

District Temp

Name Warmsprings Irrigation District

Address 334 Main St. North
Vale, OR 97918
dbourasa@widn20.com

Change in POU
Date Filed 6/21/2024
Initial notice date 7/2/2024
DPD issued date _____
PD issued date _____
PD notice date _____
Date of FO 8/12/2024 Vol 131 Page 897-900

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

Assignments: _____

Irrigation District _____

Agent _____

CWRE _____

CC's list _____

☐ - Oversized map - Location _____

DESCRIPTION OF WATER RIGHT(s)

Name of Stream Malheur River

Trib. of Snake River

Use Irrigation, Supplemental Irrigation County Malheur

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

Name of ditch _____

App# S-4752 Per # S-4303 Cert # 48051 PR Date 2/14/1916

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

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

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

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

FEES PAID

Date	Amount	Receipt #
<u>6-21-2024</u>	<u>\$966.10</u>	<u>143166</u>

FEES REFUNDED

Date	Amount	Receipt #
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**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A

SALEM, OR 97301-4172

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

RECEIPT # **143166**

INVOICE # _____

RECEIVED FROM: Warmsprings Irrigation
BY: District

APPLICATION	
PERMIT	
TRANSFER	<u>T-14483</u>

CASH: ☐ CHECK: # X 20323 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$966.10

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	\$
OTHER: (IDENTIFY)	\$
0243 I/S Lease	
0244 Muni Water Mgmt. Plan	
0245 Cons. Water	

4270 WRD OPERATING ACCT

MISCELLANEOUS		
0407 COPY & TAPE FEES	\$	
0410 RESEARCH FEES	\$	
0408 MISC REVENUE: (IDENTIFY)	\$	
TC162 DEPOSIT LIAB. (IDENTIFY)	\$	
0240 EXTENSION OF TIME	\$	
WATER RIGHTS:		
0201 SURFACE WATER	EXAM FEE	0202
0203 GROUND WATER	\$	0204
0205 TRANSFER	\$ <u>966.10</u>	
WELL CONSTRUCTION		
0218 WELL DRILL CONSTRUCTOR	EXAM FEE	0219
LANDOWNER'S PERMIT	\$	0220
OTHER (IDENTIFY)		

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND	TITLE
OBJ. CODE	VENDOR #
DESCRIPTION	\$

RECEIPT: **143166**

DATED 6-21-24 BY [Signature]



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

August 12, 2024

Warm Springs Irrigation District

Attn: Kelly Bourasa

334 Main S. N

Vale, OR 97918

REFERENCE: District Temporary Transfer Application T-14483

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

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

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Ann Reece, by telephone at (503) 979-3214 or by e-mail at Ann.L.Reece@water.oregon.gov.

Sincerely,

Elyse D. Richman

Water Rights Services Support

Transfers and Conservation Section

cc: Jered L. Hoshaw, Watermaster Dist. # 9 (via email)

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-14483, Malheur County	)	A DISTRICT TEMPORARY TRANSFER

Authority

Oregon Revised Statute (ORS) 540.570 establishes the process in which a district may submit a request to temporarily transfer a water right within district boundaries. Oregon Administrative Rule (OAR) Chapter 690, Division 385 implements the statutes and provides the Department's procedures and criteria for evaluating district transfer applications.

Applicant

WARMSPRINGS IRRIGATION DISTRICT
334 MAIN STREET NORTH
VALE, OR 97918

Findings of Fact

1. On June 21, 2024, Warm Springs Irrigation District (WID) filed a district transfer application to temporarily change the place of use within the boundaries of the irrigation district under Certificate 48051. The Department assigned the application number T-14483.
2. Notice of the application for transfer was published on July 2, 2024, pursuant to ORS 540.570 and OAR 690-385-3400. No comments were filed in response to the notice.
3. On July 23, 2024, the Department received an amended map to correct scriveners' errors.
4. The portion of the right to be transferred is as follows:
Certificate: 48051 issued in the name WARMSPRINGS IRRIGATION DISTRICT (perfected under Permit S-4303)
Use: IRRIGATION of 22.6 acres
Priority Dates: FEBRUARY 14, 1916
Rate: 0.28 Cubic Foot per Second
Limit & Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, for each acre irrigated including water heretofore appropriated, from the direct flow of the Malheur River and the water stored in the Warm Springs Reservoir

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

constructed under Permit R-457, provided that additional water released from the Warm Springs Reservoir may be diverted during the period of maximum use, the total volume however from both storage and direct flow not to exceed the volume which would be furnished by a continuous flow at the above rate during the entire irrigation season.

