

TEMPORARY

SCANNED

T-14635

AUG 25 2025

Name Fred WallenderAddress 65228 Airport Lane
La Grande, OR 97850Change in POUDate Filed 3/31/2025Initial notice date 4/8/2025

DPD issued date _____

PD issued date _____

PD notice date _____

Date of FO 7/24/2025 Vol 135 Page 171-175

C-Date _____

COBU due date _____

COBU Received date _____

Certificate issued _____

Assignments: _____

_____Irrigation District _____

_____Agent _____

CWRE _____

CC's list Union County

_____☐ - Oversized map - Location _____

DESCRIPTION OF WATER RIGHT(S)

Name of Stream Grande Ronde River, State DitchTrib. of SNAKE RIVER, Grande Ronde RiverUse Irrigation County Union

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

Name of ditch _____

App# S-42196 Per # S-31567 Cert # 41060 PR Date 5/9/1966App# S-37058 Per # S-27572 Cert # 34396 PR Date 9/1/1961App# S-34502 Per # S-27088 Cert # 31638 PR Date _____

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

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

FEES PAID

Date	Amount	Receipt #
<u>3-31-25</u>	<u>\$2,072.20</u>	<u>144957</u>

FEES REFUNDED

Date	Amount	Receipt #



Oregon

Tina Kotek, Governor

Water Resources Department

North Mall Office Building

725 Summer St NE, Suite A

Salem, OR 97301

Phone 503 986-0900

Fax 503 986-0904

www.oregon.gov/owrd

July 24, 2025

Fred Wallender
65228 Airport Lane
La Grande, OR 97850

REFERENCE: District Temporary Transfer Application T-14635

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

The temporary change shall be effective at the **beginning of the 2025 irrigation season**. The use shall revert to the original authorized place of use at the **end of the 2030 irrigation season**.

If you have any questions related to the approval of this temporary 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.

Sincerely,

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

cc: Shad L. Hattan, Watermaster Dist. # 6 (via email)
Union County, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A TEMPORARY
T-14635, Union County	)	CHANGE IN PLACES OF USE

Authority

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department’s procedures and criteria for evaluating transfer applications.

Applicant

FRED WALLENDER
65228 AIRPORT LANE
LA GRANDE, OR 97850

Findings of Fact

- 1. On March 31, 2025, FRED WALLENDER filed an application to temporarily change the place of use under Certificates 31638, 34396, and 41060 for a period of 5 years. The Department assigned the application number T-14635.
- 2. Notice of the application for transfer was published on April 8, 2025, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 3. The portion of the first right to be temporarily transferred is as follows:
 - Certificate:** 31638 in the name of WILLIAM D. AND LILLIE B. MILLER (perfected under Permit S-27088)
 - Use:** IRRIGATION of 114.5 ACRES
 - Priority Date:** DECEMBER 8, 1960, AND JANUARY 3, 1961
 - Rate:** 2.15 CUBIC FEET PER SECOND (CFS) BEING 1.47 CFS FOR DECEMBER 8, 1960 AND 0.68 CFS FOR JANUARY 3, 1961

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

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-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: STATE DITCH, a channel of GRANDE RONDE RIVER, a tributary of GRAND RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
2 S	39 E	WM	27	NE NW

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	22	SW SW	0.5
2 S	39 E	WM	22	SE SW	36.8
2 S	39 E	WM	22	NE NW	24.0
2 S	39 E	WM	22	SE NW	26.5
2 S	39 E	WM	22	SW SE	9.1
2 S	39 E	WM	27	NW NE	9.1
2 S	39 E	WM	27	SW NE	8.5
Total					114.5

4. Transfer Application T-14635 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	23	NW SW	31.0
2 S	39 E	WM	23	NE SW	31.0
2 S	39 E	WM	23	NE SE	21.5
2 S	39 E	WM	23	NW SE	31.0
Total					114.5

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

Certificate: 34396 in the name of WILLIAM D. AND LILLIE B. MILLER (perfected under Permit S-27572)

Use: IRRIGATION of 35.5 ACRES

Priority Date: SEPTEMBER 1, 1961

Rate: 0.8 CUBIC FOOT PER SECOND (CFS)

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-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water is limited to the period when the flow of the Grande Ronde River is more

than 300 CFS at USGS gage No. 3325 and more than 420 CFS at USGS gage No. 3330.

Source: STATE DITCH (a channel of Grande Ronde River), a tributary of GRANDE RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	39 E	WM	22	SE SW	70 FEET NORTH AND 1630 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	22	NE SE	9.1
2 S	39 E	WM	22	SE SE	9.1
2 S	39 E	WM	27	NE NE	9.1
2 S	39 E	WM	27	SE NE	8.2
Total					35.5

6. Transfer Application T-14635 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	23	SW SE	31.0
2 S	39 E	WM	23	SE SE	4.5
Total					35.5

7. The portion of the third right to be temporarily transferred is as follows:

Certificate: 41060 in the name of LILLIE B. MILLER AND ESTATE OF WILLIAM D. MILLER (perfected under Permit S-31567)

Use: IRRIGATION of 36.0 ACRES

Priority Date: MAY 9, 1966

Rate: 0.37 CUBIC FOOT PER SECOND

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

Source: GRANDE RONDE RIVER, a tributary of SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	39 E	WM	22	SE SW	2700 FEET NORTH AND 3725 FEET WEST FROM THE W1/4 CORNER OF SECTION 26

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	23	SW SW	9.0
2 S	39 E	WM	23	SE SW	9.0
2 S	39 E	WM	26	NE NW	9.0
2 S	39 E	WM	26	NW NW	9.0
Total					36.0

8. Transfer Application T-14635 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	23	NE SE	9.5
2 S	39 E	WM	23	SE SE	26.5
Total					36.0

Temporary Transfer Review Criteria

- 9. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
- 11. The proposed changes would not result in enlargement of the rights.
- 12. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

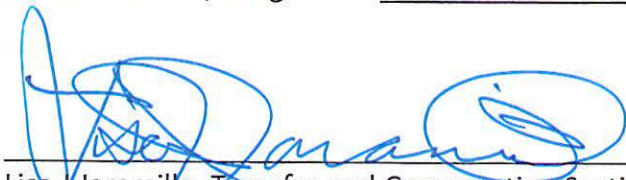
The temporary changes in place of use proposed in Temporary Transfer Application T-14635 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

- 1. The temporary changes in place of use proposed in Temporary Transfer Application T-14635 are approved.
- 2. The former place of use **shall not** be irrigated as part of these water rights during the 2025, 2026, 2027, 2028, and 2029 irrigation seasons.
- 3. The use shall revert to the authorized place of use at the end of the 2029 irrigation season.

4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 31638, 34396, and 41060 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 31638, 34396, and 41060.
7. A portion of Permit G-16090 is Supplemental to Certificates 31638 and 34396, those portions shall not be exercised during the duration of this Temporary Transfer.
8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
9. Water use measurement conditions:
 - a. Before water use may begin under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
10. The use of the remaining water rights described by Certificates 31638, 34396, and 41060 shall continue to be in accordance with the terms and conditions of Certificates 31638, 34396, and 41060.

Dated at Salem, Oregon this JUL 24 2025



Lisa Jaramillo, Transfer and Conservation Section Manager, for
Ivan Gall, Director
Oregon Water Resources Department

Mailing Date: JUL 25 2025

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-14635

Transfer Specialist:

Jon

Transfer Type: Temporary Transfer

DROUGHT? ☐

Applicant: Fred Wallender 65228 Airport Lane La Grande, OR 97850	Agent:	Receiving Landowner:
Current Landowner if other than Applicant:	CWRE:	Irrigation District:
Affected Local Gov'ts: Union County	Affected Tribal Gov't:	BOR Notified (date):

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate
☐	S-42196	S-31567	41060
☐	S-37058	S-27572	34396
☐	S-34502	S-27088	31638

Key Dates & Initial Actions (Support Staff)

Rec'd: March 31, 2025	Proposed Action(s): PLACE OF USE	
Fees Pd: 2072.20	Acknowledgement Letter Sent ☒	Basin: 8 Grande Ronde
Initial Public Notice: 4/8/2025	County sent cc: of Ack Letter ☒	County: UNION
WM District: 6 Shad L. Hattan	WM Review request sent: 4/7/2025	WM Review date received: 6/23/25
Groundwater	GW Review sent:	GW Review date received:

Peer Review:

Document	Drafted	Peer Review	Coordinator	Changes Made	Signature Bin	Signature Date
FO	Date: 7/9/25 Initials: <i>Jon</i>	Date: 7/9/25 Initials: <i>Scott</i>	Date: 7/10/25 Initials: <i>Cory</i>	Date: 7/10/25 Initials: <i>Jon</i>	Date: 7/10/25 No. of docs for sig: 1 WM Sheet ☐	Date: 7/24/2025

Special Issues: 5 year temp

Special Order Volume: Vol. 135 Pages 171-175

TEMP

contacted applicant ✓ taken care of
deficient - need spouse sign
- need clarify 2025-2029
not 2030
done 4/9/25 ✓

Add
 WM
 condition
 ↓

The From lands must be dried up (G-16090-).

Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-14635

Review Due Date:

Applicant Name: Fred Wallender

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

Reviewer(s): Shad Hattan

Date of Review: 06/20/2025

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:
Grande Ronde River and associated channels is regulated annually.
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

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

☐ N/A

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

☐ N/A

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

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

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

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

It is possible to overwater and waste at full face value if used for extended time. However, the delivery system employs enclosed pipe and sprinklers on pivots that can be managed for efficient beneficial use.

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:

Both pumps were required to have measuring devices. Only the receiving land pump appears to have one installed

- iv. Do you have any other observations regarding the temporary transfer?

☒ Yes ☐ No If "Yes", describe:

Applicant claims there is only one diversion. There are 2 discrete pumping systems with different operators covering parcels with different ownerships. Applicant fails to identify a supplemental groundwater permit on some of the from lands owned by Tim Wallender (G-16090)

- 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:

Current proposal could enlarge the rights due to the supplemental groundwater permit not identified associated with the from lands.

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:

As described above.

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

Include condition of no use of permit G-16090 on from lands.

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

SMITH Joan M * WRD

From: anguscattleman@hotmail.com
Sent: Wednesday, April 9, 2025 6:36 PM
To: SMITH Joan M * WRD
Subject: Re: Temporary Transfer T-14635
Attachments: 2025 OWRD signature page for temporary transfer T-14635 app 25-29.pdf; signature page for temporary transfer T-14635 app 25-29.pdf

Joan,
The temporary transfer is for the five years that you listed 2025-2029.
I believe we filled out the form correctly. Please confirm with a reply that it is or isn't completed correctly. Thank you.
Tim

Sent from my iPad

On Apr 9, 2025, at 9:47 AM, SMITH Joan M * WRD <Joan.M.SMITH@water.oregon.gov> wrote:

Good Morning, I spoke with your Dad this morning and he gave me this e-mail address to contact you regarding your and your spouses signature on Temporary Transfer Application T-14635 (you can email the signed page). Also, I would appreciate your confirmation that the Temporary Transfer period should be for 5 irrigation seasons, 2025, 2026, 2027, 2028, and 2029.
I look forward to hearing from you.

Joan Smith

JOAN M. SMITH | TRANSFER SPECIALIST
TRANSFER & CONSERVATION SECTION
725 Summer Street NE, Suite A Salem, OR 97301 | Phone 503-986-0892

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.

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A TEMPORARY
T-14635, Union County	)	CHANGE IN PLACES OF USE

Authority

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department’s procedures and criteria for evaluating transfer applications.

Applicant

FRED WALLENDER
65228 AIRPORT LANE
LA GRANDE, OR 97850

Findings of Fact

- 1. On March 31, 2025, FRED WALLENDER filed an application to temporarily change the place of use under Certificates 31638, 34396, and 41060 for a period of 5 years. The Department assigned the application number T-14635.

- 2. Notice of the application for transfer was published on April 8, 2025, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

- 3. The portion of the first right to be temporarily transferred is as follows:
 - Certificate:** 31638 in the name of WILLIAM D. MILLER & LILLIE B. MILLER (perfected under Permit S-27088)
 - Use:** IRRIGATION of 89.5 ACRES
 - Priority Date:** DECEMBER 8, 1960, AND JANUARY 3, 1961
 - Rate:** 1.68 CUBIC FEET PER SECOND (CFS) BEING 1.15 CFS FOR DECEMBER 8, 1960 AND 0.53 CFS FOR JANUARY 3, 1961

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

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-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.

