

**T-14524**

Name Roland Johnson

Address PO Box E  
Enterprise, OR 97828  
rnjlaw@eoni.com

Change in APOD

Date Filed 8/27/2024

Initial notice date 9/3/2024

DPD issued date

PD issued date 6/16/2025

PD notice date 6/17/2025

Date of FO 8/14/2025 Vol 135 Page 380-384

C-Date

COBU due date

COBU Received date

Certificate issued


### Assignments:

Irrigation District Wallowa Lake Irrigation District

Agent

CWRE

CC's list Walla Walla County

 - Oversized map - Location.

## DESCRIPTION OF WATER RIGHT(S)

Name of Stream Prairie Creek

Trib. of Wallowa River

Use Irrigation, Supplemental Irr. County Wallowa

Quantity of water (CFS)	No. of Acres
1	1
2	2
3	3
4	4
5	5
6	6
7	7
8	8
9	9
10	10
11	11
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91	91
92	92
93	93
94	94
95	95
96	96
97	97
98	98
99	99
100	100

Name of ditch

App# S-10842 Per # S-7397 Cert # 8433 PR Date 5-17-1926

App#	Per #	Cert #	PR Date
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App#	Per #	Cert #	PR Date
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App#	Per #	Cert #	PR Date
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App#	Per #	Cert #	PR Date
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FEES PAID

Date	Amount	Receipt #
8-27-24	\$1,360.00	143639

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 # **145336**

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

RECEIVED FROM: Johnson Stock Ranch

BY: Partnership

APPLICATION	
PERMIT	
TRANSFER	T-14524

CASH: ☐ CHECK: # 5403 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 207.43

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES 46118 \$  
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 207.43

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

0201	SURFACE WATER	\$	0202	\$
0203	GROUND WATER	\$	0204	\$
0205	TRANSFER	\$		

**WELL CONSTRUCTION**

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

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

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

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

FUND \_\_\_\_\_ TITLE \_\_\_\_\_  
 OBJ. CODE \_\_\_\_\_ VENDOR # \_\_\_\_\_  
 DESCRIPTION \_\_\_\_\_ \$ \_\_\_\_\_

RECEIPT:

**145336**

DATED:

6-3-25

BY:

(Signature)

Affidavit of Publication

STATE OF OREGON, COUNTY OF DESCHUTES, -ss.

I, JAMES CORNELIUS, being first duly sworn, depose and say that I am the principal clerk of the publication, The Nugget, a newspaper of general circulation printed and published at Sisters in the Aforesaid county and state as defined by ORS 193.010 and ORS 193.020, that the

Oregon Water Resources Department

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

6/18/25 : 6/25/25

Subscribed and sworn to before this 31<sup>st</sup> day of July, 2025.

Signed: [Signature]



Deschutes County, Oregon

[Signature]

Received  
AUG 04 2025  
OWRD OWRD





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

August 14, 2025

Roland Johnson  
PO BOX 56  
Wallowa, OR 97885

REFERENCE: Transfer Application T-14524

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, Joan Smith, by telephone at (503) 986-0892 or by e-mail at [Joan.m.smith@water.oregon.gov](mailto:Joan.m.smith@water.oregon.gov).

Sincerely,

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

cc: David D. Bates, Watermaster Dist. # 7 (via email)  
Roland Johnson, Agent  
Irrigation District: Wallowa Lake Irrigation District & Ann Reece (if in District)  
Wallowa 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 ADDITIONAL
T-14524, Wallowa County	)	POINTS OF DIVERSION

**Authority**

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

**Applicant**

JOHNSON STOCK RANCH PARTNERSHIP  
ROLAND W. JOHNSON, MANAGING PARTNER  
PO BOX E  
ENTERPRISE, OR 97828

**Findings of Fact**

1. On August 27, 2024, Johnson Stock Ranch Partnership, Roland W. Johnson, Managing Partner, filed an application for additional points of diversion under Certificate 8433. The Department assigned the application number T-14524.
2. Notice of the application for transfer was published on September 3, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 29, 2025, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14524. The draft Preliminary Determination cover letter provided a deadline of June 30, 2025, for the applicant to respond and submit the required information. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

4. On June 16, 2025, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14524 and sent a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on June 17, 2025, and in the Nugget newspaper on June 18 and 25, 2025, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
5. The portion of the right to be transferred is as follows:

**Certificate:** 8433 in the name of G.W. FRANKLIN, ET AL (perfected under Permit S-7397)  
**Use:** 13.5 ACRES OF IRRIGATION AND 33.9 ACRES OF SUPPLEMENTAL IRRIGATION  
**Priority Date:** MAY 17, 1926  
**Rate:** 0.59 CUBIC FEET 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, or its equivalent in case of rotation.  
**Source:** PRAIRIE CREEK, a tributary of WALLOWA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	45 E	WM	5	NE NE	POD A- NOT DESCRIBED IN CERTIFICATE

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	5	SW SW	0.5
2 S	45 E	WM	5	SE SW	3.0
2 S	45 E	WM	8	SW NW	10.0
Total					13.5

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	5	NE SW	11.9
2 S	45 E	WM	5	SE SW	7.0
2 S	45 E	WM	8	NW NW	15.0
Total					33.9



6. Transfer Application T-14524 proposes additional points of diversion with approximate distances from the original point of diversion in mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from the Original POD
2 S	45 E	WM	5	SE SW	POD #2- 900 FEET NORTH AND 1800 FEET EAST FROM THE NW CORNER OF SECTION 8	0.95 mile
2 S	45 E	WM	8	NE NW	POD #1-1450 FEET EAST FROM THE NW CORNER OF SECTION 8	1.13 mile

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

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

8. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610
9. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14524.
10. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
11. The proposed points of diversion divert water from the same source of surface water as the authorized point of diversion, as required by OAR 690-380-2110(2).
12. The proposed change, as conditioned, would not result in enlargement of the right.
13. The proposed change, as conditioned, would not result in injury to other existing water rights.
14. All other application requirements are met.

