Certificate # \_\_\_\_\_;

Surface water primary Certificate # \_\_\_\_\_.

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**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # \_\_\_\_\_

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

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

**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](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 - rate gpm) than 1 of wa

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**CERTIFICATE # 77733**

**Description of Water Delivery System**

System capacity: 53 cubic feet per second (cfs) **OR**  
 \_\_\_\_\_ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is delivered by Juniper Flat DIC. This is gravity flow ditch system to the individual water users. Some irrigation is by flood irrigation and some is sprinkler irrigated.**

**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)
Clear Lake Reservoir	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		4 S	9 E	32	SE SE		880' N and 780' W from SE Cor Sec 32
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- |  |   |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU)                 | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE)                        | <input type="checkbox"/> Point of Appropriation/Well (POA)        |
| <input type="checkbox"/> Point of Diversion (POD)                      | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD)          | <input type="checkbox"/> Substitution (SUB)                       |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV)              |

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

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

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

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

**Table 2. Description of Changes to Water Right Certificate # 77733**

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				
<b>EXAMPLE</b>																								
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				
5	S	12	E 11 SE SW	2200		8.5	Supplemental Irrigation	Reservoir	1915	POU	4	S	13	E 30 SE SE	7000		8.5	Supplemental Irrigation	Reservoir	1915				
TOTAL ACRES:						8.5					TOTAL ACRES:						8.5							

Additional remarks: \_\_\_\_\_.

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**For Place of Use or Character of Use Changes**

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

If YES, list the certificate, water use permit, or ground water registration numbers: 77326.



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

**AND/OR**

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

**Table 3. Construction of Point(s) of Appropriation**

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

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

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# Application for Water Right Transfer

## Evidence of Use Affidavit



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

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

State of Oregon )  
 ) ss

County of WASCO

I, Zac Hayes, in my capacity as Ditch walker

mailing address

telephone number <sup>541</sup> (973) 6053 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)
77326	5	S	12	E	W	11	SE	SW		8.5 and Stock
77733	5	S	12	E	W	11	SE	SW		8.5 (Supp'l)

OR

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

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

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

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

(continues on reverse side)

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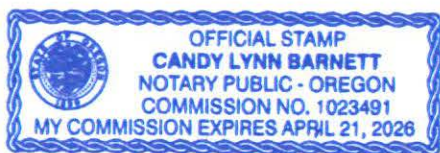
3. The water right was used for: (e.g., crops, pasture, etc.):

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

[Signature]  
Signature of Affiant

6/19/23  
Date

Signed and sworn to (or affirmed) before me this 19th day of June, 2023.



Candy Lynn Barnett  
Notary Public for Oregon  
My Commission Expires: 4/21/26

Supporting Documents	Examples
<input type="checkbox"/> Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"><li>● Power usage records for pumps associated with irrigation use</li><li>● Fertilizer or seed bills related to irrigated crops</li><li>● Farmers Co-op sales receipt</li></ul>
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"><li>● District assessment records for water delivered</li><li>● Crop reports submitted under a federal loan agreement</li><li>● Beneficial use reports from district</li><li>● IRS Farm Usage Deduction Report</li><li>● Agricultural Stabilization Plan</li><li>● CREP Report</li></ul>
<input type="checkbox"/> 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 – <a href="http://www.oregonexplorer.info/imagery">www.oregonexplorer.info/imagery</a> OWRD – <a href="http://www.wrd.state.or.us">www.wrd.state.or.us</a> Google Earth – <a href="http://earth.google.com">earth.google.com</a> TerraServer – <a href="http://www.terra-server.com">www.terra-server.com</a>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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## Supplemental Form D

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

[For transfers submitted under OAR Chapter 690 Division 380]



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

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

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

#### 1. APPLICANT INFORMATION

NAME CRABTREE ENDERSBY RANCH LLC		PHONE (HM)	
PHONE (WK)	CELL 541-993-4862	FAX	
ADDRESS PO Box 226			
CITY MAUPIN	STATE OR	ZIP 97058	E-MAIL **