Source: STATE DITCH, a channel of GRANDE RONDE RIVER, a tributary of GRAND RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
2 S	39 E	WM	27	NE NW

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	22	SW SW	0.5
2 S	39 E	WM	22	SE SW	36.8
2 S	39 E	WM	22	SW SE	1.7
2 S	39 E	WM	27	NE NW	24.0
2 S	39 E	WM	27	SE NW	26.5
Total					89.5

4. Transfer Application T-14635 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	23	NW NE	27.8
2 S	39 E	WM	23	SE NE	1.7
2 S	39 E	WM	23	NE SW	30.0
2 S	39 E	WM	23	NW SW	30.0
Total					89.5

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

Certificate: 34396 in the name of WILLIAM D. & LILLIE B. MILLER (perfected under Permit S-27572)
Use: IRRIGATION of 35.5 ACRES
Priority Date: SEPTEMBER 1, 1961
Rate: 0.80 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water is limited to the period when the flow of the Grande Ronde River is more than 300 c.f.s. at USGS gage No. 3325 and more than 420 c.f.s. at USGS gage No. 3330.

Source: STATE DITCH (a channel of Grande Ronde River), a tributary of GRANDE RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	39 E	WM	22	SE SW	70 FEET NORTH AND 1630 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	22	NE SE	9.1
2 S	39 E	WM	22	SE SE	9.1
2 S	39 E	WM	27	NE NE	9.1
2 S	39 E	WM	27	SE NE	8.2
Total					35.5

6. Transfer Application T-14635 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	23	SE NE	5.5
2 S	39 E	WM	23	SW NE	30.0
Total					35.5

7. The portion of the third right to be temporarily transferred is as follows:

Certificate: 41060 in the name of LILLIE B. MILLER AND ESTATE OF WILLIAM D. MILLER (perfected under Permit S-31567)

Use: IRRIGATION of 55.0 ACRES

Priority Date: MAY 9, 1966

Rate: 0.56 CUBIC FOOT PER SECOND

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

Source: GRANDE RONDE RIVER, tributary of SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	39 E	WM	22	SE SW	2700 FEET NORTH AND 3725 FEET WEST FROM THE W1/4 CORNER OF SECTION 26

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	23	SW SW	10.0
2 S	39 E	WM	23	SE SW	10.0
2 S	39 E	WM	26	NE NW	9.1
2 S	39 E	WM	26	NW NW	9.1
2 S	39 E	WM	26	SW NW	8.4
2 S	39 E	WM	26	SE NW	8.4
Total					55.0

8. Transfer Application T-14635 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	23	NW NE	2.2
2 S	39 E	WM	23	NE NE	30.0
2 S	39 E	WM	23	SE NE	22.8
Total					55.0

Temporary Transfer Review Criteria

- 9. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
- 11. The proposed changes would not result in enlargement of the rights.
- 12. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary changes in place of use proposed in Temporary Transfer Application T-14635 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The temporary changes in place of use proposed in Temporary Transfer Application T-14635 are approved.
2. The former place of use **shall not** be irrigated as part of these water rights during the 2025, 2026, 2027, 2028 and 2029 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2029 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 31638, 34396 and 41060 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 31638, 34396 and 41060.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. Water use measurement conditions:
 - a. **Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.
 - b. The water user shall maintain the meters or measuring devices in good working order.
 - c. The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.

9. The use of the remaining water rights described by Certificates 31638, 34396 and 41060 shall continue to be in accordance with the terms and conditions of Certificates 31638, 34396 and 41060.

Dated at Salem, Oregon this _____

Lisa J Jaramillo, Transfer and Conservation Section Manager, for
Ivan Gall, Director
Oregon Water Resources Department

Mailing Date: _____

Temporary Transfer Application Intake Checklist

Transfer # T- 14635

Reviewer <i>Scott</i>	Type of Change(s) Proposed: <u>MUST INCLUDE A CHANGE IN PLACE OF USE</u>
Date <i>4-2-25</i>	☒ POU ☐ POU/POD ☐ POU/APOD ☐ POU/POA ☐ POU/APOA
Calculated Fee \$ <i>2072.20</i>	Fee Received \$ <i>2072</i>
Certificate(s): <i>31638/34396/41060</i>	Check <u>ALL</u> Certs in WRIS to confirm they are not cancelled
For multiple certificates, does application meet requirement of OAR 690-380-3220? If no, why? Use the flow chart for multiple Certs	☒ YES ☐ NO ☐ N/A
Notes: <i>signature of wife needed on deed land</i>	

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

Map Requirements: OAR 690-380-3100			
4.	☒ YES ☐ NO	Map included and meets mapping requirements?	
5.	☒ YES ☐ NO ☒ N/A	Map Waiver? The map waiver must be issued by the Department	
Notes:			

Attachments: OAR 690-380-3000			
6.	☒ YES ☐ NO	Evidence of Use included, signed, & notarized w/supporting documentation?	
	☒ YES ☐ NO	Current recorded deed for the land from which the authorized place of use is temporarily being moved included?	
	☐ YES ☒ NO ☐ N/A	Affidavit of Consent from Landowner(s) described on the deed? <i>* missing wife</i>	
7.	☐ YES ☐ NO ☒ N/A	Land Use Form included and signed by the County?	
8.	☐ YES ☐ NO ☒ N/A	District: Place of use is in <u>or</u> near an irrigation district? If Yes, is Form D included? Name of the District	
9.	☐ YES ☐ NO ☒ N/A	For changes in POA/APOA – are the well logs included?	
10.	☐ YES ☐ NO ☒ N/A	For change in POU within Umatilla County, Supplemental Form U included?	

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



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

April 7, 2025

Fred Wallender
65228 Airport Lane
La Grande, OR 97850

Reference: Application T-14635

On March 31, 2025, the Department received your water right Temporary Transfer Application. The application was accompanied by \$2072.20. Receipt number 144957 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.

Except as provided under ORS 540.510(3) for municipalities, you may not **temporarily** use water at the new place of use until a final order approving the temporary transfer application has been issued by the Department. Additionally, pursuant to OAR 690-380-8010, the lands **from** which an irrigation water right is to be temporarily transferred and the land **to** which the right is to be temporarily transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

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

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

Cc: Watermaster Dist. #6, Shad L. Hattan (via email)
Union County, Local Government

Enclosure

Application for Water Right
Temporary or Drought Temporary Transfer
Part 1 of 5 – Minimum Requirements Checklist



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

This temporary transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

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FOR ALL TEMPORARY TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Temporary 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 online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Transferred Water Rights: **How many water rights are to be transferred? 3 List them here: 41060-34396-31638**
Please include a separate Part 5 for each water right. (See instructions on page 6)
- ☒ ☐ N/A For standard Temporary Transfer (one to five years) **Begin Year: 2025 End Year: 2030.**
- ☐ ☒ N/A Temporary Drought Transfer (Only in counties where the Governor has declared drought)

Attachments:

- ☒ Completed Temporary Transfer Application Map.
- ☒ Completed Evidence of Use Affidavit and supporting documentation.
- ☒ Current recorded deed for the land **from** which the authorized place of use is temporarily being moved.
- ☒ ☐ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land upon which the water right is located.)
- ☐ ☒ N/A Supplemental Form D – For water rights served by or issued in the name of a district. Complete when the temporary transfer applicant is not the 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 (if necessary to convey water to the proposed place of use).

(For Staff Use Only)

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

☐ Application fee not enclosed/insufficient

☐ Map not included or incomplete

☐ Land Use Form not enclosed or incomplete

☐ Additional signature(s) required

☐ Part _____ is incomplete

Other/Explanation _____

Staff: _____ Phone: _____ Date: ____/____/____

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Part 2 of 5 – Temporary Transfer Application Map Checklist

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

Please be sure that the temporary transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply.

- ☒ ☐ 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 temporary 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) to convey water to the new temporary place of use, show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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FEE WORKSHEET for TEMPORARY (not drought) TRANSFERS			
1	Base Fee (includes temporary change to one water right for up to 1 cfs)	1	\$950.00
2	Number of water rights included in transfer: <u>3 (2a)</u> Subtract 1 from the number in 3a above: <u>2 (2b)</u> If only one water right this will be 0 Multiply line 2b by \$310.00 and enter » » » » » » » » » » » » » » » » <u>620.00</u>	2	620.00
3	Do you propose to change the place of use for a non-irrigation use? ☒ No: enter 0 on line 3 » » » » » » » » » » » » » » » » ☐ Yes: enter the cfs for the portions of the rights to be transferred: _____ (3a) Subtract 1.0 from the number in 3a above: _____ (3b) If 3b is 0, enter 0 on line 3 » » » » » » » » » » » » » » » » If 3b is greater than 0, round up to the nearest whole number: _____ (3c) and multiply 4c by \$210.00, then enter on line 3	3	
4	Do you propose to change the place of use for an irrigation use? ☐ No: enter 0 on line 4 » » » » » » » » » » » » » » » » ☒ Yes: enter the number of acres in the footprint of the place of use for the portions of the rights to be transferred: <u>186 (4a)</u> Multiply the number of acres in 4a above by \$2.70 and enter on line 4 » » <u>502.20</u>	4	502.20
5	Add entries on lines 1 through 4 above » » » » » » » » » » » Subtotal:	5	2072.20
6	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 5 by 0.5 and enter on line 6 » If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » »	6	0
7	Subtract line 6 from line 5 » » » » » » » » » » » Transfer Fee:	7	2072.20

FEE WORKSHEET for TEMPORARY DROUGHT TRANSFERS			
1	Base Fee (includes drought application and recording fee for up to 1 cfs)	1	\$200.00
	Enter the cfs for the portions of the rights to be transferred (see example below*): _____ (2a) Subtract 1.0 from the number in 2a above: _____ (2b) If 2b is 0, enter 0 on line 2 » » » » » » » » » » » » » » » » If 2b is greater than 0, round up to the nearest whole number: _____ (2c) and multiply 2c by \$50, then enter on line 2 » » » » » » » » » »		
2		2	
3	Add entries on lines 1 through 2 above » » » » » » » » » » Transfer Fee:	3	

1. Divide total authorized cfs by total acres in the water right (for C12345, $1.25 \text{ cfs} \div 100 \text{ ac}$); then multiply by the number of acres to be transferred to get the transfer cfs ($\times 45 \text{ ac} = 0.56 \text{ cfs}$).
2. 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, $45.0 \text{ ac} \times 0.0125 \text{ cfs/ac} = 0.56 \text{ cfs}$)
3. 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 2a would be only 0.56 cfs , since both rights serve the same 45.0 acres. Blank 2b would be 0 and Line 2 would then also become 0).

TACS

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Tim and Christine Wallender			PHONE NO. (541) 963-9299	ADDITIONAL CONTACT NO.
ADDRESS 65302 Airport Lane			FAX NO.	
CITY La Grande	STATE Oregon	ZIP 97850	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

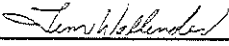
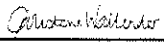
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

AGENT/BUSINESS NAME None *****			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

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

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

 Applicant (District) signature	<u>Tim Wallender</u> Print Name (and Title if applicable)	<u>April 9, 2025</u> Date
 Applicant (District) signature	<u>Christine Wallender</u> Print Name (and Title if applicable)	<u>April 9, 2025</u> 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 landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Fred Wallender			PHONE NO. 541-963-3800	ADDITIONAL CONTACT NO.
ADDRESS 65228 Airport Lane				FAX NO.
CITY La Grande	STATE OR	ZIP 97850	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

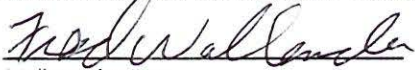
Agent Information – The agent is authorized to represent the applicant in all matters relating to this application.

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

Explain in your own words what you propose to accomplish with this transfer application and why:
Water rights being transferred have been transferred to the same location twice in the past, the latest bearing an application number T-13210. This application is intended to extend this temporary transfer another five years.

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

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

	<u>Fred Wallender</u>	<u>3-13-2025</u>
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 landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent from all landowners or individuals/entities (and mailing and/or e-mail addresses) to which the water right(s) has been conveyed.

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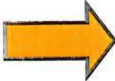
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☐ Check here if any of the water rights proposed for transfer are or will be located within or served by an irrigation or other water district. (NOTE: If this box is checked, you must complete and attach Supplemental Form D.)

DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Union County	ADDRESS 1106 K Ave.	
CITY La Grande	STATE OR	ZIP 97850

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

Water Right Certificate # 41060

Description of Water Delivery System

System capacity: 2.42 cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water diverted from State Ditch by 150HP motor at POD. Water goes into 15" PVC mainline, with 10" mainlines ultimately servicing 2 full pivots and a 3/4 pivot as shown on map. From same POD, water also enters into a 10" mainline servicing additional 2 full pivots. There have been two temporary transfers since 2014, with this configuration, the latest being T-13210. As mentioned in other temporary transfers, all POD's for these three water rights, despite being described differently, apparently pertain to a single POD.