### **Conclusions of Law**

The additional points of diversion proposed in Transfer Application T-14524 is consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

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

1. The additional points of diversion proposed in Transfer Application T-14524 are approved.
2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 8433 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 points of diversion.
4. Water right Certificate 8433 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
5. The quantity of water diverted at the new additional points of diversion (POD#1 and POD #2), together with that diverted at the original point of diversion (POD A), shall not exceed the quantity of water lawfully available at the original point of diversion (POD A).
6. Water shall be acquired from the same source of surface water as the original point of diversion.
7. Water use measurement conditions:
  - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each new point of diversion 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.

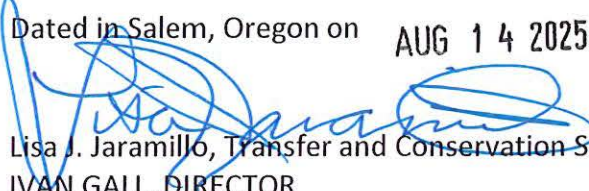


8. Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen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

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

9. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
10. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

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

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

Mailing date: AUG 15 2025

STATE OF OREGON

COUNTY OF WALLOWA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

G.W. FRANKLIN ET AL  
ENTERPRISE, OR 97828

confirms the right to use the waters of PRAIRIE CREEK, a tributary of WALLOWA RIVER for IRRIGATION and SUPPLEMENTAL IRRIGATION.

This right was perfected under Permit S-7397. The date of priority is MAY 17, 1926.

The amount of water to which this right is entitled and hereby confirmed, for the purposes aforesaid is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.47 CUBIC FOOT PER SECOND;

The point of diversion is located:

Twp	Rng	Mer	Sec	Q-Q
2 S	45 E	WM	5	NE NE

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

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, or its equivalent in case of rotation.

A description of the lands irrigated under the right hereby confirmed and to which this right is appurtenant (if for irrigation or any other purposes), is as follows:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	5	NW NE	20.0
2 S	45 E	WM	5	SW NE	10.0
2 S	45 E	WM	5	NE SW	2.0
2 S	45 E	WM	5	SW SW	3.5
Total					35.5



SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	5	SE NW	1.0
2 S	45 E	WM	5	NE SW	1.1
Total					2.1

This certificate describes that portion of water right Certificate 8433, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered AUG 14 2025, approving Transfer Application T-14524.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed AUG 14 2025.



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

## TRANSFER COVER SHEET

Transfer: T-14524

GR Application #: GR

File Assigned- Transfer Specialist: *Joan Smith* Arla L. Davis

Transfer Type: Regular Transfer

Reimbursement Authority? ☐

<b>Applicant:</b> Roland Johnson PO Box E Enterprise, OR 97828	<b>Receiving Landowner:</b>	<b>CWRE Agent:</b>
<b>Interested Parties:</b> BOR (date): _____ Tribal Gov't: _____ Gov'ts: <u>Wallowa County Planning Department</u> County: <u>WALLOWA</u>	<b>Irrigation District:</b> <u>Wallowa Lake Irrigation District</u>  <b>Check area of interest on map</b> <input type="checkbox"/>	<b>Additional Contact Information:</b> _____

## Key Dates &amp; Initial Actions (Support Staff)

Type of change(s) proposed- attach additional review checklists as necessary

## ADDITIONAL POINT OF DIVERSION

If change is Historic or Substitution, application will go directly to Final Order. Add'l questions on last page for Historic and Gov't Action.

Fees Pd:	\$1360.00	WM Review request date sent - WM District:	8/28/2024
Received Date:	August 27, 2024	WM Review - date received:	
Acknowledgement Letter Sent Date:	8/28/2024	GW Review - date sent:	
County sent cc: of Ack Letter Date:	8/28/2024	GW Review - date received:	
Initial Public Notice Date:	9/3/2024	ODFW Review - date sent: ODFW District:	
Comments Received:	Yes <input type="checkbox"/> No: <input type="checkbox"/>	ODFW Review - date received:	

## Water Rights Affected

File Marked	No.	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	1	S-10842	S-7397	8433	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	2				<input type="checkbox"/> Yes <input type="checkbox"/> No	
<input type="checkbox"/>	3				<input type="checkbox"/> Yes <input type="checkbox"/> No	

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

## Caseworker Actions:

Assigned in WRIS:	DPD Workflow updated:	WRIS Notes:
PD and RR sent to Data Entry:	Certified mail date:	
Newspaper notice needed: Yes <input type="checkbox"/> No: <input type="checkbox"/>	Name of Newspaper:	
PD notice email coordinator:	PD notice Request Date:	Amount Due: \$ Received date:
Last day of publication:	Affidavit received:	

DOCUMENT	Drafted		Peer Review		Policy Review		Changes		ODFW contact info: <input type="checkbox"/> included NA: <input type="checkbox"/>	
	Date	Initials	Date	Initials	Date	Initials	Date	Initials	WM contact info: <input type="checkbox"/> included NA: <input type="checkbox"/>	
DPD	3/3/25	Joan	3/18/25	AJD						Number of Docs for signature: 2
NOTICE										Date in Signature bin
PD	6/3/25	Joan	6/9/25	Scott						Signature date
FO	6/18/25	Joan	6/23/25	Scott						6/16/2025
RR										8/14/2025
Special Issues: <i>Wallowa County Chief of Enterprise</i> <i>Hells Canyon Johnson</i> <i>Nugget</i> <i>7/18/sign</i>										

Special Order Volume 135, Pages 380-381

## PERMANENT TRANSFER APPLICATION CHECKLIST

☐ RA

Transfer #: T-1452414524

CW	PR	Coord	
<input type="checkbox"/>	<input type="checkbox"/>		Save all certificates in electronic "T" folder and highlight Priority Date, Rate, Use and Limit/Duty paragraph
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> Supplemental checklist for transfers w/in a District (S:\groups\wr\TACS\WRISApps Templates\Transfer Checklists\SUPP_ Within District Processing Checklist 9-5-2019) <b>Wallowa Lake Irrigation District</b> If this is a Living Certificate – check with Ann Reece See Supplemental Language document for language