Source: THE MALHEUR RIVER AND WARMSPRINGS RESERVOIR (R-457), A TRIBUTARY OF THE SNAKE RIVER

Authorized Points of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Glot	Measured Distances
19 S	43 E	WM	5	NW NE	2	VINES DITCH NO. 1: 1200 FEET SOUTH AND 1920 FEET WEST FROM THE NE CORNER OF SECTION 5
18 S	43 E	WM	33	NW SW	--	FARMERS DITCH NO. 2: 1690 FEET NORTH AND 650 FEET EAST FROM THE SW CORNER OF SECTION 33
19 S	43 E	WM	4	NW NE	2	J.H. DITCH NO 3: 440 FEET SOUTH AND 1360 FEET WEST FROM THE NE CORNER OF SECTION 4
19 S	44 E	WM	8	NW SE	--	GELLERMAN FROMAN DITCH NO. 4: 390 FEET SOUTH AND 230 FEET EAST FROM THE C1/4 CORNER OF SECTION 8
18 S	45 E	WM	21	NE SW	--	NEVADA DITCH NO. 5: 1760 FEET NORTH AND 1320 FEET EAST FROM THE SW CORNER OF SECTION 21
18 S	45 E	WM	20	SW SE	--	PUMP DIVERSION NO. 1: 670 FEET NORTH AND 1900 FEET WEST FROM THE SE CORNER OF SECTION 20
18 S	45 E	WM	20	NE SE	--	PUMP DIVERSION NO. 2: 1760 FEET NORTH AND 1310 FEET WEST FROM THE SE CORNER OF SECTION 20
18 S	45 E	WM	13	NE SW	--	PUMP DIVERSION NO. 5: 1050 FEET SOUTH AND 1280 FEET WEST FROM THE C1/4 CORNER OF SECTION 13
18 S	46 E	WM	10	SW SE	--	PUMP DIVERSION NO. 7: 870 FEET NORTH AND 640 FEET EAST FROM THE S1/4 CORNER OF SECTION 10
23 S	37 E	WM	8	NW SW	--	WARM SPRINGS RESERVOIR (NOT LISTED ON CERT)

Authorized Place of Use:

IRRIGATION								
Twp	Rng	Mer	Sec	Q-Q	Acres	Tax Lot	Water User	Notice
18 S	47 E	WM	05	NW NW	22.6	3606	RUIZ	2407

5. Transfer Application T-14483 proposes to change the place of use to:

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	G-Lot	Acres	Tax Lot	Water User	Notice
18 S	46 E	WM	16	NW SW	4	22.6	400	MELTON FAMILY FARM	2407

6. The district temporary transfer application satisfies the criteria of ORS 540.570 and OAR 690-385-3000, contains the information required under OAR 690-385-3200, and includes a map meeting the requirements of OAR 690-385-3300.
7. Water has been used within the last five years according to the terms and conditions of the right. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
8. The water right is subject to transfer as defined in OAR 690-385-0100(17).
9. Diversion structures, district canals, pumps, pump stations, ditches, pipeline, and sprinkler systems sufficient to use the full amount of water allowed under the existing rights are present.
10. The proposed change in place of use, as conditioned, will not result in enlargement of the rights as defined in OAR 690-385-0100(6).
11. The proposed change in place of use would not result in injury to other water rights as defined in OAR 690-385-0100(4).
12. All other applicable requirements for district temporary water right transfers are met.

Conclusions of Law

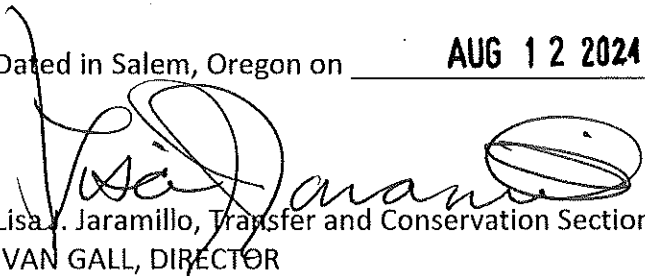
The temporary change in place of use proposed in Temporary Transfer Application T-14483 is consistent with the requirements of ORS 540.570 and OAR 690-385-3500.

Now, therefore, it is ORDERED:

1. The temporary change in the place of use proposed in Transfer Application T-14483 is approved.
2. The lands from which the water right is removed under Certificate 48051 shall receive no water under the transferred right during the **2024** irrigation season.
3. The use shall revert to the authorized place of use after the **2024** irrigation season.
4. Any application for permanent transfer of Certificate 48051 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Divisions 380 or 385. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
5. The time during which water is used on the proposed lands under this approved temporary transfer does not apply toward a finding of forfeiture of Certificate 48501 under ORS 540.610.