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#1	☒ Authorized ☐ Proposed		2 S	39 E	22	SE S W	9301	2700 FT. NORTH AND 3725 FT WEST FROM W1/4 COR SEC 26
	☐ Authorized ☐ Proposed							Received
	☐ Authorized ☐ Proposed							MAR 17 2025
	☐ Authorized ☐ Proposed							OWRD

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

- ☒ Place of Use (POU)
- ☐ Appropriation/Well (POA)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Additional Point of Diversion (APOD)

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

- ☐ Place of Use (POU)
- ☐ Point of Appropriation/Well (POA)
- ☐ Character of Use (USE)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Diversion (APOD)

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 41060

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
2	S	39	E	23	SW	SW	9301		9.0	Irrigation	POD#1	1966	POU	2	S	39	E	23	SE	SE	9307		9.0		POD#1	1966
2	S	39	E	23	SE	SW	9301		9.0	Irrigation	POD#1	1966	POU	2	S	39	E	23	SE	SE	9307		9.0		POD#1	1966
2	S	39	E	26	NW	NW	9300		8.5	Irrigation	POD#1	1966	POU	2	S	39	E	23	SE	SE	9307		8.5		POD#1	1966
2	S	39	E	26	NW	NW	9300		0.5	Irrigation	POD#1	1966	POU	2	S	39	E	23	NE	SE	9307		0.5		POD#1	1966
2	S	39	E	26	NE	NW	9300		9.0	Irrigation	POD#1	1966	POU	2	S	39	E	23	NE	SE	9307		9.0		POD#1	1966
TOTAL ACRES									36.0																	

Additional remarks: _____

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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 rows to tables within the form.

Water Right Certificate # 31638

Description of Water Delivery System

System capacity: 3.9 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 diverted from State Ditch by 150HP motor at POD. Water goes into 15" PVC mainline, with 10" mainlines ultimately servicing 2 full pivots and a 3/4 pivot as shown on map. From same POD, water also enters into a 10" mainline servicing additional 2 full pivots. There have been two temporary transfers since 2014, with this configuration, the latest being T-13210. As mentioned in other temporary transfers, all POD's for these three water rights, despite being described differently, apparently pertain to a single POD.

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#1	☒ Authorized ☐ Proposed		2 S	39 E	22	SE S W	9301	NE1/4NW1/4 Sec 27, T2S, R39E
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

- ☒ Place of Use (POU)
- ☐ Appropriation/Well (POA)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Additional Point of Diversion (APOD)

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

- ☐ Place of Use (POU)
- ☐ Point of Appropriation/Well (POA)
- ☐ Character of Use (USE)
- ☐ Additional Point of Appropriation (APOA)
- ☐ Point of Diversion (POD)
- ☐ Additional Point of Diversion (APOD)

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 31638

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
2	S	39	E	22	SW	SW	9301		0.5	Irrigation	POD#1	1960/ 1961	POU	2	S	39	E	23	NW	SW	9301		0.5		POD#1	1960/ 1961
2	S	39	E	22	SE	SW	9301		30.5	Irrigation	POD#1	1960/ 1961	POU	2	S	39	E	23	NW	SW	9301		30.5		POD#1	1960/ 1961
2	S	39	E	22	SE	SW	9301		6.3	Irrigation	POD#1	1960/ 1961	POU	2	S	39	E	23	NE	SW	9301		6.3		POD#1	1960/ 1961
2	S	39	E	27	NE	NW	9301		24.0	Irrigation	POD#1	1960/ 1961	POU	2	S	39	E	23	NE	SW	9301/ 9307		24.0		POD#1	1960/ 1961
2	S	39	E	27	SE	NW	9301		0.7	Irrigation	POD#1	1960/ 1961	POU	2	S	39	E	23	NE	SW	9307		0.7		POD#1	1960/ 1961
2	S	39	E	27	SE	NW	9301		25.8	Irrigation	POD#1	1960/ 1961	POU	2	S	39	E	23	NW	SE	9307		25.8		POD#1	1960/ 1961
2	S	39	E	22	SW	SE	9300		5.2	Irrigation	POD#1	1960/ 1961	POU	2	S	39	E	23	NW	SE	9307		5.2		POD#1	1960/1961
2	S	39	E	22	SW	SE	9300		3.9	Irrigation	POD#1	1960/ 1961	POU	2	S	39	E	23	NE	SE	9307		3.9		POD#1	1960/ 1961
2	S	39	E	27	NW	NE	9300		9.1	Irrigation	POD#1	1960/ 1961	POU	2	S	39	E	23	NE	SE	9307		9.1		POD#1	1960/1961
2	S	39	E	27	SW	NE	9300		8.5	Irrigation	POD#1	1960/ 1961	POU	2	S	39	E	23	NE	SW	9307		8.5		POD#1	1960/1961
TOTAL ACRES						114.5	TOTAL ACRES												114.5							

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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 rows to tables within the form.

Water Right Certificate # 34396

Description of Water Delivery System

System capacity: 3.60 cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. Water diverted from State Ditch by 150HP motor at POD. Water goes into 15" PVC mainline, with 10" mainlines ultimately servicing 2 full pivots and a 3/4 pivot as shown on map. From same POD, water also enters into a 10" mainline servicing additional 2 full pivots. There have been two temporary transfers since 2014, with this configuration, the latest being T-13210. As mentioned in other temporary transfers, all POD's for these three water rights, despite being described differently, apparently pertain to a single POD.

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#1	☒ Authorized ☐ Proposed		2 S	39 E	22	SE S W	9301	70 FT. NORTH AND 1630 FT. EAST FROM NW COR. SEC 27
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

- ☒ Place of Use (POU)
 ☐ Appropriation/Well (POA)
- ☐ Point of Diversion (POD)
 ☐ Additional Point of Appropriation (APOA)
- ☐ Additional Point of Diversion (APOD)

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

- ☐ Place of Use (POU)
 ☐ Point of Appropriation/Well (POA)
- ☐ Character of Use (USE)
 ☐ Additional Point of Appropriation (APOA)
- ☐ Point of Diversion (POD)
 ☐ Additional Point of Diversion (APOD)

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

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

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

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

Table 2. Description of Temporary Changes to Water Right Certificate # 34396

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the Certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date								
EXAMPLE																												
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901		
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901		
2	S	39	E	22	NE	SE	9300/ 9301		9.1	Irrigation	POD#1	1961	POU	2	S	39	E	23	SW	SE	9307		9.1		POD#1	1961		
2	S	39	E	22	SE	SE	9300		9.1	Irrigation	POD#1	1961	POU	2	S	39	E	23	SW	SE	9307		9.1		POD#1	1961		
2	S	39	E	27	NE	NE	9300		9.1	Irrigation	POD#1	1961	POU	2	S	39	E	23	SW	SE	9307		9.1		POD#1	1961		
2	S	39	E	27	SE	NE	9300		3.7	Irrigation	POD#1	1961	POU	2	S	39	E	23	SW	SE	9307		3.7		POD#1	1961		
2	S	39	E	26	SE	NE	9300		4.5	Irrigation	POD#1	1961	POU	2	S	39	E	23	SE	SE	9307		4.5		POD#1	1961		
TOTAL ACRES									35.5																			
														TOTAL ACRES									35.5					

Additional remarks:_____

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For Place 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: 34396-31638

Pursuant to ORS 540.525, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for temporary transfer can be included in the transfer or remain unused on the authorized place of use. If the primary water right does not revert soon enough to allow use of the supplemental right within five years, the supplemental right shall become subject to cancellation for nonuse under ORS 540.610.

If a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation is necessary to convey the water to the new temporary place of use you must provide:

- ☐ Well log(s) for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map. (Tip: You may search for well logs on the Department’s web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx)

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Klamath Basin/County Drought Transfer Applications

Table 4. Klamath Basin/County Well Information (DROUGHT TRANSFER APPLICATIONS ONLY)

Is there currently a flowmeter installed on each of the POAs listed in Table 1 of this application? ☐ Yes ☐ No*

**Please note that watermaster staff will visit the well to confirm flowmeter presence. Where possible, watermaster staff will take a static water level measurement. Alterations to the well head may be required in order to make the water level measurements.*

For each well, please provide a description of the flowmeter location, the serial number, the current flowmeter reading and the date the reading was taken in the table below.

OWNER'S WELL NAME OR NUMBER.	WELL TAG NUMBER (IF AVAILABLE)	WELL LOG ID (E.G., KLAM 1234)	FLOWMETER SERIAL NUMBER	FLOWMETER READING	FLOWMETER DATE	FLOWMETER LOCATION

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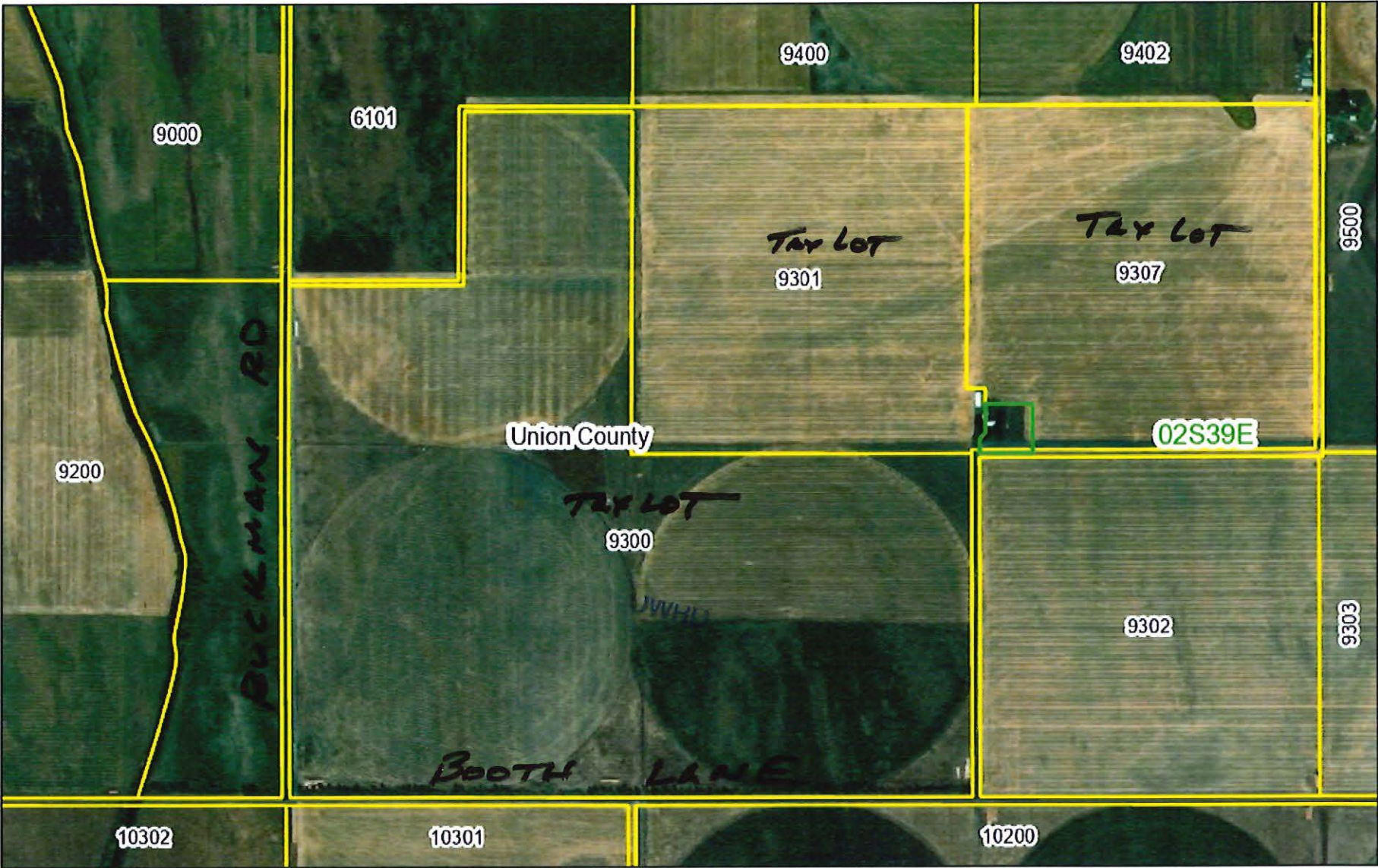
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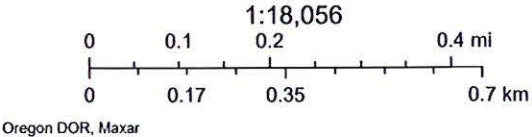
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3/27/2025, 3:42:13 PM

taxlot CountyLines
mapIndex

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Application for Water Right
Transfer
Evidence of Use Affidavit



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

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

State of Oregon)
) ss
County of UNION)

I, FRED WALLENDER, in my capacity as WATER RIGHT USED,
mailing address 65228 AIRPORT LANE, LA GRANDE, OR 97850
telephone number (541)963-3800, being first duly sworn depose and say:

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

- ☒ Personal observation ☐ Professional expertise

2. I attest that:

- ☒ Water was used during the previous five years on the **entire** place of use for
Certificate # 31638, 34396, 41060 (WITH TEMP TRANSFER T-13210); **OR**
☐ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)

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OR

- ☐ Confirming Certificate # _____ has been issued within the past five years; **OR**
☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: _____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**
☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use
would be rebutted under ORS 540.610(2) is attached.
☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # _____ (For Historic POD/POA Transfers)

(continues on reverse side)

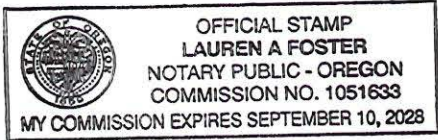
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3. The water right was used for: (e.g., crops, pasture, etc.): CROP
4. I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

Fred Wallender
Signature of Affiant

3-13-25
Date

Signed and sworn to (or affirmed) before me this 13 day of March, 2025.