### Transfer Application Review and Deficiencies

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

### Groundwater Modification Application Review and Deficiencies

CW	PR	Coord			
			<input checked="" type="checkbox"/> N/A		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If for a Groundwater Modification, were there any assignments? <b>All GR Mod applicants must be the holder of record.</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any past GR Modifications and/or letters documenting changes to the GR? <b>These must be accounted for in the GR Mod Order.</b>	<input type="checkbox"/> Yes	<input type="checkbox"/> No

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

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

### Layered/Supplemental Rights

CW	PR	Coord			
			<input checked="" type="checkbox"/> N/A		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are there any layered irrigation rights?	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If Yes, were they included in application? If No, they must move with the primary, to a "like" primary, or they will be cancelled though the transfer process	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Layered right(s) Cert:		



<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Are any supplemental rights being transferred? (verify that it is <i>actually</i> a supplemental right)	<input checked="" type="checkbox"/> Yes	<input type="checkbox"/> No
<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	If Yes, are they being transferred to a "like" primary (i.e. similar reliability)? <i>N/A</i>	<input type="checkbox"/> Yes	<input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Notes:		

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

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

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

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

Newspaper Notice (if required)				
CW	PR	Coord		
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/> N/A	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Prepare/send letter to applicant/agent regarding newspaper notice cost	<input type="checkbox"/> Yes <input type="checkbox"/> No
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	TACS Support delivered receipted funds to caseworker	<input type="checkbox"/> Yes <input type="checkbox"/> No

### Preliminary Determination and Cover Letter Preparation

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

### Data Center Review of PD

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

### Issue Preliminary Determination

CW	
<input type="checkbox"/>	Print PD and put in Manager's box for signature and issuance (support will print cover letter)
<input type="checkbox"/>	Add workflow notes

### Protest

CW	PR	Coor	
<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	Have protests been received? <input type="checkbox"/> Yes <input type="checkbox"/> No <b>If YES, STOP! Coordinate with Protest section.</b>

## Final Order

<b>CW</b>	See cheat sheet at (S:\groups\wr\TACS\6. Transfers\Procedures\PD to FO Conversion 12-8-2016) for more detailed instructions
<b>Do not issue Final Order before this date:</b> (protest period end date or 30 days after date of last newspaper publication)	
<input type="checkbox"/>	If application had a newspaper notice, verify that Affidavit of Publication was received. Date:
<input type="checkbox"/>	Save PD as a new document (T-XXXXX-ord-approve (or deny))
<input type="checkbox"/>	Remove "PRELIMINARY DETERMINATION" from document title and replace with "FINAL ORDER." Unhide hidden findings (cntrl-a, select Font, uncheck "hidden" box)
<input type="checkbox"/>	Replace "PROPOSING APPROVAL/DENIAL OF" with APPROVING/DENYING
<input type="checkbox"/>	Replace the "judicial review/reconsideration rights" box in the first page footer for the "Final Order" judicial review language; unhide and add Special Order Volume (support will add page #)
<input type="checkbox"/>	Update the hidden paragraph following the public notice and amendments findings (regarding issuance of PD)
<input type="checkbox"/>	Change "Determination and Proposed Action" to "Conclusions of Law" and update paragraph
<input type="checkbox"/>	Replace "If application T-XXXXX is approved . . ." with Now, therefore, it is ORDERED:"
<input type="checkbox"/>	Select list of conditions below "It is ORDERED" section and turn off Italics. Check numbering (start at "1").
<input type="checkbox"/>	Delete Protest language, Document preparation box, and Notice Regarding Servicemembers; Insert "Mailing Date: _____"
<input type="checkbox"/>	Final Check: All Conclusions of Law are supported by Findings and Transfer Review Criteria

## Remaining Rights

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

## Issue Final Order

<b>CW</b>	
<input type="checkbox"/>	Pull "Working Copy" folder from file
<input type="checkbox"/>	Print and put FO and RR in Manager's box for signature (manager will deliver to support for processing and issuance)
Notes:	





# 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)

June 16, 2025

VIA CERTIFIED MAIL AND E-MAIL

JOHNSON STOCK RANCH PARTNERSHIP,  
ROLAND W. JOHNSON, MANAGING PARTNER  
PO BOX E  
ENTERPRISE, OR 97828

SUBJECT: Water Right Transfer Application T-14524

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14524. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please don't hesitate to contact me at 503-986-0892 or [Joan.M.Smith@water.oregon.gov](mailto:Joan.M.Smith@water.oregon.gov), if I may be of assistance.

Sincerely,

Joan Smith

Transfer Specialist

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-14524, Wallowa County	)	PROPOSING APPROVAL OF ADDITIONAL
	)	POINTS OF DIVERSION

**Authority**

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

**Applicant**

JOHNSON STOCK RANCH PARTNERSHIP,  
ROLAND W. JOHNSON, MANAGING PARTNER  
PO BOX E  
ENTERPRISE, OR 97828

**Findings of Fact**

1. On August 27, 2024, Johnson Stock Ranch Partnership, Roland W. Johnson, Managing Partner filed an application for additional points of diversion under Certificate 8433. The Department assigned the application number T-14524.
2. Notice of the application for transfer was published on September 3, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On May 29, 2025, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-14524. The draft Preliminary Determination cover letter provided a deadline of June 30, 2025, for the applicant to respond and submit the required information. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.

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

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

**Certificate:** 8433 in the name of G.W. FRANKLIN, ET AL (perfected under Permit S-7397)  
**Use:** 13.5 ACRES OF IRRIGATION AND 33.9 ACRES OF SUPPLEMENTAL IRRIGATION  
**Priority Date:** MAY 17, 1926  
**Rate:** 0.59 CUBIC FEET 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, or its equivalent in case of rotation.  
**Source:** PRAIRIE CREEK, a tributary of WALLOWA RIVER

**Authorized Point of Diversion:**

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	45 E	WM	5	NE NE	POD A- NOT DESCRIBED IN CERTIFICATE

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	5	SW SW	0.5
2 S	45 E	WM	5	SE SW	3.0
2 S	45 E	WM	8	SW NW	10.0
Total					13.5

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	45 E	WM	5	NE SW	11.9
2 S	45 E	WM	5	SE SW	7.0
2 S	45 E	WM	8	NW NW	15.0
Total					33.9

5. Transfer Application T-14524 proposes additional points of diversion with approximate distances from the original point of diversion in mile downstream to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances	Approximate distance from the Original POD
2 S	45 E	WM	5	SE SW	POD #2- 900 FEET NORTH AND 1800 FEET EAST FROM THE NW CORNER OF SECTION 8	0.95 mile
2 S	45 E	WM	8	NE NW	POD #1-1450 FEET EAST FROM THE NW CORNER OF SECTION 8	1.13 mile

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



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

7. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610
8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14524.
9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed points of diversion divert water from the same source of surface water as the authorized point of diversion, as required by OAR 690-380-2110(2).
11. The proposed change, as conditioned, would not result in enlargement of the right.
12. The proposed change, as conditioned, would not result in injury to other existing water rights.
13. All other application requirements are met.