#### 2. DISTRICT or WATER SUPPLIER INFORMATION

DISTRICT/WATER SUPPLIER NAME JUNIPER FLAT DISTRICT IMPROVEMENT COMPANY		PHONE (HM)	
PHONE (WK)	CELL 541-993-6053	FAX	
ADDRESS PO Box 368			
CITY MAUPIN	STATE OR	ZIP 97037	E-MAIL **

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

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

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

	Application / Decree	Permit / Previous Transfer	Certificate	Is the water right in the name of a district, water supplier, or BOR*?
1.		-	77326	YES <input checked="" type="checkbox"/>
2.		-	77733	YES <input checked="" type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

\*Bureau of Reclamation

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

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

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

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

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

COMMENTS OR ADDITIONAL INFORMATION

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**4. APPLICANT'S SIGNATURE**

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

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

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

Barbra Ambrose  
Applicant Signature

Barbra J. Ambrose  
Name (print) Member-Crabtree  
Endersby LLC

6-18-2023  
Date

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

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

The district/water supplier certifies the following:

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

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

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

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

Joshua Duling  
Signature of District Manager /Water Supplier

Joshua Duling 380TC  
Name (print), Title Chairman

6-19-23  
Date

14283



# Application for Water Right Transfer



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

## Consent by Deeded Landowner

State of Oregon )  
 )ss  
County of Wasco )

I Barbra and Melvin Ambrose in my/our capacity as property owners,

mailing address PO Box 226, Maupin OR 97037,

telephone number 541-395-2246, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 77326 and 77733

described in a Water Right Transfer Application (T-Proposed Change in Place of Use),  
(transfer number, if known)

submitted by Crabtree Endersby Ranch, LLC

on the property in tax lot number(s) 5S 12E 0 2200,

Section 11 Township 5 South Range 12 East, W.M.,

located at South ½ of Section 11, 5 S, 12 E, on the north side of Claymier Lane  
(site address)

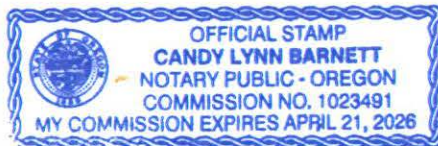
Barbra Ambrose  
Signature of Affiant

6-2-23  
Date

Melvin S. Ambrose  
Signature of Affiant

6-2-23  
Date

Subscribed and Sworn to before me this 2<sup>ND</sup> day of June, 2023.



Candy Lynn Barnett  
Notary Public for Oregon

My commission expires 4/21/26.

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# Land Use Information Form



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

Applicant(s): Crabtree Endersby Ranch, LLC

Mailing Address: PO Box 226

City: Maupin

State: OR

Zip Code: 97037

Daytime Phone: \_\_\_\_\_

## A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>4 S</u>	<u>13 E</u>	<u>30</u>	<u>SE of SW</u>	<u>7000</u>	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>IRRIGATION</u>
_____	_____	_____	_____	_____	_____	<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	_____

The water is delivered by the existing Juniper Flat DIC system. There are no changes to the existing water delivery system. The only change is moving the water right from Tax Lot 5S 12E 0 2200 over to Tax Lot 4S 13E 7000. See application map.

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

Wasco County

## B. Description of Proposed Use

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

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

Source of water: ☒ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) Clear Creek and Frog Creek

Estimated quantity of water needed: 0.2125 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe:

We are proposing to change the location of 8.5 acres served by Juniper Flat DIC. The water rights for irrigation would move 8.5 acres from Ambrose property to Crabtree Endersby Ranch LLC property.

**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.

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See bottom of Page 3. →

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

### Please check the appropriate box below and provide the requested information

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

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
RECEIVED		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
JUN 29 2023		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued
OWRD		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being Pursued <input type="checkbox"/> Not Being Pursued

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

Wasco County Planning does not have jurisdiction over water rights.