Lauren Foster
Notary Public for Oregon

My Commission Expires: Sep. 10, 2028

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

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From: STARNES Patrick K * WRD
To: Jeff Hsu; CLARK Gerald E * WRD
Cc: DAVIS Arla L * WRD
Subject: RE: Transfer map question
Date: Tuesday, January 23, 2024 8:47:00 AM

MAP WAIVER

Good Morning Jeff,

The Department grants a map scale waiver for the proposed transfer application maps.

Please include a printed copy of this e-mail when you submit the application.

Sincerely,

Kelly

Kelly Starnes, Transfer Program Analyst
(He/Him/His)
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Cell phone: 503-979-3511 Fax: 503-986-0903
E-mail: patrick.k.starnes@water.oregon.gov

Please Note: Under Oregon Law, messages to and from
this e-mail address may be available to the public.

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From: Jeff Hsu <jeff@bgbsurveyors.com>
Sent: Tuesday, January 23, 2024 7:58 AM
To: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Cc: STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>; DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>
Subject: RE: Transfer map question

Some people who received this message don't often get email from jeff@bgbsurveyors.com. [Learn why this is important](#)

Gerry,

You can disregard my original question about separating out hatching by landowner. As there are three rights involved, I think I need to separate out the maps by certificate anyways, which does help clear up any ambiguities with regards to landowners. But the maps do visually scale better at 1"=1000' as I think it makes it a bit more readable. Can I get a waiver to allow for mapping at this

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scale? I've attached some draft copies of the maps for reference.

Jeff Hsu
Bagett, Griffith and Blackman
541 963 6092

From: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Sent: Friday, January 19, 2024 2:50 PM
To: Jeff Hsu <jeff@bgbsurveyors.com>
Cc: STARNES Patrick K * WRD <Patrick.K.STARNES@water.oregon.gov>; DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>
Subject: RE: Transfer map question

I guess it would be helpful if I actually included them in the message.
Gerry

From: Jeff Hsu <jeff@bgbsurveyors.com>
Sent: Friday, January 19, 2024 2:23 PM
To: CLARK Gerald E * WRD <Gerald.E.CLARK@water.oregon.gov>
Subject: Transfer map question

Gerry,

Quick question about mapping a water rights transfer. Asked to redo a temporary transfer that Greg Blackman did years ago. T-11900 on certificates 31638, 41060 and 34396. I noticed that Greg separated out the hatching by landowner, using different hatches for two landowners under the same water right. Is this a requirement to separate the hatching by landowner? Reason being, mostly, that I'm finding the number of hatches make this map very difficult to read, and was hoping to simplify it some.

Jeff Hsu
Bagett, Griffith and Blackman
2006 Adams Ave.
La Grande, OR 97850
541 963 6092

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Application for
Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Union)

I Tim Wallender in my/our capacity as Landowner,
mailing address 65302 Airport Ln, La Grande, OR 97850,
telephone number 541-963-9298, duly sworn depose and say that I/We
consent to the proposed change(s) to Water Right Certificate Number 34396, 41060, and 31638
described in a Water Right Transfer Application (T-____),
submitted by Fred Wallender (transfer number, if known)
on the property in tax lot number(s) 9300,
Section 23 and 26 Township 2S North/South Range 39E East/West, W.M.,

located at n/a
(site address)

Tim Wallender
Signature of Affiant

3/13/2025
Date

Fred Wallender
Signature of Affiant

3/13-2025
Date

Subscribed and Sworn to before me this 13 day of March, 2025.



Lauren Foster
Notary Public for Oregon

My commission expires Sep. 10, 28.

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13-24158
After recording return to:
Eastern Oregon Title, Inc.
1601 Adams Avenue
La Grande, Oregon 97850

20133390

60 Until a change is requested all tax statements shall be sent to the following address:
Timothy Wallender and Christine Wallender
65302 Airport Lane
La Grande, OR 97850

STATUTORY WARRANTY DEED

Miller LaGrande Ranches, LLC, an Oregon Limited Liability Company, Grantor, conveys and warrants to F. Timothy Wallender and Christine G. Wallender, husband and wife, as tenants by the entirety, Grantee, the following described real property free of liens and encumbrances, except as specifically set forth herein:

SEE EXHIBIT "A" ATTACHED HERETO FOR DETAILED LEGAL DESCRIPTION

This property is free from liens and encumbrances, EXCEPT:

Those of record

"BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, AND SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010."

The true consideration for this conveyance is Suther property or value. (Here comply with requirements of ORS 93.039)

Dated this 19th day of September, 2013

Miller LaGrande Ranches, LLC
James H. Hawse
By: James H. Hawse, Managing Member

STATE OF)
COUNTY OF) ss.
Signed or attested before me on this 19th day of September, 2013 by James H. Hawse, Managing Member of Miller LaGrande Ranches, LLC.
See attached
Notary Public for the State of Oregon
My commission expires: _____

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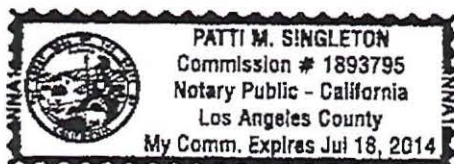
CALIFORNIA ALL-PURPOSE ACKNOWLEDGMENT

State of California

County of Los Angeles

On September 19, 2013 before me, PATTI M SINGLETON NOTARY PUBLIC
Date Here Insert Name and Title of the Officer

personally appeared _____ JAMES H. HAWSE _____
Name(s) of Signer(s)



Place Notary Seal Above

who proved to me on the basis of satisfactory evidence to be the person(s) whose name(s) is/are subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.

Signature [Signature] Signature of Notary Public

OPTIONAL

Though the information below is not required by law, it may prove valuable to persons relying on the document and could prevent fraudulent removal and reattachment of this form to another document.

Description of Attached Document

Title or Type of Document: STATUTORY WARRANTY DEED

Document Date: SEPTEMBER 19, 2013 Number of Pages: 1

 Signer(s) Other Than Named Above:

Capacity(ies) Claimed by Signer(s)

Signer's Name:

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney in Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

**RIGHT THUMBPRINT
OF SIGNER**
Top of thumb here

Signer Is Representing: _____

Signer's Name:

- ☐ Individual
☐ Corporate Officer — Title(s): _____
☐ Partner — ☐ Limited ☐ General
☐ Attorney In Fact
☐ Trustee
☐ Guardian or Conservator
☐ Other: _____

**RIGHT THUMBPRINT
OF SIGNER**
Top of thumb here

Signer Is Representing: _____

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EXHIBIT "A"

LEGAL DESCRIPTION

IN TOWNSHIP 2 SOUTH, RANGE 39 EAST OF THE WILLAMETTE MERIDIAN, UNION COUNTY, OREGON:

Section 22: The South half of the Southeast quarter.

ALSO INCLUDING a tract of land more particularly described as follows:

Beginning at a point on the South line of the Northeast quarter of the Southeast quarter, 40 feet East of the Southwest corner of said Northeast quarter of the Southeast quarter;

thence, East along said South line of the Northeast quarter of the Southeast quarter to the Southeast corner of the Northeast quarter of the Southeast quarter;

thence, North along the line common to Sections 22 and 23, a distance of 40 feet;

thence, West along a line parallel to the Southerly line of said Northeast quarter of the Southeast quarter, to a point on a line parallel to and 40 feet East of the West line of the Northeast quarter of the Southeast quarter and 40 feet North of the Point of Beginning;

thence, South along said line parallel to and 40 feet East of the West line of the Northeast quarter of the Southeast quarter, a distance of 40 feet to the Point of Beginning.

EXCEPTING THEREFROM a tract of land more particularly describes ad follows:

Beginning at the Southwest corner of the Northwest quarter of the Southeast quarter of Section 22;

thence, East along the North line of the South half of the Southeast quarter of Section 22, to a point on the South line of the Northeast quarter of the Southeast quarter 40 feet East of the Southwest corner of said Northeast quarter of the Southeast quarter;

thence, South along a line parallel to the East line of the Southwest quarter of the Southeast quarter of Section 22, a distance of 37.65 feet;

thence, West along a line parallel to the Northerly line of the South half of the Southeast quarter to the West line of the Southwest quarter of the Southeast quarter;

thence, North along said West line of the Southwest quarter of the Southeast quarter, a distance of 37.65 feet, to the Point of Beginning.

Section 26: The Northwest quarter.

Section 27: The Northeast quarter.

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This Space Is Reserved for Recorder's Use

GRANTOR: Fred Wallender
GRANTEE: Fred Wallender, Trustee

20191740

UNTIL A CHANGE IS
REQUESTED, ALL TAX
STATEMENTS SHALL
BE SENT TO THE FOLLOWING:

Fred Wallender, Trustee
6228 Airport Lane
La Grande, OR 97580

AFTER RECORDING,
RETURN TO:

Fred Wallender
6228 Airport Lane
La Grande, OR 97580

WARRANTY DEED

Fred Wallender, Grantor, conveys and warrants to Fred D. Wallender, trustee, or his successor in trust, under the Fred Wallender Revocable Living Trust U/T/A dated June 7, 2019 and any amendments thereto, Grantee, the following real property in the State of Oregon and County of Union described in the attached Exhibit A; Ref. No. 18879, 18880, 11689, 11909, 11942, 19160 and 19161.

SUBJECT TO covenants, conditions and restrictions of record.

The true and actual consideration paid for this conveyance is the mutual covenants contained in the Living Trust described above and the conveyance described herein which are for the purposes of estate planning and consist of value wholly other than cash.

The liability and obligations of the Grantor to Grantee and Grantee's heirs and assigns under the warranties and covenants contained herein or provided by law shall be limited to the extent of coverage that is provided to Grantor under any policy of title insurance insuring Grantor's interest in the above-described property. The limitations contained herein expressly do not relieve Grantor of any liability or obligations under this instrument to the extent of coverage that is provided to Grantor under any policy of title insurance insuring Grantor's interest in the above described property.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010. THIS

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INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY THAT THE UNIT OF LAND BEING TRANSFERRED IS A LAWFULLY ESTABLISHED LOT OR PARCEL, AS DEFINED IN ORS 92.010 OR 215.010, TO VERIFY THE APPROVED USES OF THE LOT OR PARCEL, TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES, AS DEFINED IN ORS 30.930, AND TO INQUIRE ABOUT THE RIGHTS OF NEIGHBORING PROPERTY OWNERS, IF ANY, UNDER ORS 195.300, 195.301 AND 195.305 TO 195.336 AND SECTIONS 5 TO 11, CHAPTER 424, OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009, AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 18th Day of June, 2019

Fred Wallender
Fred Wallender

STATE OF OREGON)
) ss.
COUNTY OF UNION)

The foregoing instrument was acknowledged before me on June 18, 2019 by Fred Wallender.



Nancy L Marks
Notary Public - Oregon
My commission expires: march 13, 2023

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EXHIBIT A

Parcels 1 and 2 of Minor Partition Plat Number 20140001T, as filed February 26, 2014 in Plat Cabinet "D", Slides 239-240, and recorded as Document No. 20140474T, all in the records of Union County, Oregon;

SITUATE IN Sections 22, 23, 25, 26 and 27 in Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon.