**Determination and Proposed Action**

The additional points of diversion proposed in Transfer Application T-14524 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

*If Transfer Application T-14524 is approved, the final order will include the following:*

1. *The additional points of diversion proposed in Transfer Application T-14524 are approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 8433 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 points of diversion.*
4. *Water right Certificate 8433 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
5. *The quantity of water diverted at the new additional points of diversion (POD#1 and POD #2), together with that diverted at the original point of diversion (POD A), shall not exceed the quantity of water lawfully available at the original point of diversion (POD A).*

6. *Water shall be acquired from the same source of surface water as the original point of diversion.*
7. *Water use measurement conditions:*
  - a. *Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each new point of diversion 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.*
8. *Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.*

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

Dated in Salem, Oregon on **JUN 16 2025**

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

This Preliminary Determination was prepared by Joan Smith. If you have questions about the information in this document, you may reach me at 503-986-0896 or Joan.M.Smith@water.oregon.gov

## **Protests**

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

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

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

## **Requests for Standing**

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

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

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

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

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

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

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

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by



an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

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

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

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

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



Roland Johnson &lt;rwjwallowa@gmail.com&gt;

**FW: T-14524 newspaper request**

1 message

**Roland W Johnson** <rwjlaw@eoni.com>

Fri, May 30, 2025 at 10:45 PM

Reply-To: rwjlaw@eoni.com

To: rwjwallowa@gmail.com

Roland W. Johnson

Roland W. Johnson, LLC

Attorney at Law

200 W. Main Street

PO Box E

Enterprise, OR 97828

Tele: (541) 426-4912

Fax: (541) 426-4914

Received by OWRD

JUN 03 2025

Salem, OR

Confidentiality Notice: This message may contain information that is privileged and confidential. Do not read, copy or disseminate this communication if you are not the intended recipient. Please notify me by return e-mail of any mistake.

**From:** SMITH Joan M \* WRD [mailto:Joan.M.SMITH@water.oregon.gov]**Sent:** Thursday, May 29, 2025 3:57 PM**To:** rwjlaw@eoni.com**Cc:** BATES David D \* WRD**Subject:** T-14524 newspaper request

SUBJECT: Water Right Transfer Application T-14524

Your water right transfer will be ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

**Items needed before the next phase of processing...**

At this time you need to:

1. submit a check in the amount of \$207.43 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. write "for T-14524 NOTICE" on the front of your check, and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, no later than June 30, 2025.

#### What happens next...

Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Nugget newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during 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.

If we do not receive payment for newspaper notice by June 30, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at 503-986-0896 or Joan.M.Smith@water.oregon.gov if I may be of assistance.

Sincerely,

JOAN M. SMITH | TRANSFER SPECIALIST

TRANSFER & CONSERVATION SECTION

725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0892

Received by OWRD

JUN 03 2025

Salem, OR

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

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

Transfer Application: T-14524

Review Due Date: 09/27/2024

Applicant Name: Roland Johnson

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

Reviewer(s): David Bates

Date of Review: 10/08/2024

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

No known losses in the reach.

☒ 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

☐

Submerged Orifice

☐

Parshall Flume

☐

Flow Restrictor

☐

Other: \_\_\_\_

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

Transfer #: T-

☐ 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 Department of Fish and Wildlife**  
**Water Right and Diversion Transfer Comment Form**  
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: T-14524, JOHNSON STOCK RANCH PARTNERSHIP

Date of review: 9/3/24

**A. Please check box if you believe there is a potential for injury to an instream water right.**

☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on \_\_\_\_\_ [stream], tributary to \_\_\_\_\_, because \_\_\_\_\_.

(Please attach any available supporting information.)

**Note:** This will prompt WRD to make a determination whether the transfer will injure an instream water right. (OWRD makes the determination of injury to a water right, while ODFW's role is to raise concerns, and to evaluate proposed mitigation and net benefit to the resource if OWRD consents to injury of an instream water right.)

**B. Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.525 or 540.532:**

☐ **1. Screen Maintain**

[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]

**Note:** This option will yield the following:

**Finding of Fact:** The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

**Condition:** The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☒ **2. Screen Now**

[Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]

**Note:** This option will yield the following:

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

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

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

*Please return all 3 pages to: Transfers Section, Water Resources Department,  
725 Summer St. NE, Suite A, Salem, OR 97301-1266*

☐ **3. Screen 2 Year**

*[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: \_\_\_\_\_*

**Note:** This option will yield the following:

**Finding of Fact:** The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. Listed fish species are not present at the point of diversion, the originating water right diversion is not screened, cost-share funds are not currently available, and the proposed diversion may be eligible for ODFW's cost-share program. A grace period of two years is appropriate until such time as cost-share funds become available to assist in the construction of a fish screen. If cost-share funds do not become available, the water user must screen within the indicated time period regardless of the availability of cost-share funding.