Name: Sean Bailey Title: Associate Planner

Signature: [Signature] Phone: (541) 506-2544 Date: 6-22-23

Government Entity: Wasco County Planning

**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

Tina Kotek, Governor

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

July 6, 2023

Crabtree Endersby Ranch LLC  
PO Box 226  
Maupin, OR 97037

Dear Crabtree Endersby Ranch LLC:

On June 29, 2023, the Department received your application for permanent transfer for Certificates 77326 and 77733.

We are returning your application for not including the support documentation for the Evidence of Use Affidavit. The support documentation should contain sufficient detail to establish the locations and dates water was used beneficially (per OAR 690-380-3000(12)(a)).

Please provide support documentation for the Evidence of Use Affidavit Certificates 77326 and 77733.

If you have any questions, please reach out to me at [dante.j.luongo@water.oregon.gov](mailto:dante.j.luongo@water.oregon.gov) or by phone at 971-304-5006.

Sincerely,

Dante J. Luongo  
Transfers Specialist  
Transfers and Conservation Section

Enclosure:  
Transfer Application and Attachments

Resubmitted  
per your  
voicemail  
request  
on 7/14

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- Classification of what  
is needed

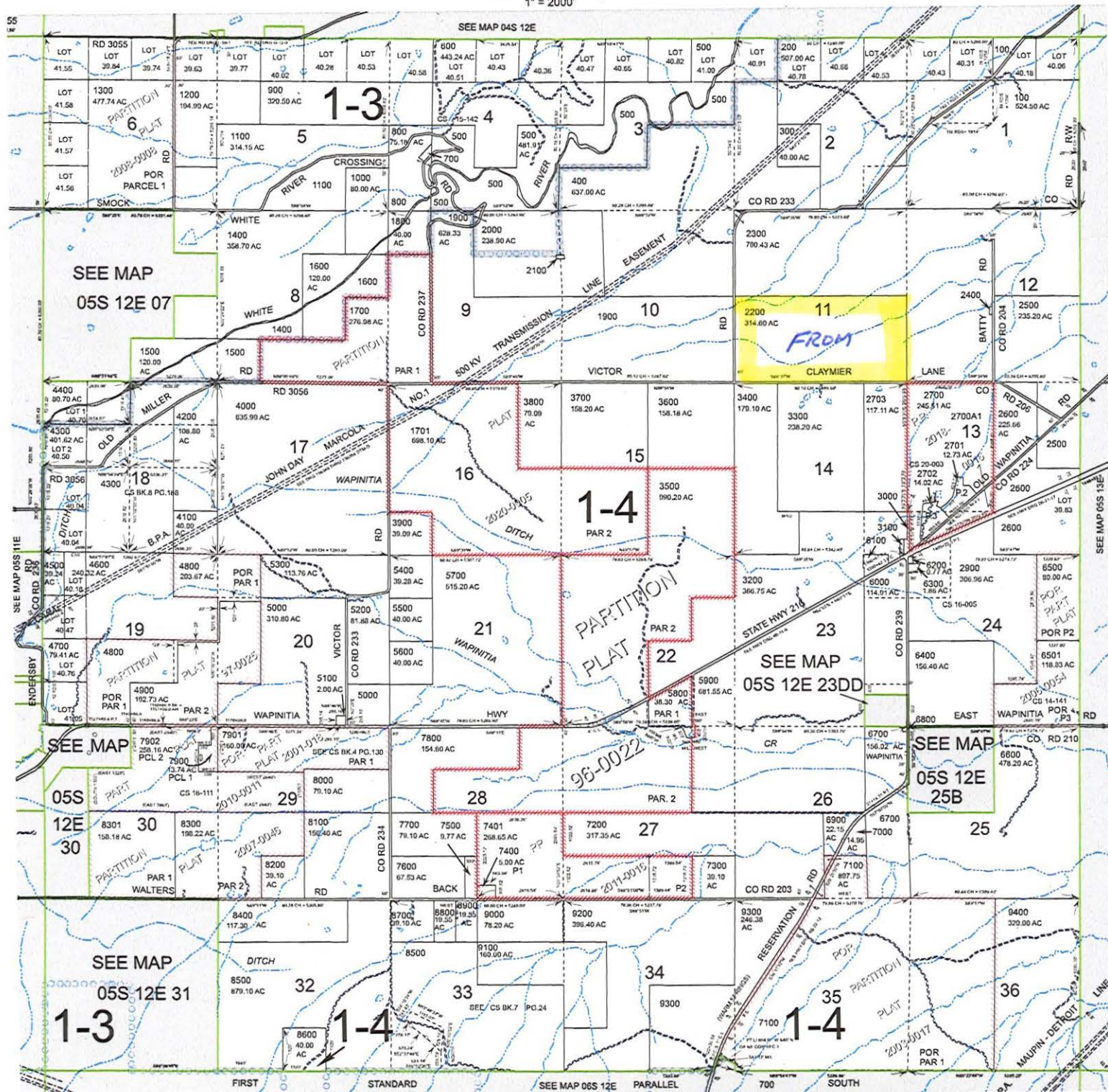
Valid water  
right certificates

Bob Wood

541-506-2652



05S12E



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2800

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PRINTED ON  
Date: 4/6/2020

05S12E

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THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

1" = 2000'

T.4S. R.13E. W.M.  
Wasco County  
1" = 2000'

04S13E

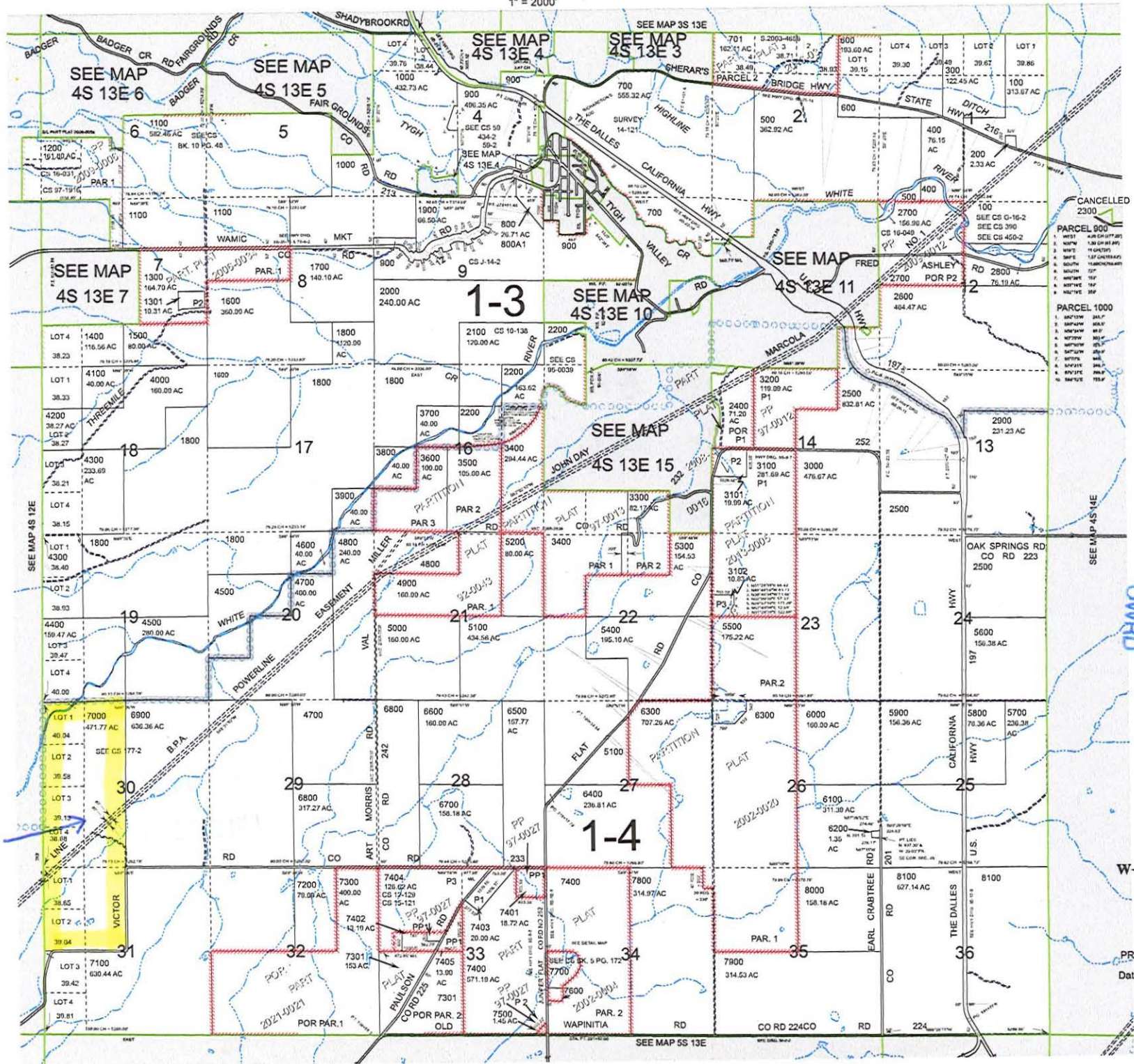
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PRINTED ON  
Date: 3/7/2022