ALSO Parcels 1 and 2 of Partition Plat Number 20190005T, as filed April 16, 2019 in Plat Cabinet "E", Slides 454-455, and recorded as Document No. 20190913T, all in the records of Union County, Oregon;

SITUATE IN Sections 22, 23 and 27, in Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon, and being a partition of Parcel 3 of Minor Partition Plat Number 20140001T.

STATE OF OREGON

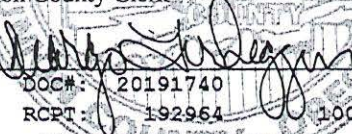
County of Union

SS

I certify that this instrument was received and recorded in the book of records of said county.

ROBIN A. CHURCH

Union County Clerk

by:  Deputy.

DOC#: 20191740

RCPT: 192964 100.00

7/08/2019 2:35 PM

REFUND: .00

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BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER APPROVING
T-13210, Union County	)	TEMPORARY CHANGES IN PLACES
	)	OF USE

Authority

Oregon Revised Statute (ORS) 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of diversion authorized under an existing water right.

Oregon Administrative Rule (OAR) Chapter 690, Division 380 implements the statutes and provides the Department’s procedures and criteria for evaluating transfer applications.

Applicant

FRED WALLENDER
65228 AIRPORT LANE
LA GRANDE, OR 97850

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Findings of Fact

1. On June 25, 2019, FRED WALLENDER filed an application to temporarily change the place of use under Certificates 31638, 34396 and 41060 for a period of 5 years. The Department assigned the application number T-13210.
2. Notice of the application for transfer was published on July 2, 2019, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. The portion of the first right to be temporarily transferred is as follows:

Certificate:	31638 in the name of WILLIAM D. MILLER & LILLIE B. MILLER (perfected under Permit S-27088)	Received MAR 17 2025 OWRD
Use:	IRRIGATION of 89.5 ACRES	
Priority Date:	DECEMBER 8, 1960 AND JANUARY 3, 1961	
Rate:	1.68 CUBIC FEET PER SECOND (CFS) BEING 1.15 CFS FOR DECEMBER 8, 1960 AND 0.53 CFS FOR JANUARY 3, 1961	
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-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year.	

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

Source: STATE DITCH, a channel of GRANDE RONDE RIVER, a tributary of
GRAND RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
2 S	39 E	WM	27	NE NW

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	22	SW SW	0.5
2 S	39 E	WM	22	SE SW	36.8
2 S	39 E	WM	22	SW SE	1.7
2 S	39 E	WM	27	NE NW	24.0
2 S	39 E	WM	27	SE NW	26.5
Total					89.5

4. Transfer Application T-13210 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	23	NW NE	27.8
2 S	39 E	WM	23	SE NE	1.7
2 S	39 E	WM	23	NE SW	30.0
2 S	39 E	WM	23	NW SW	30.0
Total					89.5

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

Certificate: 34396 in the name of WILLIAM D. & LILLIE B. MILLER (perfected under Permit S-27572)
Use: IRRIGATION of 35.5 ACRES
Priority Date: SEPTEMBER 1, 1961
Rate: 0.80 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right to use of water is limited to the period when the flow of the Grande Ronde River is more than 300 c.f.s. at USGS gage No. 3325 and more than 420 c.f.s. at USGS gage No. 3330.
Source: STATE DITCH (a channel of Grande Ronde River), a tributary of
GRANDE RONDE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	39 E	WM	22	SE SW	70 FEET NORTH AND 1630 FEET EAST FROM THE NW CORNER OF SECTION 27

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	22	NE SE	9.1
2 S	39 E	WM	22	SE SE	9.1
2 S	39 E	WM	27	NE NE	9.1
2 S	39 E	WM	27	SE NE	8.2
Total					35.5

6. Transfer Application T-13210 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	23	SE NE	5.5
2 S	39 E	WM	23	SW NE	30.0
Total					35.5

7. The portion of the third right to be temporarily transferred is as follows:

Certificate: 41060 in the name of LILLIE B. MILLER AND ESTATE OF WILLIAM D. MILLER (perfected under Permit S-31567)

Use: IRRIGATION of 55.0 ACRES

Priority Date: MAY 9, 1966

Rate: 0.56 CUBIC FOOT PER SECOND

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

Source: GRANDE RONDE RIVER, tributary of SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 S	39 E	WM	22	SE SW	2700 FEET NORTH AND 3725 FEET WEST FROM THE W1/4 CORNER OF SECTION 26

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	23	SW SW	10.0
2 S	39 E	WM	23	SE SW	10.0
2 S	39 E	WM	26	NE NW	9.1
2 S	39 E	WM	26	NW NW	9.1
2 S	39 E	WM	26	SW NW	8.4
2 S	39 E	WM	26	SE NW	8.4
Total					55.0

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8. Transfer Application T-13210 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 S	39 E	WM	23	NW NE	2.2
2 S	39 E	WM	23	NE NE	30.0
2 S	39 E	WM	23	SE NE	22.8
Total					55.0

Temporary Transfer Review Criteria

- 9. Water has been used within the last five years according to the terms and conditions of the rights. There is no evidence available that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
- 10. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights are present.
- 11. The proposed changes would not result in enlargement of the rights.
- 12. The proposed changes would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(5) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

The temporary changes in place of use proposed in Temporary Transfer Application T-13210 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

- 1. The temporary changes in place of use proposed in Temporary Transfer Application T-13210 are approved.
- 2. The former place of use **shall not** be irrigated as part of these water rights during the 2020, 2021, 2022, 2023 and 2024 irrigation seasons.
- 3. The use shall revert to the authorized place of use at the end of the 2024 irrigation season.
- 4. The approval of this temporary transfer may be revoked or modified if the Department finds the changes cause injury to any existing water right.
- 5. A subsequent application for permanent transfer of Certificates 31638, 34396 and 41060 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
- 6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 31638, 34396 and 41060.

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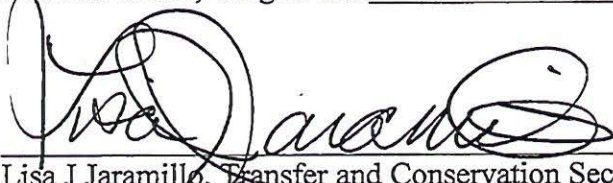
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7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. Water use measurement conditions:
- Before water use may begin** under this order, the water user shall install a totalizing flow meter, or, with prior approval of the Director, another suitable measuring device, at each point of diversion.
 - The water user shall maintain the meters or measuring devices in good working order.
 - The water user shall allow the Watermaster access to the meters or measuring devices; provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice.
9. The use of the remaining water rights described by Certificates 31638, 34396 and 41060 shall continue to be in accordance with the terms and conditions of Certificates 31638, 34396 and 41060.

Dated at Salem, Oregon this JAN 03 2020



Lisa J Jaramillo, Transfer and Conservation Section Manager, for
Thomas M. Byler, Director
Oregon Water Resources Department

Mailing Date: JAN 06 2020

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AFFIDAVIT

STATE OF OREGON }
COUNTY OF UNION } S.S.
COUNTY PLANNING }
DEPARTMENT }

I, Scott Hartell, Associate Planner of Union County, do depose and say that on November 18, 2013, Boundary Line Adjustment approval was granted per Article 25.00 of the Union County Zoning, Partition and Subdivision Ordinance to adjust the boundary line between properties described as Twp. 2S, Range 39 EWM, Tax Lots 9301, owned by Fred Wallender and Twp. 2S, Range 39 EWM, Tax Lot 9300, owned by Timothy & Christine Wallender reducing Tax Lot 9301 by 36 acres and increasing Tax Lot 9300 by 36 acres and not creating any new lot or parcel. This request has been approved and all Boundary Line Adjustment requirements have been satisfied which allows the Boundary Line Adjustment to be effectuated through recording.

Dec 17, 2013
Date

Scott Hartell
Scott Hartell
Associate Planner

Subscribed and sworn before me this 17th day of December, 2013.

Stacy Lynn Warren
Notary Public for the State of Oregon
Residing at Union County

My Commission Expires Jan. 10, 2016

Attached: legal descriptions and map.



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LEGAL DESCRIPTION
LOT LINE ADJUSTMENT
Adjusted Tract

Situate in Section 22, Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon, more particularly described as follows:

The Northeast quarter of the Southeast quarter,

EXCEPTING THEREFROM, A tract of land more particularly described as follows:

Beginning at a point on the South line of the Northeast quarter of the Southeast quarter, 40 feet East of the Southwest corner of said Northeast quarter of the Southeast quarter,

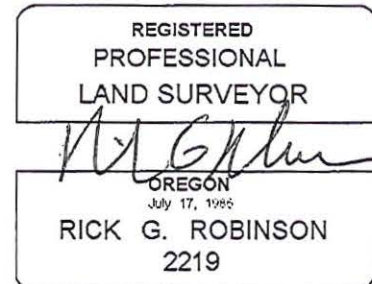
Thence; East, along said South line of the Northeast quarter of the Southeast quarter to the Southeast corner of the Northeast quarter of the Southeast quarter,

Thence; North, along the line common to Sections 22 and 23, a distance of 40 feet,

Thence; West, along a line parallel to the South line of said Northeast quarter of the Southeast quarter, to a point on a line parallel to and 40 feet East of the West line of the Northeast quarter of the Southeast quarter and 40 feet North of the Point of Beginning,

Thence; South, along said line parallel to and 40 feet East of the West line of the Northeast quarter of the Southeast quarter, a distance of 40 feet to the Point of Beginning.

ALSO EXCEPTING THEREFROM, the West 40 feet and the North 40 feet of the Northeast quarter of the Southeast quarter of said Section 22.



Renewal Date: December 31, 2014

LEGAL DESCRIPTION
LOT LINE ADJUSTMENT
F. Timothy and Christine G. Wallender Tract After Adjustment

Situate in Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon, more particularly described as follows:

Section 22: The South half of the Southeast quarter and the Northeast quarter of the Southeast quarter,

EXCEPTING THEREFROM, A tract of land more particularly described as follows:

Beginning at the Southwest corner of the Northwest quarter of the Southeast quarter of said Section 22,

Thence; East, along the North line of the South half of the Southeast quarter of Section 22, to a point on the South line of the Northeast quarter of the Southeast quarter 40 feet East of the Southwest corner of said Northeast quarter of the Southeast quarter,

Thence; South, along a line parallel to the East line of the Southwest quarter of the Southeast quarter of Section 22, a distance of 37.65 feet,

Thence; West, along a line parallel to the Northerly line of the South half of the Southeast quarter, to the West line of the Southwest quarter of the Southeast quarter,

Thence; North, along said West line of the Southwest quarter of the Southeast quarter, a distance of 37.65 feet, to the Point of Beginning.

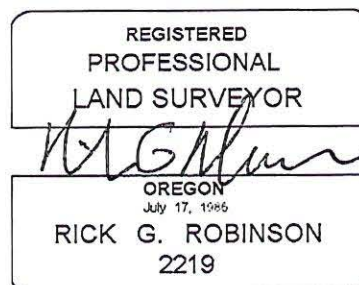
ALSO EXCEPTING THEREFROM, the West 40 feet and the North 40 feet of the Northeast quarter of the Southeast quarter of said Section 22.

Section 26: The Northwest quarter;

Section 27: The Northeast quarter;

Subject to easements of record or as they exist.

Subject to rights of the public over and across County Road No. 34 (Hamilton Road), County Road No. 35B (Ruckman Road) and County Road No. 126 (Booth Lane)



Renewal Date: December 31, 2014

LEGAL DESCRIPTION
LOT LINE ADJUSTMENT
Fred Wallender Tract After Adjustment

Situate in Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon, more particularly described as follows:

Section 22: The West 40 feet and the North 40 feet of the Northeast quarter of the Southeast quarter of said Section 22 and all that portion of the South half of the Southwest quarter lying East of the center of State Ditch;

ALSO INCLUDING, A tract of land more particularly described as follows:

Beginning at the Southwest corner of the Northwest quarter of the Southeast quarter of said Section 22;

Thence; East, along the North line of the South half of the Southeast quarter of Section 22, to a point on the South line of the Northeast quarter of the Southeast quarter 40 feet East of the Southwest corner of said Northeast quarter of the Southeast quarter,

Thence; South, along a line parallel to the East line of the Southwest quarter of the Southeast quarter of Section 22, a distance of 37.65 feet,

Thence; West, along a line parallel to the Northerly line of the South half of the Southeast quarter, to the West line of the Southwest quarter of the Southeast quarter,

Thence; North, along said West line of the Southwest quarter of the Southeast quarter, a distance of 37.65 feet, to the Point of Beginning.