**Condition:** By October 1, 20\_\_ [Within two years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user may withdraw water at the new point of diversion without a screen until October 1, 20\_\_. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

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

☐ **4. Screen Future**

*[Use this option if fish are not currently present, but might possibly be at some future time.]*

**Note:** This option will yield the following:

**Finding of Fact:** The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

**Condition:** The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **5. No Screen Needed**

*[Check this box if fish are not currently present, and are not expected in the future.]*



Signature

Danette Faucera  
Printed Name

(971) 280-3773

Phone

Water Policy Coordinator  
Title

**Oregon Department of Fish and Wildlife**  
**Additional Fish Screening and Passage Information for the Applicant**  
*(To be completed by ODFW for WRD to provide to the applicant.)*

Transfer #: T-14524, JOHNSON STOCK RANCH PARTNERSHIP

**The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.**

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

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

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. **Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.**

ODFW staff name: Nathaniel Ashley

Address: 357 Patterson Bridge Rd

City/State/Zip: John Day, OR 97845

Phone: (541) 575-0561

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

ODFW staff name: Danette Faucera

Address: 4034 Fairview Industrial Dr. SE

City/State/Zip: Salem, OR 97302

Phone: (971) 280-3773





# Oregon

Tina Kotek, Governor

## Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

August 28, 2024

Roland Johnson

PO Box E

Enterprise, OR 97828

Reference: Application T-14524

On August 27, 2024, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1360.00. Receipt number 143639 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

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

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

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

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

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

Cc: Watermaster Dist. #7, David D. Bates (*via email*)  
Wallowa County Planning Department, Local Government  
Irrigation District: Wallowa Lake Irrigation District

Enclosure



**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 # **143639**

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

RECEIVED FROM: Johnson Stock Ranch  
BY: Partnership

APPLICATION	
PERMIT	
TRANSFER	<u>T-14524</u>

CASH: ☐ CHECK: # 5346 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1,360.00

**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	EXAM FEE	0202	RECORD FEE
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ <u>1,360.00</u>		

**WELL CONSTRUCTION**

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

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

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

0211 WELL CONST START FEE	\$	CARD#	
0210 MONITORING WELLS	\$	CARD#	

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

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

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

**RECEIVED  
OVER THE COUNTER**

RECEIPT: **143639**

DATED: 8-27-24

BY: [Signature]



# Application for Permanent Water Right Transfer

## Part 1 of 5 – Minimum Requirements Checklist



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

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

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

Received by OWRD

AUG 27 2024

Salem, OR

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? 1 List them here: 8433**

Please include a separate Part 5 for each water right. (See instructions on page 6)

**NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.**

### Attachments:

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

### (For Staff Use Only)

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

- |  |  |
|--|--|
| <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: \_\_\_\_/\_\_\_\_/\_\_\_\_



AUG 27 2024

## Part 2 of 5 – Transfer Application Map

Your transfer application will be returned if any of the map requirements listed below are not met. Salem, OR

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°).

14524 -

### Part 3 of 5 – Fee Worksheet

**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 checked="" type="checkbox"/> Point of Diversion/Appropriation Number of above boxes checked = <u>1 (2a)</u> Subtract 1 from the number in line 2a = <u>0 (2b) If only one change, this will be 0</u> Multiply line 2b by \$1090 and enter » 	Received by OWRD AUG 27 2024 Salem, OR	
2	Number of water rights included in transfer <u>1 (3a)</u> Subtract 1 from the number in line 3a above: <u>0 (3b) If only one water right this will be 0</u> Multiply line 3b by \$610 and enter »		
3	Do you propose to add or change a well, or change from a surface water POD to a well? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: enter \$480 for the 1 <sup>st</sup> well to be added or changed <u>0 (4a)</u>  Do you propose to add or change additional wells? <input checked="" type="checkbox"/> No: enter 0 <input type="checkbox"/> Yes: multiply the number of additional wells by \$410 <u>0 (4b)</u> Add line 4a to line 4b and enter »		
4	Do you propose to change the place of use or character of use? <input checked="" 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 below*); _____ (5a) Subtract 1.0 from the number in line 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 \$410, then enter on line 5 »		
5	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:		
6	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 » If no box is applicable, enter 0 on line 7 »		
7	Subtract line 7 from line 6 » Transfer Fee:		
8			

\*Example for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 100 acres) and 45.0 acres of Supplemental Certificate 87654 (1/80 cfs per acre) on the same land:

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

## FEE WORKSHEET for SUBSTITUTION

1	Base Fee (includes change to one well)	1	\$990.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$480 and enter » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » <b>Fee for Substitution:</b>	3	

14524 -



## Part 4 of 5 – Applicant Information and Signature

### Applicant Information

APPLICANT/BUSINESS NAME <b>Roland Johnson</b>			PHONE NO. <b>541-263-0910</b>	ADDITIONAL CONTACT NO.
ADDRESS <b>P.O. Box E</b>			FAX NO.	
CITY <b>Enterprise</b>	STATE <b>OR</b>	ZIP <b>97828</b>	E-MAIL <b>rnjlaw@eoni.com</b>	
<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:  
Add two additional points of diversion from Prairie Creek, closer to the place of use.

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

### Check One Box

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

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By my signature below, I confirm that I understand:

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

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Applicant signature

Print Name (and Title if applicable)

Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

Check the following boxes that apply:

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

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

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

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

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

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

JOHNSON STOCK RANCH PARTNERSHIP,  
An Oregon General Partnership

By

  
Roland W. Johnson, Managing Partner

8-5-24  
Date

By

  
Linda L. Chrisman, Managing Partner

8-5-24  
Date

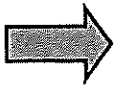
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☒ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (Tip: Complete and attach Supplemental Form D.)

IRRIGATION DISTRICT NAME Wallowa Lake Irrigation District	ADDRESS 65196 Dobbin Road	
CITY Joseph	STATE Oregon	ZIP 97846

☒ 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 Wallowa Lake Irrigation District	ADDRESS 65196 Dobbin Road	
CITY Joseph	STATE Oregon	ZIP 97846



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 Wallowa Lake Irrigation District	ADDRESS 65196 Dobbin Road	
CITY Joseph	STATE Oregon	ZIP 97846

ENTITY NAME Wallowa County	ADDRESS 101 South River Street	
CITY Enterprise	STATE Oregon	ZIP 97828

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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 # 8433**

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### Description of Water Delivery System

System capacity: **1.06** cubic feet per second (cfs) OR

\_\_\_\_\_ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. **Water is diverted from Prairie Creek in the NE1/4NE1/4 Sec 5, T2S45E and conveyed via a ditch to place of use. Place of use is watered by flood irrigation.**

**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)
POD-A	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		2 S	45 E	5	NE NE		Non Specific
POD#1	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2 S	45 E	8	NE NW		1450 feet East of the NW corner Sec. 8, T2S, R45E
POD#2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		2 S	45 E	5	SE SW		1800 feet East and 900 feet North of NW corner Sec. 8, T2S, R45E
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed							

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

- |  |   |
|--|---|
| <input 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 checked="" 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.