6. The water user shall maintain and operate the existing measurement devices and shall make such improvements as may be required by the Department.
7. The use of water under this temporary transfer may be conditioned or revoked at any time to the extent necessary to avoid injury if the Department finds the transfer causes injury to any existing water right.
8. Pursuant to ORS 536.900, a district and user may be subject to civil penalties for allowing the use of water on both the land from which water is transferred, and the lands to which the water is transferred, during the same irrigation season or calendar year.
9. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 48051.
10. The use of the remaining water right described by Certificate 48051 not involved in this transfer shall continue to be in accordance with the terms and conditions of Certificate 48051.

Dated in Salem, Oregon on AUG 12 2024


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

Mailing Date: AUG 13 2024

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14483

Review Due Date:

Applicant Name: Warmsprings Irrigation District

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

Reviewer(s): Jered Hoshaw

Date of Review: 07/10/2024

1. Do you have evidence that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☒ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.)
2. Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☐ No ☒ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

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

☐ N/A

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

☒ N/A

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

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

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

10. For POU or USE changes: ☐ N/A In your best judgment, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain:

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

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

☐ Yes ☐ No If "Yes", explain:

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

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

i. Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? ☐ Yes ☐ No If "Yes", explain:

ii. Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? ☐ Yes ☐ No If "No", explain:

iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? ☐ Yes ☐ No If "No", explain:

iv. Do you have any other observations regarding the temporary transfer? ☐ Yes ☐ No If "Yes", describe:

v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? ☐ Yes ☐ No If "No", explain:

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

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

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

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

☐ Yes ☒ No If "Yes", explain:

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

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

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

☐ A Headgate should be required prior to diverting water.

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

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

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

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

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

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

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

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

☐ Weir
☐ Parshall Flume
☐ Other: ____

☐ Submerged Orifice
☐ Flow Restrictor

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

Transfer #: T-

☐ 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



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

June 26, 2024

Warm Springs Irrigation District
Kelly Bourasa
334 Main St. N
Vale, OR 97918

Reference: District Temporary Transfer T- 14483

On June 21, 2024, we received your district temporary transfer application requesting PLACE OF USE changes for use of water from MALHEUR RIVER, TRIBUTARY TO SNAKE RIVER. The application was accompanied by \$966.10. Your receipt 143166 is enclosed.

By copy of this letter, we are asking the Watermaster for their report regarding the potential for injury to existing water rights which may be caused by the change.

This application will be published on the Department's weekly notice dated 07/02/2024, viewable at http://apps.wrd.state.or.us/apps/misc/wrd_notice_view/?notice_id=21. A copy of the application can be assessed through this public notice link. Pursuant to Oregon administrative rules, the Department is requesting public comments on the recently filed district transfer application listed above. Comments may be submitted by any interested persons within 30 days of the weekly notice publication date. Comments must be received by the Department on or before 07/31/2024. For details on how to file comments please refer to the Department's weekly notice. Details for filing protests, if applicable, are also noted on the weekly notice.

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

cc: Watermaster # 9, Jered L. Hoshaw (*via email*)