Section 23: The South half;

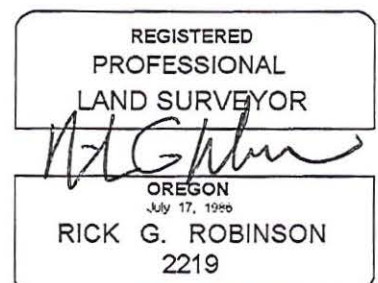
Section 25: The Northwest quarter;

Section 26: The Northeast quarter;

Section 27: All that portion of the Northwest quarter lying East of the center of the State Ditch.

Subject to easements of record or as they exist.

Subject to rights of the public over and across County Road No. 34 (Hamilton Road), County Road No. 35B (Ruckman Road) and County Road No. 126 (Booth Lane)



Renewal Date: December 31, 2014

PARTITION PLAT NUMBER 20190005T

Microfilm Number 20190913T
Plat Cabinet Number E454 & E455A partition of Parcel 3 of Partition Plat 20140001T,
Situating in Sections 22, 23, and 27,
Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon

SURVEYOR'S CERTIFICATE

I, Jeffrey S. Hsu, Registered Professional Land Surveyor, hereby certify that I have platted the land within this UNSURVEYED partition, being a partition of Parcel 3 of Partition Plat 20140001T, situated in Sections 22, 23, and 27 in Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon, more particularly described as follows:

Section 22: The West 40 feet and the North 40 feet of the Northeast quarter of the Southeast quarter of said Section 22 and all that portion of the South half of the Southwest quarter lying East of the center of State Ditch;

ALSO INCLUDING, A tract of land more particularly described as follows:

Beginning at the Southwest corner of the Northwest quarter of the Southeast quarter of said Section 22;

Thence; East, along the North line of the South half of the Southeast quarter of Section 22, to a point on the South line of the Northeast quarter of the Southeast quarter 40 feet East of the Southwest corner of said Northeast quarter of the Southeast quarter,

Thence; South, along a line parallel to the East line of the Southwest quarter of the Southeast quarter of Section 22, a distance of 37.65 feet,

Thence; West, along a line parallel to the Northerly line of the South half of the Southeast quarter, to the West line of the Southwest quarter of the Southeast quarter,

Thence; North, along said West line of the Southwest quarter of the Southeast quarter, a distance of 37.65 feet, to the Point of Beginning.

Section 23: The South half;

Section 27: All that portion of the Northwest quarter lying East of the center of the State Ditch.

Subject to easements of record or as they exist.

Subject to rights of the public in County Road No. 34 (Hamilton Road), County Road No. 35B (Ruckman Road) and County Road No. 126 (Booth Lane) over and across the land within the above described tract

Said tract containing APPROXIMATELY 410 Acres including county road right of way.

I further certify that I made this plat by order of and under the direction of the owner thereof, and that this is an UNSURVEYED partition, with no new corner monuments set, in accordance with O.R.S. 92.050 and 92.060.


Jeffrey S. Hsu, OPLS 83571
Baggett, Griffith and Blackman
2006 Adams Avenue
LaGrande, OR 97850



SURVEYOR'S EXACT COPY STATEMENT

I, Jeffrey S. Hsu, registered Oregon Surveyor No. 83571, do hereby certify that I am the Surveyor who prepared the Partition Plat No. _____ and that the annexed tracing is an exact copy of said Partition Plat as the same is on file in UNION COUNTY Cabinet Number _____ of the Plat Records of UNION COUNTY, and said exact copy is submitted as per O.R.S. 92.120.


Jeffrey S. Hsu, OPLS 83571

PARCEL DESCRIPTIONS

PARCEL 1

Situated in Section 22, 23, and 27, Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon, more particularly described as follows:

Section 22: The West 40 feet and the North 40 feet of the Northeast quarter of the Southeast quarter of said Section 22 and all that portion of the South half of the Southwest quarter lying East of the center of State Ditch;

ALSO INCLUDING, A tract of land more particularly described as follows:

Beginning at the Southwest corner of the Northwest quarter of the Southeast quarter of said Section 22;

Thence; East, along the North line of the South half of the Southeast quarter of Section 22, to a point on the South line of the Northeast quarter of the Southeast quarter 40 feet East of the Southwest corner of said Northeast quarter of the Southeast quarter,

Thence; South, along a line parallel to the East line of the Southwest quarter of the Southeast quarter of Section 22, a distance of 37.65 feet,

Thence; West, along a line parallel to the Northerly line of the South half of the Southeast quarter, to the West line of the Southwest quarter of the Southeast quarter,

Thence; North, along said West line of the Southwest quarter of the Southeast quarter, a distance of 37.65 feet, to the Point of Beginning.

Section 23: The Southwest quarter, excepting the East 70 feet of lying North of a line 498.5 feet North of the South line of said Southwest quarter, and that part of the Southeast quarter lying West and South of the following described line:

Beginning at a point on the South line of the Southeast quarter of said Section 23, said point which bears West, a distance of 12,941.89 feet from the corner common to Section 19, 20, 29 and 30 of Township 2 South, Range 40 East of the Willamette Meridian,

Thence: North, a distance of 380.00 feet

Thence: West, a distance of 265.00 feet

Thence: North, a distance of 118.50 feet,

Thence: West, a distance of 80 feet, more or less, to the West line of said Southeast quarter.

Section 27: All that portion of the Northwest quarter lying East of the center of the State Ditch.

Subject to rights of the public in County Road No. 34 (Hamilton Road), County Road No. 35B (Ruckman Road) and County Road No. 126 (Booth Lane) over and across the land within the above described tract

PARCEL 2

Situated in Section 23, Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon, more particularly described as follows:

The East 70 feet of the Southwest quarter lying North of a line 498.5 feet North of the South line of said Southwest quarter, and the Southeast quarter, EXCEPTING THEREFROM that portion of said Southeast quarter lying West and South of the following described line:

Beginning at a point on the South line of the Southeast quarter of said Section 23, said point which bears West, a distance of 12,941.89 feet from the corner common to Section 19, 20, 29 and 30 of Township 2 South, Range 40 East of the Willamette Meridian,

Thence: North, a distance of 380.00 feet

Thence: West, a distance of 265.00 feet

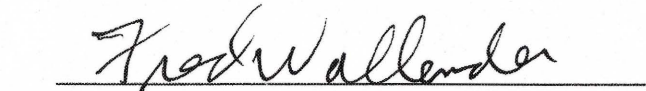
Thence: North, a distance of 118.50 feet,

Thence: West, a distance of 80 feet, more or less, to the West line of said Southeast quarter.

Subject to rights of the public in County Road No. 34 (Hamilton Road) over and across the land within the above described tract

DECLARATION

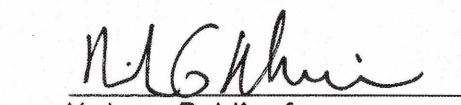
Know all People by these presents that FRED WALLENDER is the owner of the land within this Partition, being more particularly described in the accompanying Surveyor's Certificate, and have caused the same to be platted as shown on the annexed map in accordance with O.R.S. Chapter 92.

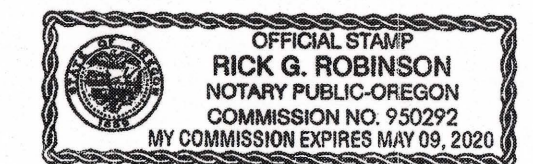

FRED WALLENDER

ACKNOWLEDGMENT

State of Oregon SS
County of Union

Know all people by these presents, on this 16th day of APRIL, 2019, before me a Notary Public in and for said State and County, personally appeared FRED WALLENDER, who is known to me to be the identical person named in the foregoing instrument, and who being duly sworn, did say that he executed the same freely and voluntarily.


Notary Public for
the State of Oregon

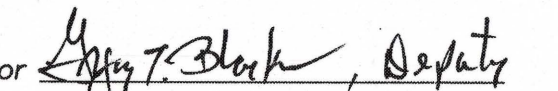


Notarial seal

APPROVALS

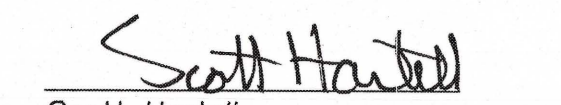
Union County Surveyor

Approved this 15th day of April, 2019.

By Wallowa County Surveyor 
Gregory T. Blackman
Deputy Wallowa County Surveyor

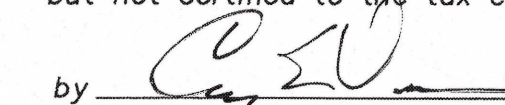
Union County Planning Commission

Approved this 16 day of April, 2019.


Scott Hartell
Union County Planning Director

Union County Assessor / Tax Collector

I hereby certify that pursuant to O.R.S. 92.095, all ad valorem taxes and all special assessments, fees and other charges required by law to be placed upon the 2018-2019 tax roll which became a lien on the land within this partition, or will become a lien during the tax year but not certified to the tax collector for collection have been paid.

by  Date: 4/16/19
Cody Vavra, Union County Assessor/Tax Collector

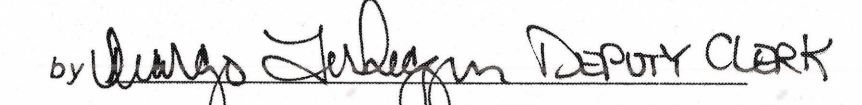
FILING STATEMENT

Union County Clerk

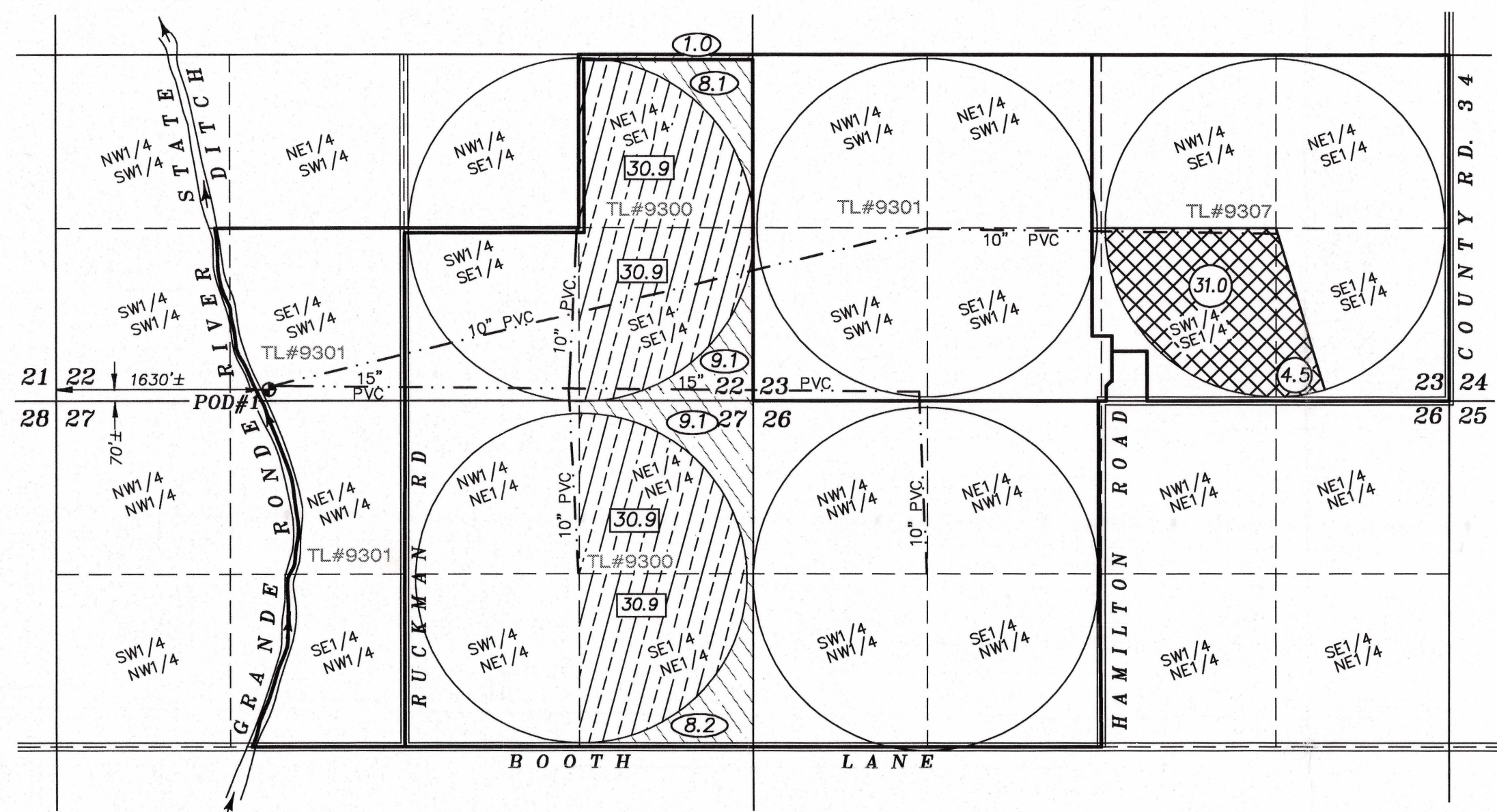
State of Oregon SS
County of Union

I do hereby certify that the attached partition plat was received for record on this 16th day of APRIL, 2019, at 2:40 o'clock P.M., and recorded in Plat Cabinet No. E454 & E455 Union County records. Microfilm Number 20190913T