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 # 8433**

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
2	S	45	E	5	NE	SW	1200		11.9	Supplemental Irrigation	POD-A	1926	APOD	2	S	45	E	5	NE	SW	1200		11.9		POD #1 POD #2	1926
2	S	45	E	5	SE	SW	1200		7.0	Supplemental Irrigation	POD-A	1926	APOD	2	S	45	E	5	SE	SW	1200		7.0		POD #1 POD #2	1926
2	S	45	E	5	SE	SW	1200		3.0	Primary Irrigation	POD-A	1926	APOD	2	S	45	E	5	SE	SW	1200		3.0		POD#1 POD#2	1926
2	S	45	E	8	NW	NW	1200		15.0	Supplemental Irrigation	POD-A	1926	APOD	2	S	45	E	8	NW	NW	1200		15.0		POD#1 POD#2	1926
2	S	45	E	8	SW	NW	1200		10.0	Primary Irrigation	POD-A	1926	APOD	2	S	45	E	8	SW	NW	1200		10.0		POD#1 POD#2	1926
2	S	45	E	5	SW	SW	1401		0.5	Primary Irrigation	POD-A	1926	APOD	2	S	45	E	5	SW	SW	1401		0.5		POD#1 POD#2	1926
TOTAL ACRES:						47.4							TOTAL ACRES:						47.4	Received by OWRD						


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:\_\_\_\_\_.

 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-specific rate (cfs or gpm). If less than full rate of water right



## Supplemental Form D

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

[For transfers submitted under OAR Chapter 690 Division 380]



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

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

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

#### 1. APPLICANT INFORMATION

NAME JOHNSON STOCK RANCH PARTNERSHIP		PHONE (HM) (541) 263-0910	
PHONE (WK)	CELL	FAX	
ADDRESS C/O ROLAND W. JOHNSON, PO BOX 56			
CITY WALLOWA	STATE OR	ZIP 97885	E-MAIL** RWJWALLOWA@GMAIL.COM

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#### 2. DISTRICT or WATER SUPPLIER INFORMATION

Salem, OR

DISTRICT/WATER SUPPLIER NAME WALLOWA LAKE IRRIGATION DISTRICT		PHONE (HM) (541) 263-1884	
PHONE (WK) (541) 263-1884	CELL	FAX	
ADDRESS C/O JOE DAWSON, SECRETARY, 65196 DOBBIN ROAD			
CITY JOSEPH	STATE OR	ZIP 97846	E-MAIL** JOSEPH.G.DAWSON@GMAIL.COM

\*\* 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.	10842	7397	8433	YES <input type="checkbox"/>
2.		-		YES <input type="checkbox"/>
3.		-		YES <input type="checkbox"/>

Attach additional pages for additional water rights if necessary.

\*Bureau of Reclamation

- 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:** THE JOHNSON STOCK RANCH PARTNERSHIP IS APPLYING FOR APPROVAL OF TWO ADDITIONAL POINTS OF DIVERSION FROM PRAIRIE CREEK TO IRRIGATE TWO PASTURES ON THE WEST SIDE OF PRAIRIE CREEK. IRRIGATION WATER WOULD BE DIVERTED FROM PRAIRIE CREEK BY NEW IRRIGATION PUMPS. PART OF THE PRIMARY WATER RIGHTS FOR THESE TWO PASTURES ARE FROM WALLOWA RIVER AND WALLOWA LAKE WATER, WHICH ARE BEING RECEIVED FROM DISCHARGES OF SUCH WATER IN PRAIRIE CREEK.

#### 4. APPLICANT'S SIGNATURE

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

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

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

  
Applicant Signature

Roland W. Johnson, Managing Partner  
Name (print)

August 16, 2024  
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.

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

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

  
\_\_\_\_\_  
Signature of District Manager /Water Supplier

Matt Melchiorson, District Manager  
Name (print), Title

8.20.24  
Date

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Salem, OR



Roland Johnson &lt;rwjwallowa@gmail.com&gt;

**FW: Paperwork**

1 message

Roland W Johnson &lt;rwjlaw@eoni.com&gt;

Wed, Aug 21, 2024 at 3:10 PM

Reply-To: rwjlaw@eoni.com

To: rwjwallowa@gmail.com

Roland W. Johnson

Roland W. Johnson, LLC

Attorney at Law

200 W. Main Street

PO Box E

Enterprise, OR 97828

Tele: (541) 426-4912

Fax: (541) 426-4914

Confidentiality Notice: This message may contain information that is privileged and confidential. Do not read, copy or disseminate this communication if you are not the intended recipient. Please notify me by return e-mail of any mistake.

**From:** Joseph Dawson [mailto:joseph.g.dawson@gmail.com]**Sent:** Wednesday, August 21, 2024 2:29 PM**To:** Roland Johnson**Subject:** Paperwork

Hey Roland,

Attached is the signed paperwork you needed for the additional point of diversion for the irrigation project on Johnson Stock Ranch. Let me know if you have any questions!

Joe Dawson

Ruby Peak Realty

83365 Joseph Hwy

Joseph, OR, 97846

C. (541)263-1884 O. (541)432-5000

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Salem, OR

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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

NAME Johnson Stock Ranch Partnership				PHONE 541-263-0910	
MAILING ADDRESS PO Box 56					
CITY Wallowa	STATE OR	ZIP 97885	EMAIL rwjwallowa@gmail.com		

## 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:
2S	45E	5	NE1/4SW1/4	1200	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
2S	45E	5	SE1/4SW1/4	1200	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
2S	45E	8	NW1/4NW1/4	1200	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	
2S	45E	8	SW1/4NW1/4	1200	EFU	<input checked="" type="checkbox"/> Diverted	<input checked="" type="checkbox"/> Conveyed	<input checked="" type="checkbox"/> Used	

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

Wallowa County
----------------

**NOTE:** A separate Land Use Information Form must be completed and submitted for each county and city, as applicable.

## B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: \_\_\_\_\_   
☐ cubic feet per second   
☐ gallons per minute   
☐ acre-feet

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

Briefly describe:

We are seeking approval for an additional two points of diversion down stream from Prairie Creek from the original point of diversion. Water rights are under Certificate Number 8433.
--

**Note to applicant:** For new water right applications only, if the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt on the bottom of page 4 and include it with the application filed with the Oregon Water Resources Department.