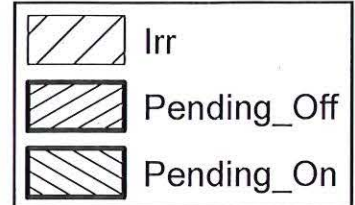
enclosure

Warmsprings
Irrigation
District

Vale, Oregon

OWRDE-RECEIVED
7/23/2024
AMENDED

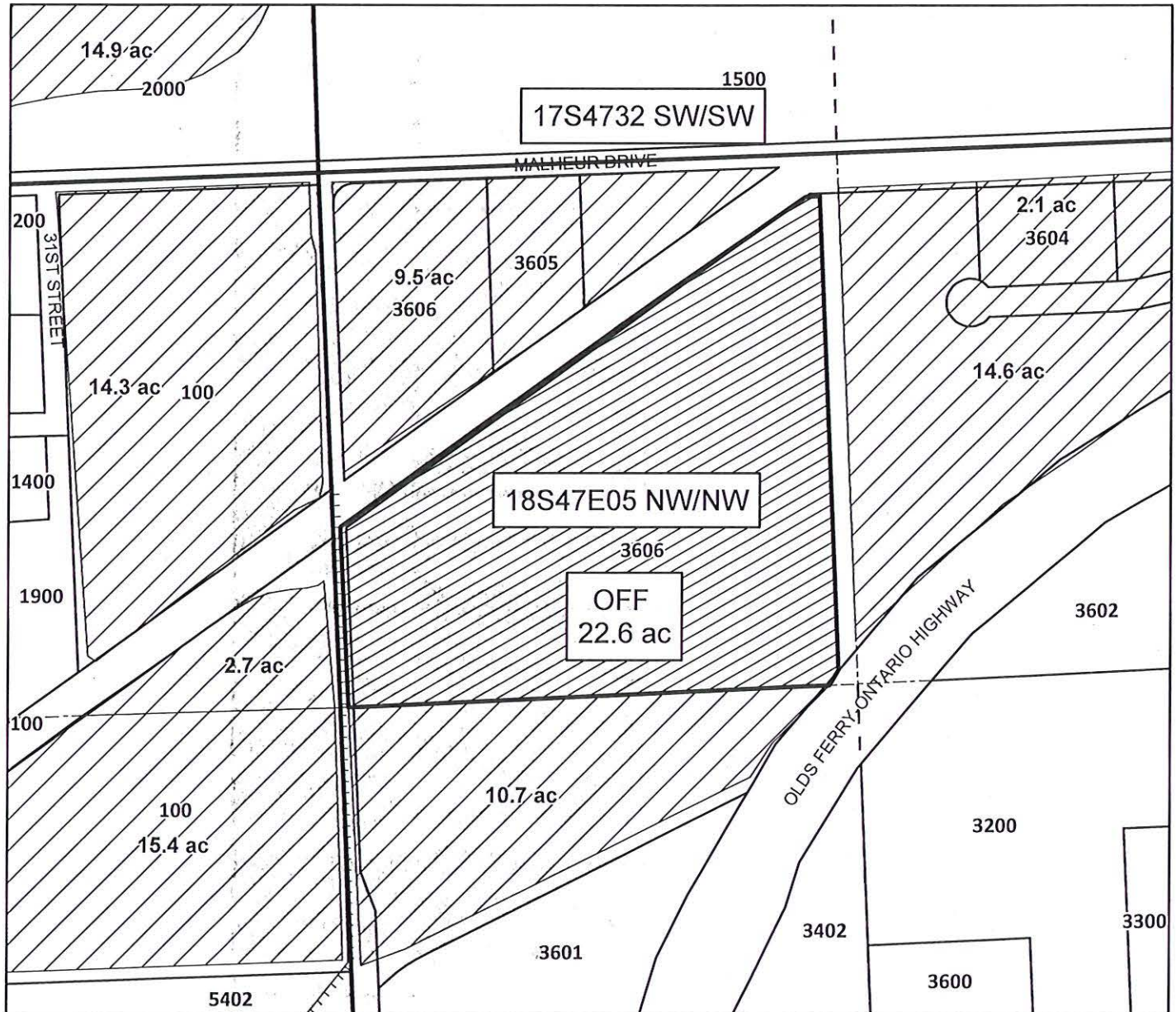
MALHEUR COUNTY
SEC 05 T18S R47E
NW 1/4 OF THE NW 1/4 (SEC05)



DISTRICT INTERNAL
NOTICE #: 24-07

N
SCALE - 1" = 400'