04S13E



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TO



## 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-14283

Review Due Date: 08/23/2023

Applicant Name: Crabtree Endersby Ranch LLC

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

Reviewer(s): R Wood

Date of Review: 07/31/2023

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



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

☒ N/A

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

☒ N/A

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

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

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

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

☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

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

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

- i. "Injury" will occur to other water rights that share the same source?

☐ Yes ☐ No If "Yes", explain:

- ii. "Enlargement" of the water right being transferred will occur?

☐ Yes ☐ No If "Yes", explain:

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

☐ Yes ☒ No If "Yes", explain:

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

n/a

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐ Weir  
☐ Parshall Flume  
☐ Other: \_\_\_\_

☐ Submerged Orifice  
☐ Flow Restrictor



**Oregon Water Resources Department**  
**Measurement Condition Information for the Applicant**  
*(To be sent with the Draft Preliminary Determination or Final Order)*

Transfer #: T-

☐ In order to avoid enlargement of the right or injury to other rights, a \_\_\_\_\_ 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:

District:

Address:

City/State/Zip:

Phone:

Email:

**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

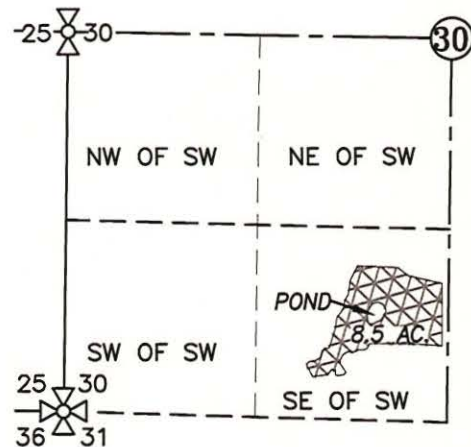
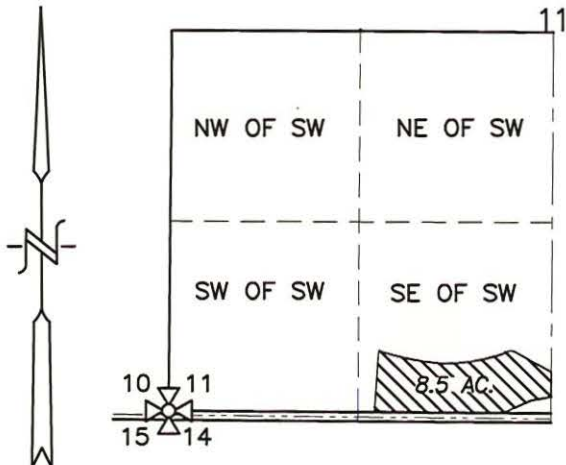
# WASCO COUNTY, OREGON