Robin A. Church
Union County Clerk

 DEPUTY CLERK
Sheet 2 of 2

T W P. 2 S O U T H R A N G E 3 9 E A S T



SCALE: 1"=1000'

AUTHORIZED POINTS OF DIVERSION
 Certificate 31638 POD is in the NE1/4NW1/4 Sec. 27, T2S R 39 E
 Certificate 34396 POD is 70' N and 1630' E from the NW Cor. Sec. 27.
 Certificate 41060 POD is 2700' N and 3275' W from W 1/4 cor Sec. 26, T2S R 39 E.
 ALL POD'S APPEAR TO REFERENCE THE SAME POINT OF DIVERSION - Shown hereon in position as per Certificate 34396



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

- Lands irrigated under Certificate 34396 (priority date 1961) to be transferred, owned by Fred Wallender. 1.0 Ac.
- Lands irrigated under Certificate 34396 (priority date 1961) to be transferred, owned by Tim Wallender. 34.5 Ac.
- Receiving lands for lands irrigated under Certificate 34396 owned by Fred Wallender. 35.5 Ac.
- Lands irrigated by Certificate 34396 owned by Tim Wallender to remain in place. 123.6 Ac
- Area of water rights to remain in place
- Area of land to have water rights transferred from
- Area of land to have water rights transferred to

TEMPORARY TRANSFER FOR PLACE OF USE FOR PORTIONS OF CERTIFICATES C-31638, C-34396. C-41060

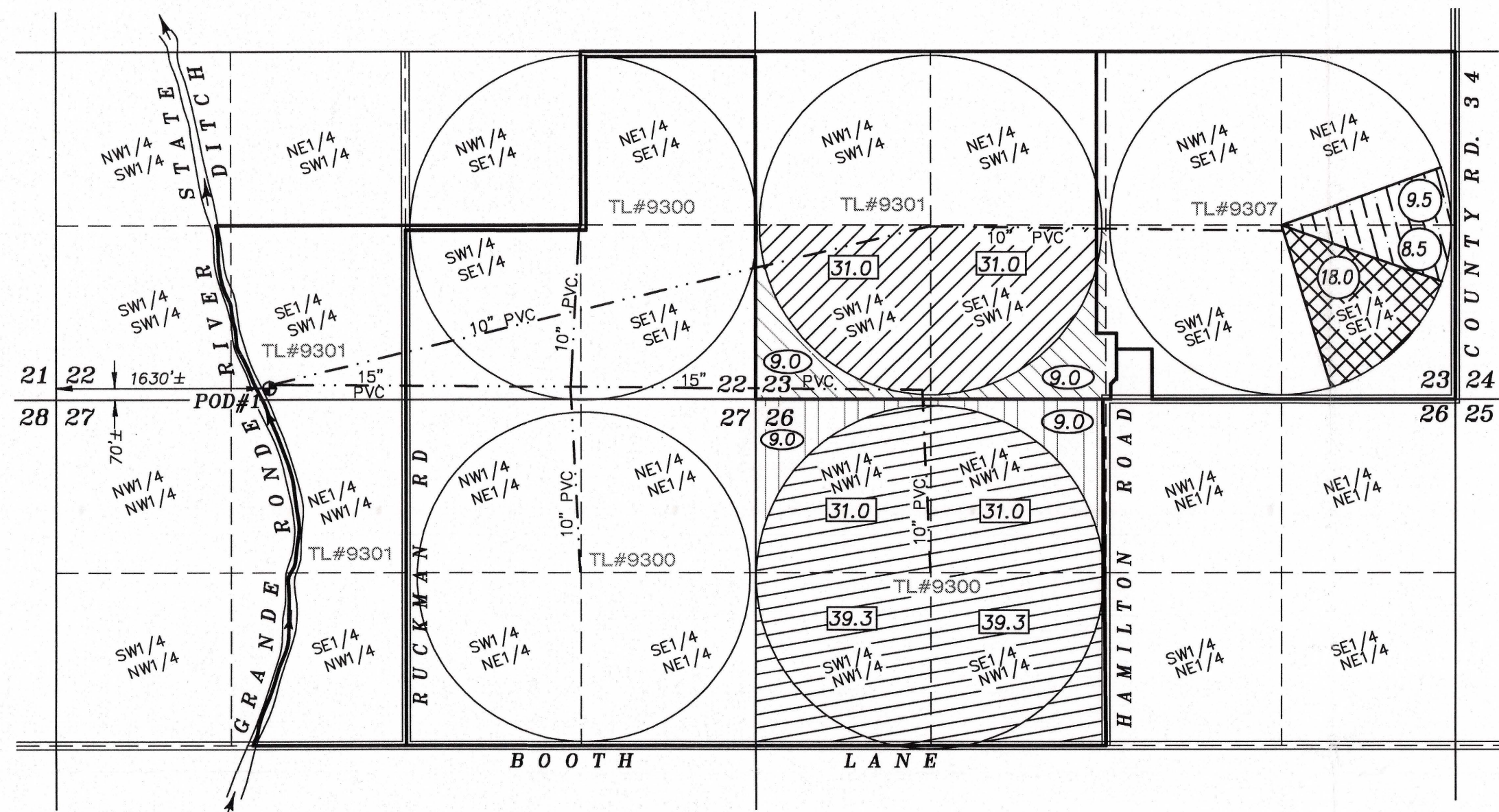
FOR
 FRED WALLENDER AND TIM WALLENDER

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

APPLICATION NO. _____
 PERMIT NUMBER _____

Received
 MAR 31 2025
 OWRD
 Received
 MAR 17 2025
 OWRD

TWP. 2 SOUTH RANGE 39 EAST



SCALE: 1"=1000'

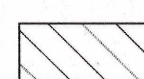
AUTHORIZED POINTS OF DIVERSION

Certificate 31638 POD is in the NE1/4NW1/4 Sec. 27, T2S R 39 E

Certificate 34396 POD is 70' N and 1630' E from the NW Cor. Sec. 27.

Certificate 41060 POD is 2700' N and 3275' W from W 1/4 cor Sec. 26, T2S R 39 E.

ALL POD'S APPEAR TO REFERENCE THE SAME POINT OF DIVERSION - Shown hereon in position as per Certificate 34396



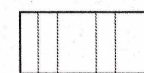
Lands irrigated under Certificate 41060 (priority dated 1966) owned by Fred Wallender, to be transferred. 18.0 Ac.



Receiving lands from Certificate 41060 owned by Fred Wallender from lands owned by Fred Wallender 18.0 Ac.



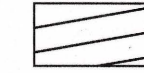
Lands irrigated under Certificate 41060 owned by Fred Wallender to remain in place. 62.0 Ac.



Lands irrigated under Certificate 41060 (priority date 1966), owned by Tim Wallender, to be transferred. 18.0 Ac.



Receiving lands from Certificate 41060 owned by Fred Wallender from lands owned by Tim Wallender 18.0 Ac.



Lands irrigated under Certificate 41060 owned by Tim Wallender to remain in place. 140.60 Ac.



Area of water rights to remain in place



Area of land to have water rights transferred from



Area of land to have water rights transferred to



Renews: June 30, 2025

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

TEMPORARY TRANSFER FOR PLACE OF USE FOR PORTIONS OF CERTIFICATES C-31638, C-34396. C-41060

FOR
FRED WALLENDER AND TIM WALLENDER

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

APPLICATION NO. _____

PERMIT NUMBER _____

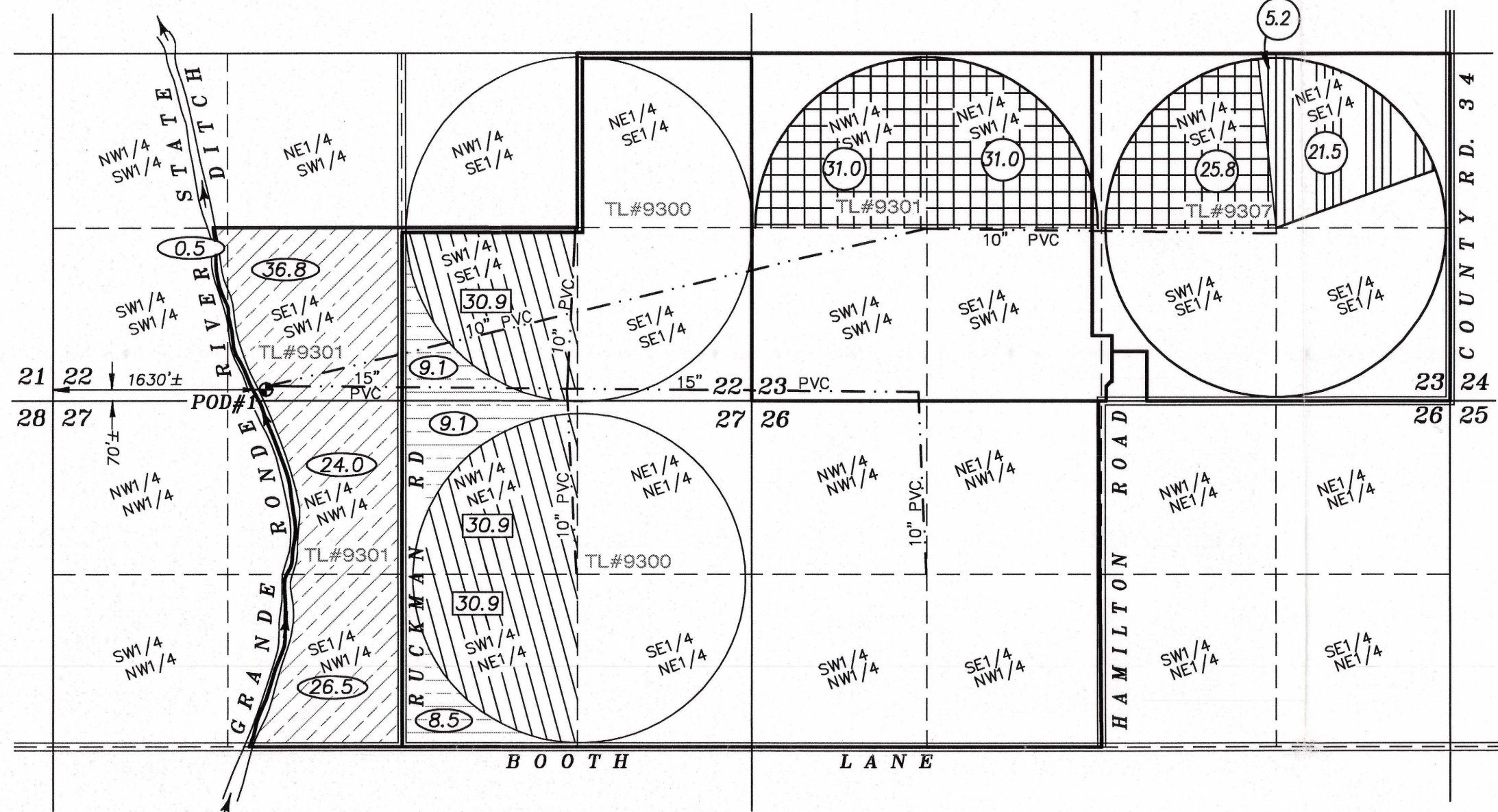
Received
MAR 31 2025

OWRD

Received
MAR 17 2025

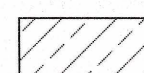
OWRD

T W P. 2 S O U T H R A N G E 3 9 E A S T

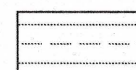


SCALE: 1"=1000'

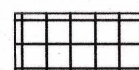
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 ALL POD'S APPEAR TO REFERENCE THE SAME POINT OF DIVERSION - Shown hereon in position as per Certificate 34396



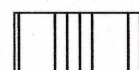
Lands irrigated by Certificate 31638 (priority date 1960/1961) owned by Fred Wallender to be transferred. 87.8 Ac.



Lands irrigated by Certificate 31638 (priority date 1960/1961) owned by Tim Wallender to be transferred. 26.7 Ac.