See Page 4 ➔

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AUG 27 2024

OWRD

Salem, OR

Received by OWRD

AUG 27 2024

Salem, OR

Last Revised: 10/2023

14524 -

## For Local Government Use Only

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

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

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

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

Name: Jean Jancuizis Title: Planning Dept Sp  
Signature: [Signature] Date: 8-14-2024  
Governmental Entity: Walbwa Co Phone: 541-926-2770

### Receipt Acknowledging Request for Land Use Information

#### Note to Local Government Representative:

Please complete this form and return it to the applicant. For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete this receipt and return it to the applicant. If you sign the receipt, you will have 30 days from the date of OWRD's Public Notice of the application to submit the completed Land Use Information Form to Oregon Water Resources Department. Please note while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for all other applications.

Applicant Name: \_\_\_\_\_

Staff Name: \_\_\_\_\_ Title: \_\_\_\_\_

Staff Signature: \_\_\_\_\_ Date: \_\_\_\_\_

Governmental Entity: Received by OWRD Phone: \_\_\_\_\_

AUG 27 2024

**JOHNSON STOCK RANCH PARTNERSHIP**

**AN OREGON GENERAL PARTNERSHIP**

P.O. Box 56  
Wallowa, OR 97885

TEL (541) 263-0910

rwjwallowa@gmail.com

August 23, 2024

Oregon Water Resources Department  
ATTN: Transfer Department  
725 Summer Street NE  
Suite A  
Salem, OR 97301-1266  
*By Federal Express*

Received by OWRD

AUG 27 2024

Salem, OR

Re: Johnson Stock Ranch Partnership,  
Application for Permanent Water Right Transfer

Dear OWRD Staff:

Enclosed is the following:

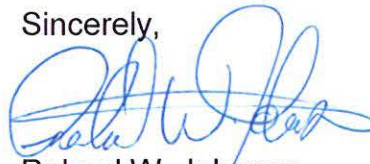
1. Application for Permanent Water Right Transfer, seeking two additional diversion points from Prairie Creek in Wallowa County.
2. Application Map for additional point of diversion
3. Completed Land Use Information Form
4. Completed Supplemental Form D for Wallowa Lake Irrigation District approval
5. Check for application fee in the amount of \$1,360.00, payable to OWRD

It would be appreciated if you could contact me with any questions or correction that may be required. Contact information for me is as follows:

Address: PO Box 56  
Wallowa, OR 97885  
Telephone: 541-263-0910  
Email: rwjwallowa@gmail.com

Thank you in advance for your assistance.

Sincerely,

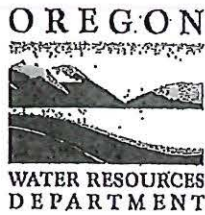


Roland W. Johnson,  
Managing Partner

Johnson Stock Ranch Partnership

cc: David Bates, by email





Received by OWRD

AUG 27 2024

Salem, OR

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address:

Roland Johnson  
PO Box E, Enterprise OR 97828

Transaction Type:

Transfer

Fees Received: \$

1360.00

☐ Cash

☒ Check:

Check No.

5346

Name(s) on Check:

Johnson Stock Ranch

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,

OWRD Customer Service Staff

Submission received by:

Cerie Lavrien

(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
- Fold and put one copy of the Submission Receipt with check/cash into the Safe slot. Place the other copy of the Submission Receipt with submission (application/other document) in the top drawer of filing cabinet.





Received by OWRD

JUN 03 2025

Salem, OR

Date Received (Date Stamp Here)

## OWRD Over-the-Counter Submission Receipt

Applicant Name(s) & Address: Johnson Stock Ranch Partnership  
200 E Main St. Enterprise, OR 97828

Transaction Type: Newspaper Notice

Fees Received: \$ 207.43

☐ Cash

☒ Check:

Check No. 5403

Name(s) on Check: Johnson Stock Ranch Partnership

Thank you for your submission. Oregon Water Resources Department (Department) staff will review your submittal as soon as possible.

If your submission is determined to be complete, you will receive a receipt for the fees paid and an acknowledgement letter stating your submittal is complete.

If determined to be incomplete, your submission and the accompanying fees will be returned with an explanation of deficiencies that must be addressed in order for the submittal to be accepted.

If you have any questions, please feel free to contact the Department's Customer Service staff at 503-986-0801 or 503-986-0810.

Sincerely,  
OWRD Customer Service Staff

Submission received by: Sarah Benham  
(Name of OWRD staff)

### Instructions for OWRD staff:

- Complete this Submission Receipt and make two (2) copies. Place one copy with the check/cash; and place the other copy with the submission (i.e., the application or other document).
- Date-stamp all pages. (NOTE: Do not stamp check.)
- Give this original Submission Receipt to the applicant.
- Record Submission Receipt information on the "RECEIVED OVER THE COUNTER" log sheet.
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# Permanent Transfer Application Intake Checklist

Transfer # T-14524

Reviewer ARLA Date 8/28/24	Type of Change(s) Proposed: <input type="checkbox"/> POU <input type="checkbox"/> POD <input checked="" type="checkbox"/> APOD <input type="checkbox"/> POA <input type="checkbox"/> APOA <input type="checkbox"/> USE <input type="checkbox"/> Substitution <input type="checkbox"/> Gov't Action <input type="checkbox"/> Sup to Primary <input type="checkbox"/> SW to GW	
Calculated Fee \$1360 Use fee calculator on back of this form		Fee Received \$1360
Certificate(s): 8433	Check <u>all</u> Certs in WRIS to confirm they are not cancelled	
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why?      Use the flow chart for multiple Certs		<input type="checkbox"/> YES <input type="checkbox"/> NO <input checked="" type="checkbox"/> N/A
Notes: Applicant did not mark if they are sole owner or if there is any other land ownership		