TWP.5 S. RANGE 12 E. W.M.  
FROM MAP

TWP.4 S. RANGE 13 E. W.M.  
TO MAP

TAX LOT 5S-12E-D 2200

TAX LOT 4S-13E-D 7000



SW1/4 SECTION 11

SW1/4 SECTION 30

SCALE: 1" = 1320'

0' 660' 1320' 2640'

## LEGEND:



ENDERSBY AREA TO BE TRANSFERRED FROM = 8.5 ACRES



ENDERSBY AREA TO BE TRANSFERRED TO = 8.5 ACRES



STREAM WITH DIRECTIONAL FLOW

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TRANSFER No. \_\_\_\_\_

IN THE NAME OF:

CRABTREE ENDERSBY RANCH, LLC.

DATE: JUNE 08, 2023

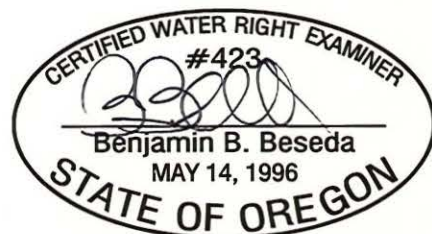
BY: **TENNESON ENGINEERING CORP.**

3775 CRATES WAY  
THE DALLES, OREGON. 97058  
PH. 541-296-9177  
FAX 541-296-6657



## WATER RIGHT TRANSFER MAP FROM

**MAP #1**



EXPIRES: 12/31/2023

### NOTE:

"THIS MAP IS NOT INTENDED TO PROVIDE  
LEGAL DIMENSIONS OR LOCATIONS OF  
PROPERTY OWNERSHIP LINES."

142880. #16552wr

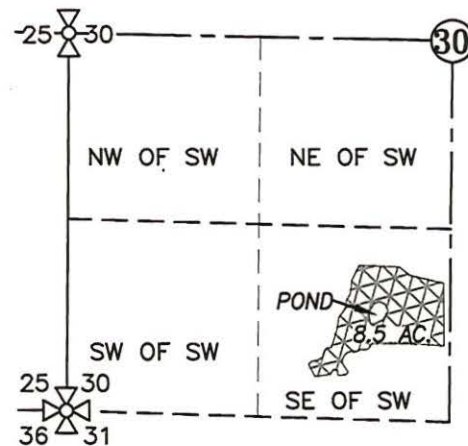
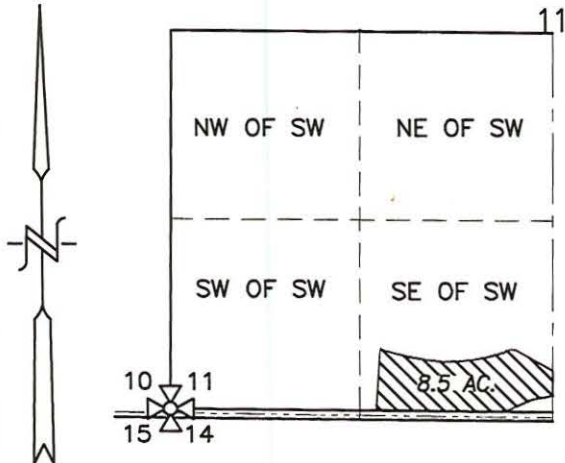
# WASCO COUNTY, OREGON