OFF/ON MAP



EXISTING OR REMAINING RIGHTS

T- 14483

APPLICATION FOR WATER RIGHTS TEMPORARY TRANSFER

NAME: Ontario Oregon Real Estate Co

TL #3606 : GOVT LOT 4

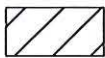
22.6 AC OFF 9.5 REMAINING

Cert# :
48051

Warm Springs
Irrigation
District

Vale, Oregon

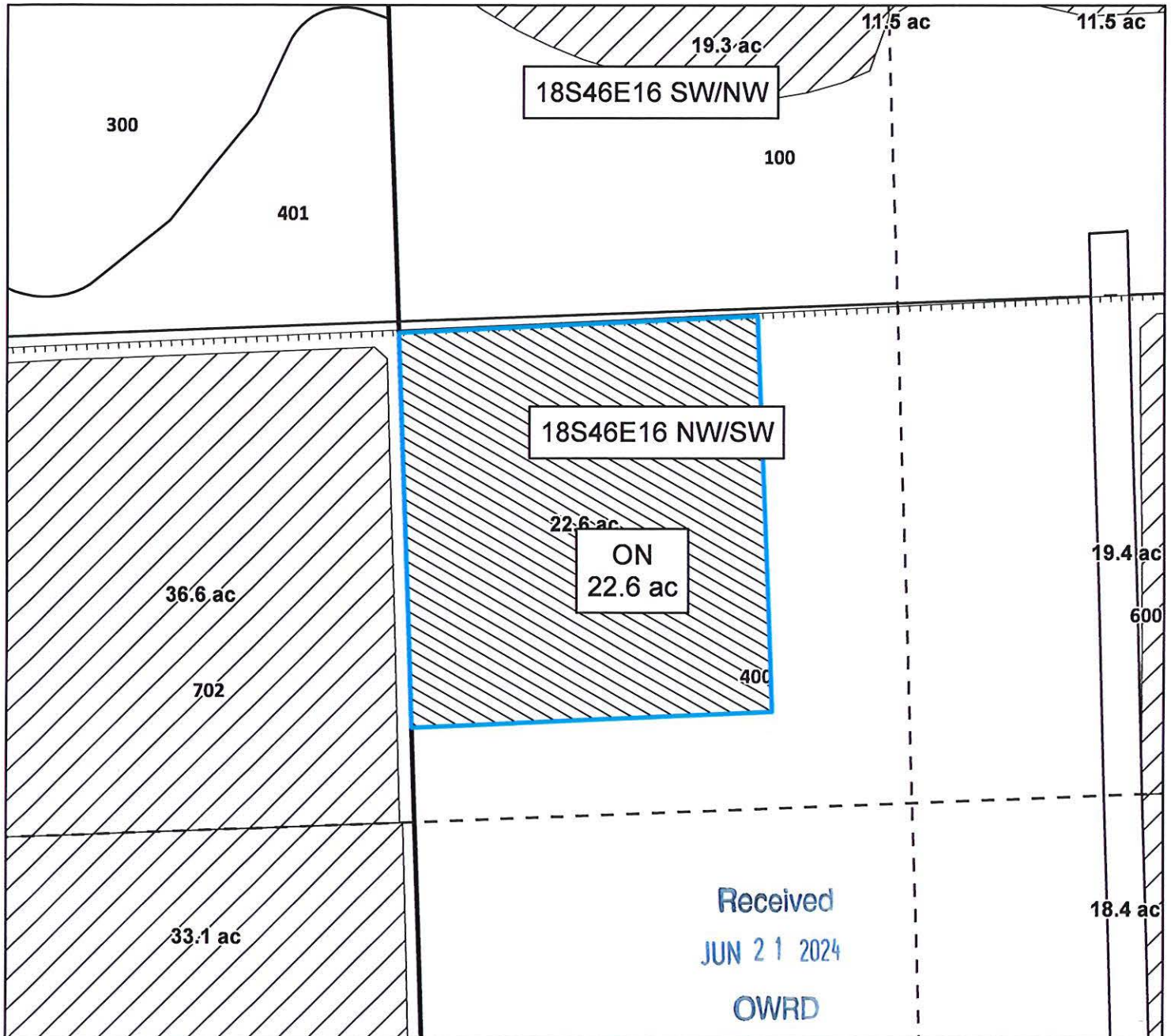
MALHEUR COUNTY
SEC 16 T18S R46E
NW 1/4 OF THE SW 1/4 (SEC16)

	Irr
	Pending_Off
	Pending_On

DISTRICT INTERNAL
NOTICE #: 24-07

N
SCALE - 1" = 400'

ON MAP



APPLICATION FOR WATER RIGHTS TEMPORARY TRANSFER

NAME: MELTON FAMILY FARM

TL #400

22.6 AC ON CERTIFICATE 48051

**Cert# :
48051 P**

14483 -

Date: 6/17/2024



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

Application for District Temporary Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

Application for the **2024** irrigation season.
year

1. APPLICANT/AGENT INFORMATION

IRRIGATION DISTRICT Warmsprings Irrigation District			PHONE NO. 541-473-3951	ADDITIONAL CONTACT NO.
ADDRESS 334 Main St North			FAX NO.	
CITY Vale	STATE OR	ZIP 97918	E-MAIL dbourasa@widh2o.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

2. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: If a certificate has been issued and reflects the current status of the water right, you need only list the certificate number.
(Attach additional pages as necessary.)

	Application / Decree	Permit / Previous Transfer	Certificate
1.	- /	- / -	48051
2.	- /	- / -	
3.	- /	- / -	
4.	- /	- / -	
5.	- /	- / -	
6.	- /	- / -	

- Check **all** proposed change(s) included in this transfer application:
 - ☒ Place of Use
 - ☐ Point of Diversion or Point of Appropriation
 - ☐ Surface Water source to Ground Water source
 - ☐ Character or Type of Use

Received

JUN 21 2024

OWRD

3. CONSULTATION WITH STATE AGENCIES, LOCAL GOVERNMENTS, AND TRIBAL GOVERNMENTS

Is this transfer application for a change in point of diversion in response to an emergency?