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

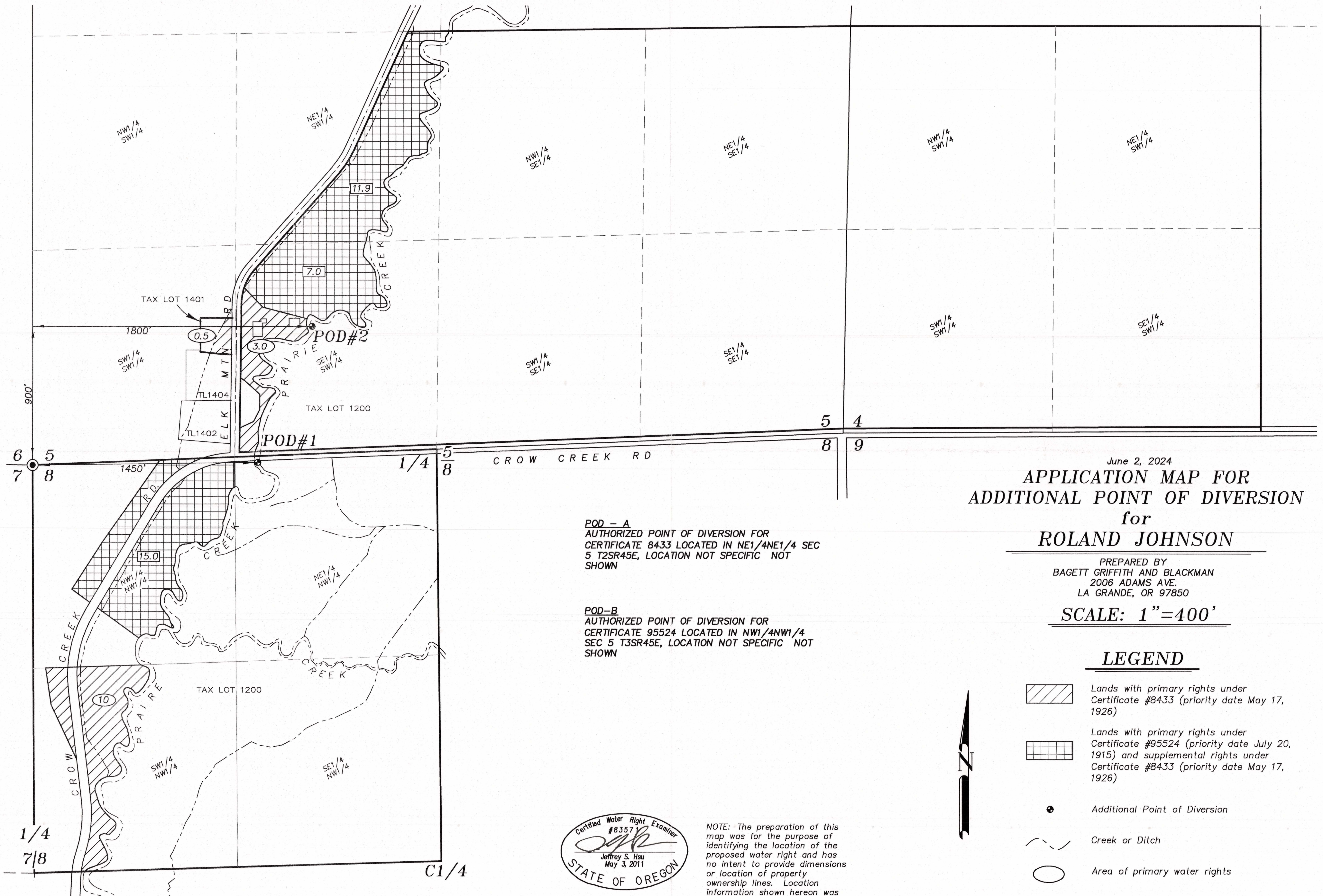
<b>Map Requirements:</b> OAR 690-380-3100			
4.	<input checked="" type="checkbox"/> YES	<input type="checkbox"/> NO	Has the map been completed and signed by a CWRE?
5.	<input type="checkbox"/> YES	<input type="checkbox"/> NO	<input checked="" type="checkbox"/> N/A Map Waiver? The map waiver must be issued by the Department
Notes:			

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

<input checked="" type="checkbox"/>	<b>Application complete:</b> no deficiencies identified, assign a T-number and put this checklist in T-folder.
<input type="checkbox"/>	<b>Application DEFICIENT:</b> DO NOT accept - return to applicant with letter explaining deficiencies identified.



TOWNSHIP 2 SOUTH RANGE 45 EAST



**POD - A**  
 AUTHORIZED POINT OF DIVERSION FOR  
 CERTIFICATE 8433 LOCATED IN NE1/4NE1/4 SEC  
 5 T2SR45E, LOCATION NOT SPECIFIC NOT  
 SHOWN

**POD-B**  
 AUTHORIZED POINT OF DIVERSION FOR  
 CERTIFICATE 95524 LOCATED IN NW1/4NW1/4  
 SEC 5 T3SR45E, LOCATION NOT SPECIFIC NOT  
 SHOWN



Renews: June 30, 2025

NOTE: The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property ownership lines. Location information shown hereon was furnished by the applicant.

June 2, 2024  
**APPLICATION MAP FOR  
 ADDITIONAL POINT OF DIVERSION  
 for  
 ROLAND JOHNSON**

PREPARED BY  
 BAGETT GRIFFITH AND BLACKMAN  
 2006 ADAMS AVE.  
 LA GRANDE, OR 97850

**SCALE: 1"=400'**

**LEGEND**

- Lands with primary rights under Certificate #8433 (priority date May 17, 1926)
- Lands with primary rights under Certificate #95524 (priority date July 20, 1915) and supplemental rights under Certificate #8433 (priority date May 17, 1926)
- Additional Point of Diversion
- Creek or Ditch
- Area of primary water rights
- Area of supplemental water rights

Received by OWRD

AUG 27 2024

14524 -

Salem, OR