TWP.5 S. RANGE 12 E. W.M.  
FROM MAP

TWP.4 S. RANGE 13 E. W.M.  
TO MAP

TAX LOT 5S-12E-D 2200

TAX LOT 4S-13E-D 7000



SW1/4 SECTION 11

SW1/4 SECTION 30

SCALE: 1"= 1320'



## LEGEND:



ENDERSBY AREA TO BE TRANSFERRED FROM = 8.5 ACRES



ENDERSBY AREA TO BE TRANSFERRED TO = 8.5 ACRES



STREAM WITH DIRECTIONAL FLOW

RECEIVED

JUN 29 2023

OWRD

## **WATER RIGHT TRANSFER MAP FROM**

**MAP #1**

TRANSFER No. \_\_\_\_\_

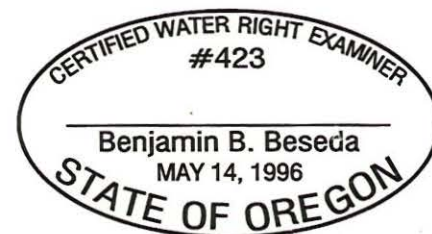
IN THE NAME OF:

CRABTREE ENDERSBY RANCH, LLC.

DATE: JUNE 08, 2023

BY: **TENNESON ENGINEERING CORP.**

3775 CRATES WAY  
THE DALLES, OREGON. 97058  
PH. 541-296-9177  
FAX 541-296-6657



EXPIRES: 12/31/2023

### NOTE:

"THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY OWNERSHIP LINES."

RECEIVED

W.O. #16552wr

JUL 17 2023

OWRD

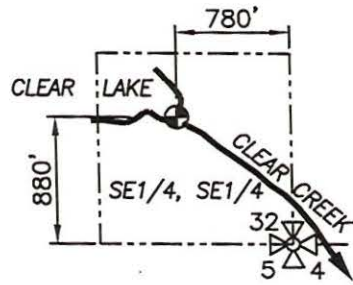
14283



# WASCO COUNTY, OREGON

## CLEAR LAKE RESERVOIR DIVERSION

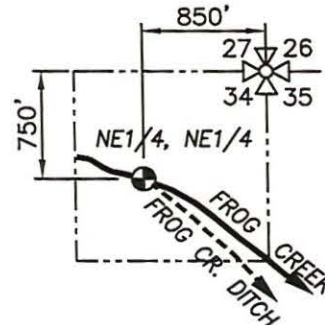
T.4S., R.9E., W.M.



SECTION 32

## FROG CREEK DIVERSION

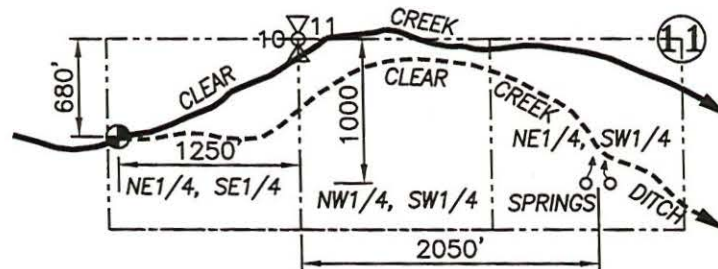
T.4S., R.9E., W.M.



SECTION 34

## CLEAR CREEK DIVERSION

T.5S., R.9E., W.M.



SECTIONS 10 AND 11

NOTE: INFORMATION FROM HB 3111 MAPS

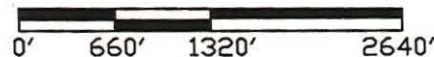
## LEGEND:

⊙ DIVERSION POINT

~ ~ ~ STREAM WITH DIRECTIONAL FLOW

## **WATER RIGHT TRANSFER MAP**

SCALE: 1" = 1320'



**MAP #2**

TRANSFER No. \_\_\_\_\_

IN THE NAME OF:

CRABTREE ENDERSBY RANCH, LLC.