☐ Yes ☒ No

Has the district conferred with the Oregon Department of Fish and Wildlife, Division of State Lands, and affected local governments (e.g., county, city, municipal corporation), and tribal governments about the proposed point of diversion change? ☐ Yes ☐ No

If "Yes", for any of the above, list the agency or government name and the name and phone number of the appropriate contact person:

Agency/ Gov't Name: _____	Contact Name: _____	Phone: _____
Agency/ Gov't Name: _____	Contact Name: _____	Phone: _____
Agency/ Gov't Name: _____	Contact Name: _____	Phone: _____
Agency/ Gov't Name: _____	Contact Name: _____	Phone: _____
Agency/ Gov't Name: _____	Contact Name: _____	Phone: _____

4. CONSENT FOR A CHANGE IN TYPE OF USE OF A WATER RIGHT TO STORE WATER

Is this transfer application for a change in type of use of a water right to store water?

☐ Yes ☒ No

Has the district received written consent to the change from the operator of the reservoir if different than the district, or from the appropriate federal agency if the water right to store water is issued in the name of a federal governmental agency? ☐ Yes ☐ No

If "Yes", for any of the above, label and attach a dated and signed copy of the written consent.

Received
JUN 21 2024
OWRD

5. ATTACHMENTS

Check each of the following attachments included with this application. The application will be returned if all required attachments are not included.

Supplemental Form A – Description of Proposed Change(s) to a Water Right ☒ A <u>separate</u> Supplemental Form A is enclosed for <u>each</u> water right to be affected by this transfer. Map ☒ Temporary Transfer A map meeting the requirements of OAR 690-385-3300 must be included but need not be prepared by a Certified Water Right Examiner. Consent to Transfer ☐ A copy of the written consent, if applicable, for a change in type of use of a water right to store water.	Supplemental Water Right Statement ☐ A written statement, if applicable, identifying supplemental water rights that will not be transferred, but remain unexercised at the authorized place of use during the irrigation season. Water Well Reports/Well Logs: ☐ The application is for a change from surface water to ground water and copies of all water well reports are attached. ☐ Water well reports are not available and attached is a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed. ☐ The application is for a surface water transfer and water well reports are not required. Fees: ☒ Amount enclosed: \$_____ See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.
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6. SIGNATURES

The district certifies the following:

- (1) The water right(s) proposed for transfer is a water right(s) subject to transfer and has not been forfeited for nonuse under ORS 540.610;
- (2) Each user affected by the proposed transfer has provided written authorization for the transfer and such authorization is on file with the district; and
- (3) The district has notified each affected user that the Department may condition or reject the transfer at any time to the extent necessary too avoid injury to an existing water right, and that the use of water on lands from which the water right is transferred (authorized place of use) and at the proposed place of use during the same irrigation season or calendar year may subject both the user and district to civil penalties.

On behalf of the district, I affirm that the information contained in this application is true and accurate.



District Manager signature
OR

Kelly Bourasa

name (print)

6-13-24

date

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Authorized District Representative signature

name (print)

date

Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.



District Temporary Water Right Transfer Application

Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 48051

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change to facilitate a change in Place of Use (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☐ Surface Water to Ground Water (A new point of appropriation will be used instead of the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Change in Point of Diversion in Response to an Emergency	☐ <u>All</u> of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☒ Only a <u>portion</u> of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☐ Change a water right to Store Water ☐ Diminish an irrigation water right (primary) to a supplemental water right

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2. CURRENT WATER RIGHT INFORMATION

Water Right Subject to Transfer (check and complete one of the following):

☒ Certificated Right	48051	
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
☐ Permit for which Proof has been Approved	-	
	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	-	
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Warmspings Irrigation District
- County: Malheur
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): February 14, 1916

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: Malheur River & water stored in Warmspings Reservoir

Tributary to: Snake River

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☐ Yes ☒ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? _____

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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*The following information **must be provided only** for those points of diversion or appropriation that **are involved in the transfer** (i.e., **list only the portion of the water right you propose to transfer.**) Attach additional pages as necessary.*

A Point of Diversion (POD) describes the location of diversion from a surface water source.

A Point of Appropriation (POA) describes the location of appropriation from a ground water source or well.

If a point of diversion or appropriation is not numbered on the decree or water right certificate or permit, assign it a unique number in the following table (e.g. POD #1 or POA(well) #1). Use the number to refer to the point of diversion or appropriation serving the place of use described in Table I (Authorized Place of Use) and Table II (Proposed Place of Use).