Receiving lands for Certificate 31638 owned by Fred Wallender from lands owned by Fred Wallendar 87.8 Ac.



Receiving lands for Certificate 31638 owned by Fred Wallender from lands owned by Tim Wallendar 26.7 Ac.



Area of water rights to remain in place



Area of land to have water rights transferred from



Area of land to have water rights transferred to



Lands irrigated by Certificate 31638 owned by Tim Wallender, to remain in place. 92.7 Ac.

TEMPORARY TRANSFER FOR PLACE OF USE FOR PORTIONS OF CERTIFICATES C-31638, C-34396. C-41060
 FOR
 FRED WALLENDER AND TIM WALLENDER

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

APPLICATION NO. _____
 PERMIT NUMBER _____

Received
 MAR 31 2025
 OWRD
 Received
 MAR 17 2025
 OWRD



Renews: June 30, 2025

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

PARTITION PLAT NUMBER 20190005T

A partition of Parcel 3 of Partition Plat 20140001T,
Sited in Sections 22, 23, and 27,
Township 2 South, Range 39 East of the Willamette Meridian, Union County, Oregon

Microfilm Number 20190913T
Plat Cabinet Number E454 & E455

BASIS OF BEARING

Forward bearing as published by the U.S.C.
and G.S. from Δ COLLEGE to Δ VALLEY
Dated 1946.

SCALE: 1"=1000'

LEGEND

2 1/2" aluminum pipe with 2 1/2" aluminum
cap, marked as per Union County
monumentation records, shown at position
as per Union County GPS network

— — — — — Easement Line

— — — — — Aliquot Line

~~~~~ Road

## REFERENCE MATERIAL

Book 152, Page 608  
Microfilm Document Number 25005  
Microfilm Document Number 20054865  
Microfilm Document Number 20134068

Partition Plat Report 19-31074,  
prepared by Eastern Oregon Title, Inc.,  
dated April 10, 2019

## NOTES AND EASEMENTS

- 1 Subject to right of way for Union County Road No. 34 (Hamilton Rd.),  
Union County Road No. 126 (Booth Lane), and Union County Road No.  
35-B (Ruckman Rd.)
- 2 Subject to right of way for State Ditch.
- 3 Easement granted to Lilly Miller by Right of Way Deed recorded in Book  
152, Page 608 for a perpetual right of way over and across this property  
for purpose of clearing, trenching for, laying, constructing, maintaining  
and repairing a pipeline for irrigation purposes.

- 4 Right of way easement, granted to California-Pacific Utilities Company,  
recorded as Microfilm Document No. 25005, for right to construct,  
reconstruct, operate and maintain electric power lines and/or gas or  
water mains, and all necessary poles, towers and appurtenances over,  
under and upon a strip of land 10 ft. in width.
- 5 40' wide right of way easement, granted to Oregon Trail Electric  
Consumers Cooperative, Inc., recorded as Microfilm Document Number  
20054865, for right to construct, operate and maintain an electric  
transmission and/or distribution line across this property.

REGISTERED  
PROFESSIONAL  
LAND SURVEYOR

OREGON  
JUNE 2, 2010  
JEFFREY S. HSU  
83571

Renewal Date: June 30, 2019

## NARRATIVE

This partition was done at the request of Fred Wallendar, owner  
of the land within. Mr. Wallendar wanted to divide the property  
as shown hereon. This partition is UNSURVEYED. No attempt  
was made to locate exterior or boundaries on the ground. The  
portion of the dividing line between Parcels 1 and 2 that falls  
within Section 23, was surveyed, though not monumented, and  
ties given to the nearest aliquot corners. The potential lease  
site is shown on this plat for documentation purposes, and is  
not intended to create an additional discrete parcel by this plat.  
All easements, as shown hereon, are at the legally described  
locations. Actual location not ascertainable without benefit of  
survey. I find no unusual conditions with this partition.

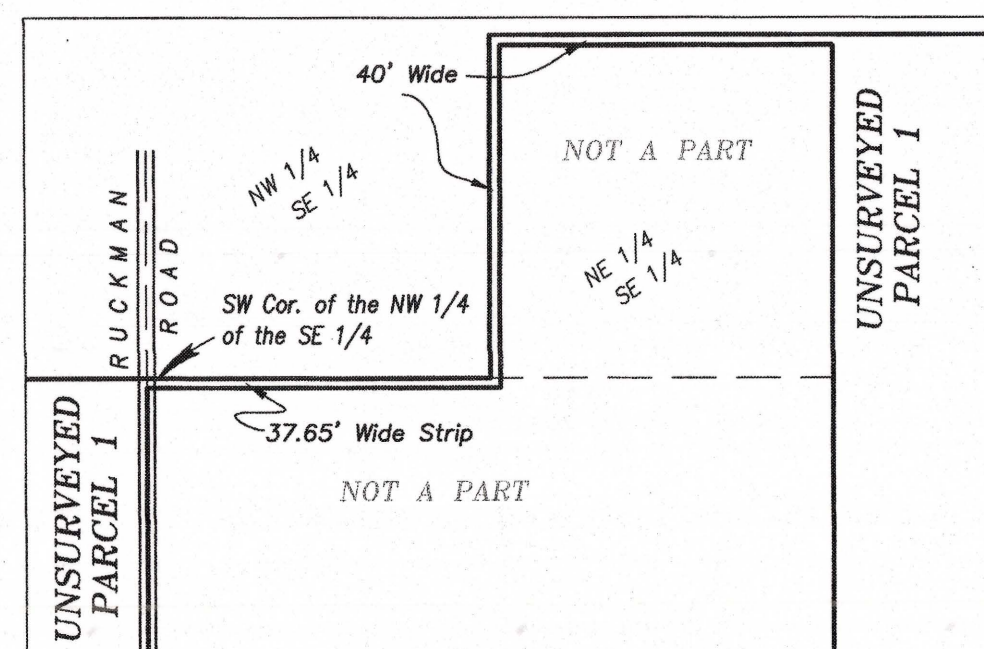
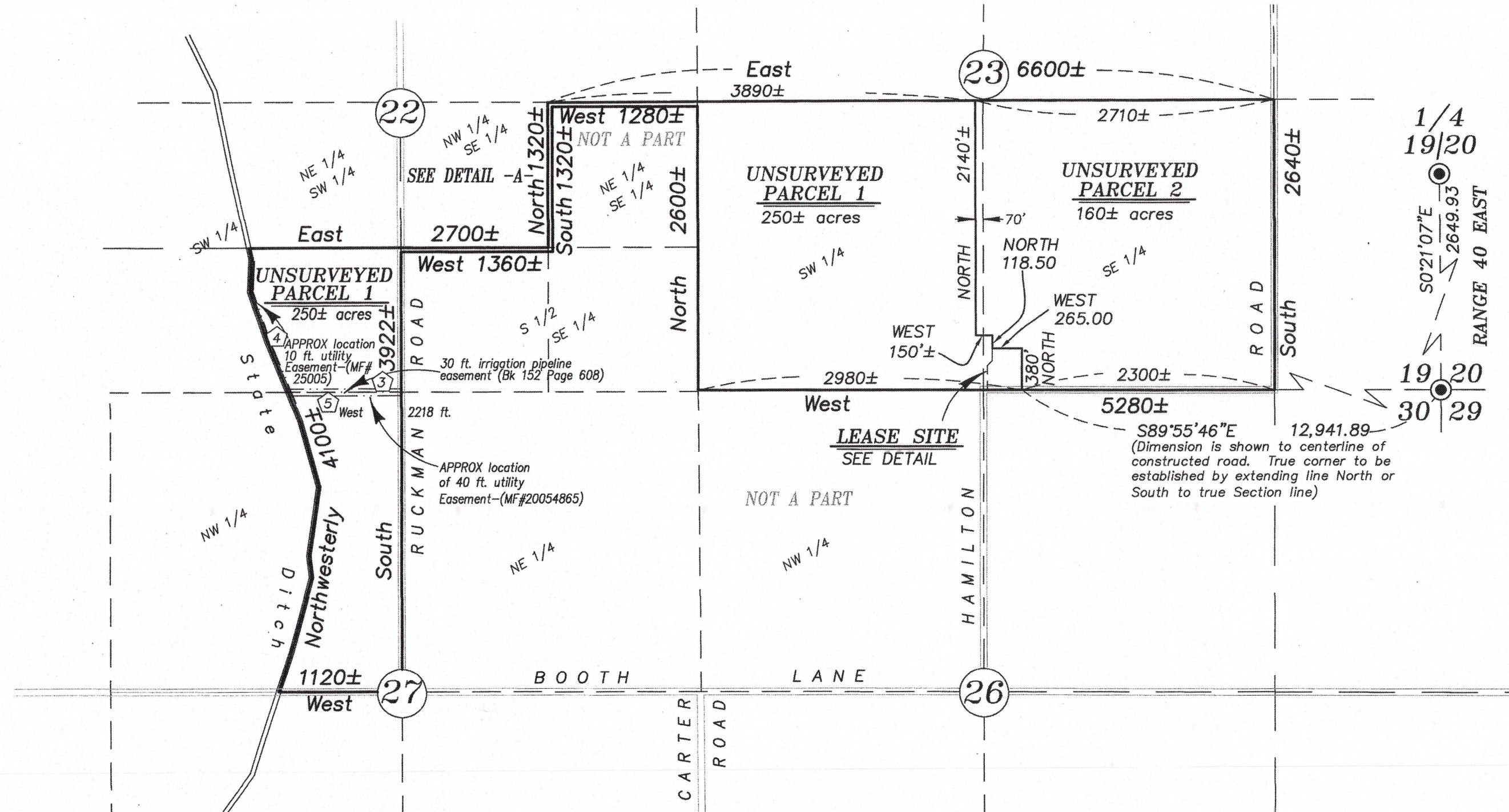
## SURVEYOR'S EXACT COPY STATEMENT

I, Jeffrey S. Hsu, registered Oregon Surveyor No. 83571, do hereby certify  
that I am the Surveyor who prepared the Partition Plat No. 20190005T and that the  
annexed tracing is an exact copy of said Partition Plat as the same is on file in  
UNION COUNTY Cabinet Number E454 & E455 of the Plat Records of UNION COUNTY,  
and said exact copy is submitted as per O.R.S. 92.120.

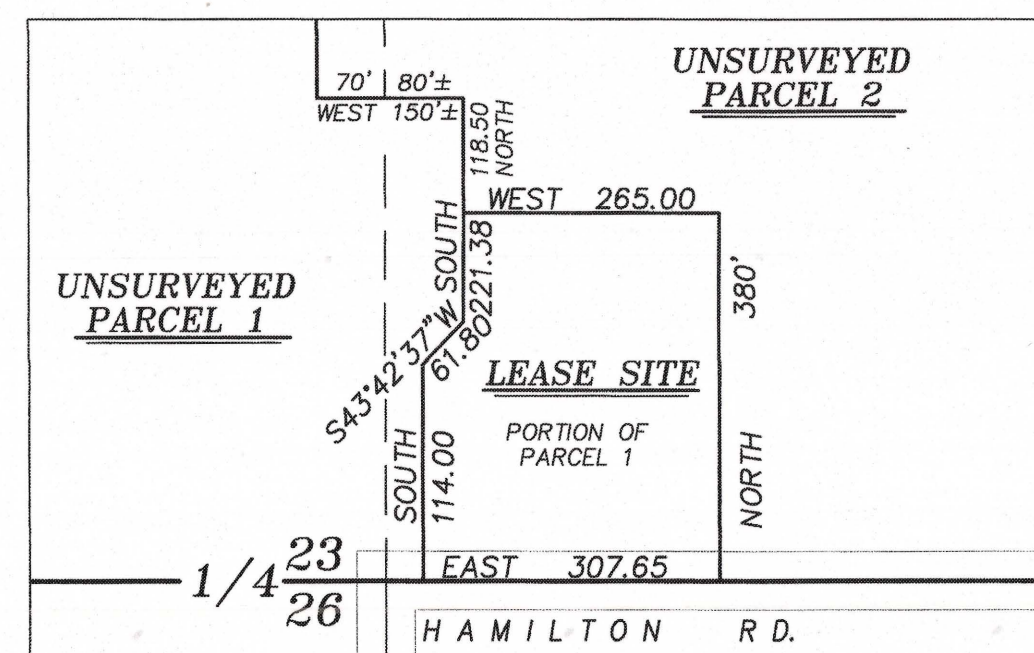
Jeffrey S. Hsu, OPLS 83571

Received  
MAR 31 2025  
OWRD

Sheet 1 of 2



DETAIL -A-  
NOT TO SCALE



LEASE SITE DETAIL  
SCALE 1" = 200'