DATE: JUNE 08, 2023

BY: **TENNESON ENGINEERING CORP.**

3775 CRATES WAY  
THE DALLES, OREGON. 97058  
PH. 541-296-9177  
FAX 541-296-6657



EXPIRES: 12/31/2023

### NOTE:

"THIS MAP IS NOT INTENDED TO PROVIDE  
LEGAL DIMENSIONS OR LOCATIONS OF  
PROPERTY OWNERSHIP LINES."

**RECEIVED**

W.O. #16552wr

JUL 17 2023

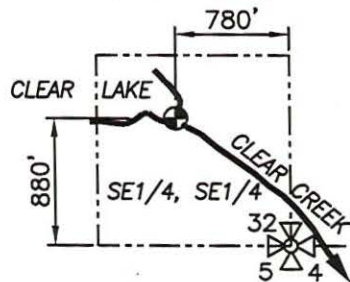
OWRD

14283

# WASCO COUNTY, OREGON

## CLEAR LAKE RESERVOIR DIVERSION

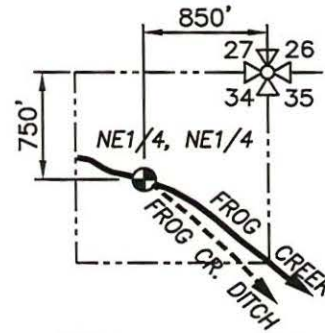
T.4S., R.9E., W.M.



SECTION 32

## FROG CREEK DIVERSION

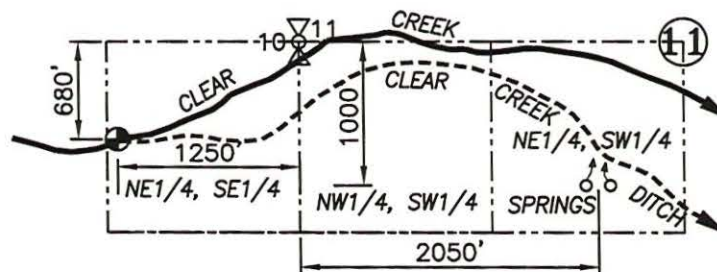
T.4S., R.9E., W.M.



SECTION 34

## CLEAR CREEK DIVERSION

T.5S., R.9E., W.M.



SECTIONS 10 AND 11

NOTE: INFORMATION FROM HB 3111 MAPS

## LEGEND:

⊕ DIVERSION POINT

~ ~ ~ STREAM WITH DIRECTIONAL FLOW

## **WATER RIGHT TRANSFER MAP**

RECEIVED

JUL 17 2023

OWRD

TRANSFER No. \_\_\_\_\_

IN THE NAME OF:

CRABTREE ENDERSBY RANCH, LLC.

DATE: JUNE 08, 2023

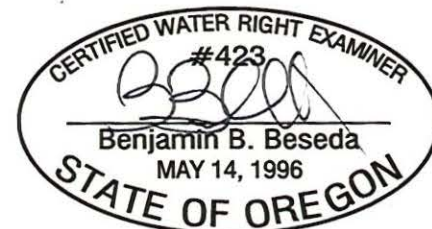
BY: **TENNESON ENGINEERING CORP.**

3775 CRATES WAY  
THE DALLES, OREGON. 97058  
PH. 541-296-9177  
FAX 541-296-6657



SCALE: 1" = 1320'  
0' 660' 1320' 2640'

**MAP #2**



EXPIRES: 12/31/2023

## NOTE:

"THIS MAP IS NOT INTENDED TO PROVIDE  
LEGAL DIMENSIONS OR LOCATIONS OF  
PROPERTY OWNERSHIP LINES."

W.O. #16552wr

14283