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "OFF or FROM" point(s) of diversion or appropriation)

*Government lot(GOV" T LOT) and donation land claim numbers (DLC) must be included in the table below **only** if the information is reflected on the existing water right.*

IF POA, OWRD WELL LOG ID NO. (OR WELL ID TAG NO. L-)	POD# or POA#	TWP	RNG	SEC	QQ	DLC	GOV" T LOT	MEASURED DISTANCES

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■ Certificate Number or other identifying number: 48051

- Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is **clearly labeled** and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is **not** available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be **clearly tied** to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD WELL NO. AS IDENTIFIED IN TABLE ABOVE	DIAMETER	TYPE AND SIZE OF CASING	NO. OF FEET OF CASING	INTERVALS CASING IS PERFORATED (IN FEET)	SEAL DEPTH	EST. DEPTH TO WATER	EST. DEPTH TO WATER BEARING STRATUM	TYPE OF ACCESS PORT OR MEASURING DEVICE	TOTAL WELL DEPTH

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- Certificate Number or other identifying number: 48051

*The following information **must be provided** only for those places of use that **are involved in the transfer** (i.e., list only the portion of the water right you propose to transfer.) Attach additional pages as necessary.*

Location of Existing Authorized Place of Use to be Affected:

(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "OFF or FROM" lands)

*Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.*

[illegible]

TOTAL:	22.6	
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- Certificate Number or other identifying number: 48051

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation necessary to facilitate a change in place of use. Measured distances described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "ON or TO" point(s) of diversion or appropriation)

(NOTE: Complete this table **only** if a Change in Point of Diversion or Appropriation is being proposed to facilitate a Change in Place of Use.)

IF POA, OWRD WELL LOG ID NO. (OR WELL ID TAG NO. L-)	POD# or POA#	TWP	RNG	SEC	QQ	DLC	GOV'T LOT	MEASURED DISTANCES

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▪ Certificate Number or other identifying number: 48051

If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed?

☐ Yes ☐ No ☒ N/A – No proposed well(s) listed above.

If “Yes”, attach and **clearly label** the corresponding well log(s) for each proposed well, or if well log(s) are **not** available, describe the construction of the well(s) using the table below. (NOTE: You may search for well logs on the Department’s web page at: <http://www.wrd.state.or.us>)

If “No”, describe the anticipated construction for the proposed well(s) in the following table:

Construction of Proposed Point(s) of Appropriation or Well(s)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD WELL NO. AS IDENTIFIED IN TABLE ABOVE	DIAMETER	TYPE AND SIZE OF CASING	NO. OF FEET OF CASING	INTERVALS CASING IS PERFORATED (IN FEET)	SEAL DEPTH	EST. DEPTH TO WATER	EST. DEPTH TO WATER BEARING STRATUM	TYPE OF ACCESS PORT OR MEASURING DEVICE	TOTAL WELL DEPTH

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▪ Certificate Number or other identifying number: 48051

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "ON or TO" lands)

TABLE II. – PROPOSED PLACE OF USE												
POD# or POA#	PRIORITY DATE	USE	LEGAL DESCRIPTION							ACRES	USER NAME	DINN
			TWP	RNG	SEC	QQ	DLC	GOV'T LOT	TAX LOT			
5 Nevada	2/14/1916	Irrigation	18 S	46 E	16	NW SW		4	400	22.6	Melton Family Farm	2407
TOTAL:										22.6		

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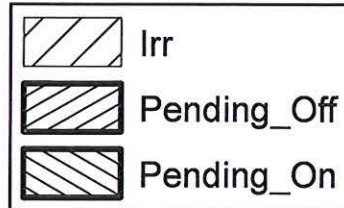
Remarks: _____

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Warmsprings
Irrigation
District

Vale, Oregon

MALHEUR COUNTY
SEC 05 T18S R47E
NW 1/4 OF THE NW 1/4 (SEC05)

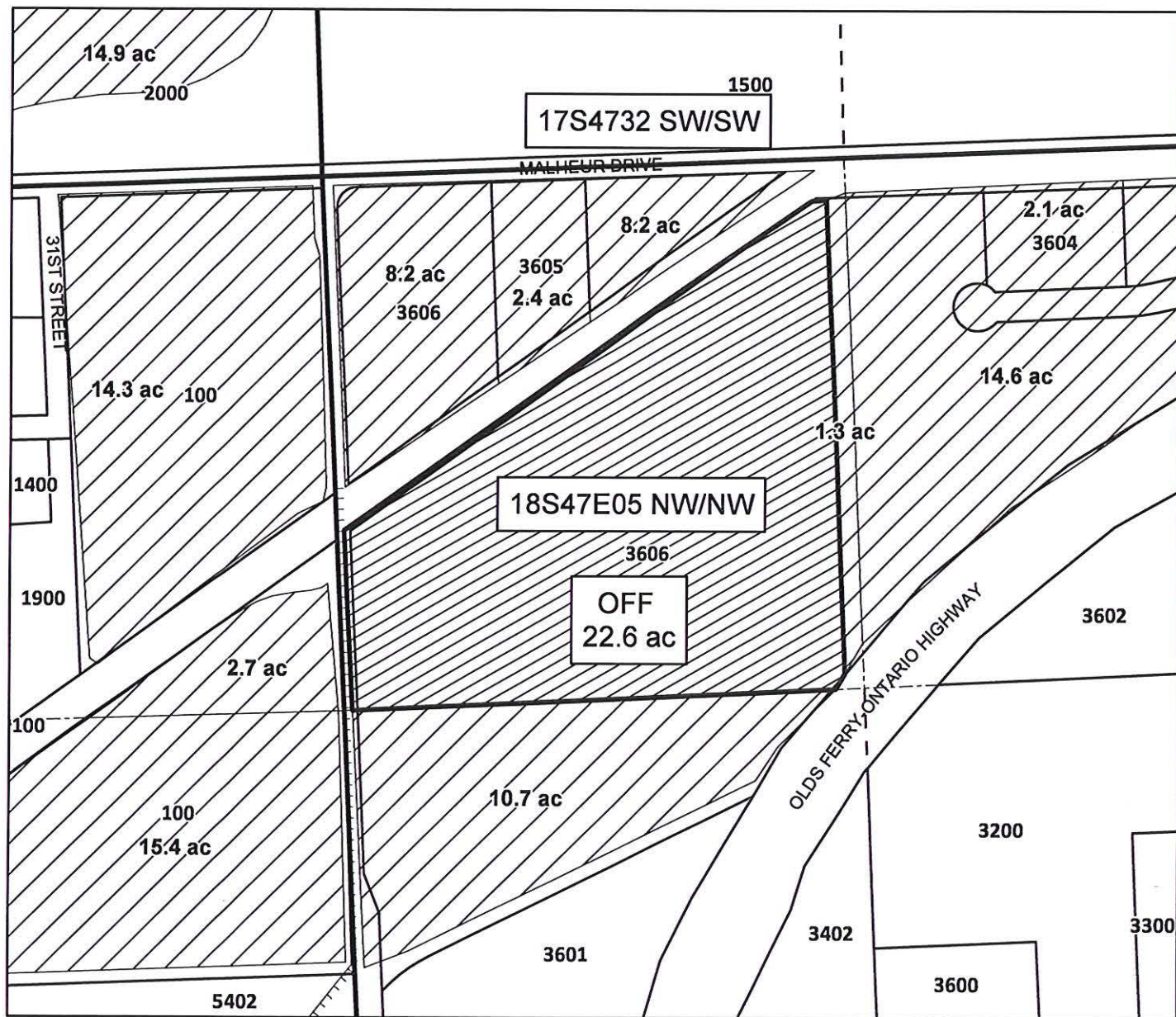


DISTRICT INTERNAL
NOTICE #: 24-07

SUPERSEDED

N
SCALE - 1" = 400'

OFF ON MAP



EXISTING OR REMAINING RIGHTS

APPLICATION FOR WATER RIGHTS TEMPORARY TRANSFER

Received
JUN 21 2024

NAME: Ontario Oregon Real Estate Co
TL #3606 : GOVT LOT 4
22.6 AC OFF 12.4 REMAINING

Cert# :
48051

Oregon Water Resources Department
Transfer Fee Calculation for Temporary Duration Transfer

Today's Date: Monday, June 17, 2024

Fee Calculation

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

\$950.00

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

Enter total number of water rights included in transfer. 1

\$0.00

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

☒ Check this box if you propose to change the place of use for an irrigation use.

(see NOTE if box checked for submittal of digital format map below)

Enter the number of acres in the footprint of the place of use to be transferred. 23

\$16.10

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

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

Subtotal:

\$966.10

☒ Check the box if you are submitting the application and map in a digital format.

***NOTE** – If this box checked and map in Department-approved digital format, this fee is used in place of the \$2.70/acre of land irrigated (standard format) fee above.

Transfer Fee:

\$966.10

[Return to Edit](#)

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