Regular



T-14429

Name Nichole & Monty Ludington Address 43731 Jericho Un. Pendleton, OR 97801-9582 niki nic@hotmail.com Change in POU	Name of Stream A Trib. of McKay (Creek			Date 3-26-202 3-26-202 5-6-202		142596
Date Filed 3/26/2024	Use Irrigation		County Umatille	2			
Initial notice date 4/2/2024	Quantity of water (C	FS)	No. of Acres		-		
DPD issued date 8/27/2024	Name of ditch App# G - 9808	Per #_ G-8969	Cert # 94797	PR Date 6-27-198	0		
PD notice date 9/3/2024	App#		Cert #	PR Date		FEES REFUN	NDED
Date of FOVolPage	App#	Per #	Cert #_		Date	Amount	Receipt #
	App#		Cert #			524,534,544	
	App#		Cert #	PR Date			
C-Date				- Li			
COBU due date							
COBU Received date					÷		
Certificate issued	_				-		
	_						
Assignments:							
Irrigation District				_			
~ . Al				_			
Agent_John Short johnshort@usa.com							
johnshort@usa.com							
CWRE	ala ave ava t						
CC's list Umatilla County Community Dev	wiopmen!						
- Oversized map - Location							



Water Resources Department

North Mall Office Building 725 Summer St NE, Suite A Salem, OR 97301 Phone 503 986-0900 Fax 503 986-0904

November 26, 2024

Nichole and Monte Ludington 43731 Jerico Lane Pendleton, OR 97801-9582

REFERENCE: Transfer Application T-14429

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

The time allowed to complete the transfer is specified in the final order. YOU SHOULD GIVE PARTICULAR ATTENTION TO THE TIME LIMIT. The water right for any portion of the authorized change in character of use or change in place of use NOT carried out within the time allowed will be lost.

An extension of the time limit can be allowed <u>only</u> upon a showing that diligent effort has been made to complete the actual change(s) within the time allowed.

You are required to hire a Certified Water Rights Examiner (CWRE) to complete a Claim of Beneficial Use report and map which must be submitted to this Department within one year of the date you complete the change(s) or within one year of the completion date authorized in the transfer final order, whichever occurs first.

If you have any questions related to the approval of this transfer, you may contact your caseworker, Kim French, by telephone at (503) 979-9607 or by e-mail at Kim.r.french@water.oregon.gov.

Sincerely,

Elyse D. Richman

Elype Richman

Water Rights Services Support

Transfers and Conservation Section

cc:

Gregory M. Silbernagel, Watermaster Dist. # 5 (via email)

John A. Short, Agent

Umatilla County Planning Department, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	FINAL ORDER APPROVING
T-14429, Umatilla County)	A CHANGE IN PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

NICHOLE AND MONTE LUDINGTON 43731 JERICO LANE PENDLETON, OR 97801-9582

Findings of Fact

- 1. On March 26, 2024, NICHOLE AND MONTE LUDINGTON filed an application to change the place of use under Certificate 94797. The Department assigned the application number T-14429.
- 2. Notice of the application for transfer was published on April 2, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 3. On July 15, 2024, the Department sent a copy of the draft Preliminary Determination to the applicants, proposing to approve Transfer Application T-14429. The draft Preliminary Determination cover letter provided a deadline of August 15, 2024, for the applicants to respond and submit the required information. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.
- 4. On August 6, 2024, the applicant requested additional time to complete beneficial use of the water to October 1, 2029, pursuant to OAR 690-380-5140(3). The applicant needs additional time to install the new irrigation system and measurement device.

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

- 5. On August 27, 2024, the Department issued a Preliminary Determination proposing to approve Transfer Application T-14429 and sent a copy to the applicants. Additionally, notice of the Preliminary Determination for the transfer application was published in the Department's weekly notice on September 3, 2024, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
- 6. The portion of the right to be transferred is as follows:

Certificate:

94797 in the name of GUY KRISZA (perfected under Permit G-8969)

Use:

IRRIGATION OF 1.0 ACRE

Priority Date:

JUNE 27, 1980

Rate:

0.0125 CUBIC FOOT PER SECOND

Limit/Duty:

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, 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 and shall conform to such reasonable rotation system as may be

ordered by the proper state officer.

Source:

A WELL, tributary of MCKAY CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	TaxLot	Measured Distances
2 N	32 E	WM	34	SW NE	400	1530 FEET SOUTH AND 1810 FEET WEST FROM THE NE CORNER OF SECTION 34

Authorized Place of Use:

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres				
2 N	32 E	WM	34	SW NE	1.0				

7. Transfer Application T-14429 proposes to change the place of use of the right to:

IRRIGATION									
Twp	Rng	Mer	Sec	Q-Q	Acres				
2 N	32 E	WM	34	SW NE	1.0				

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

- 8. Water has been used within the last five years prior to the submittal of Transfer Application T-14429 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- 9. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14429.

- 10. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
- 11. The proposed change, as conditioned, would not result in enlargement of the right.
- 12. The proposed change would not result in injury to other existing water rights.
- 13. All other application requirements are met.

Conclusions of Law

The change in place of use proposed in Transfer Application T-14429 is consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

- 1. The change in place of use proposed in Transfer Application T-14429 is approved.
- The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 94797 and any related decree.
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new place of use.
- 4. Water right Certificate 94797 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
- 5. The former place of use of the transferred right shall no longer receive water under the right.
- 6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
- 7. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dat	ed in Salem, Oregon on NOV 2°6 2024
1	
Lisa	J. Jaramillo, Transfer and Conservation Section Manager, for
	N GALL, DIRECTOR
Ore	gon Water Resources Department

Mailing Date: NOV 27 2024

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GUY KRISZA 299 SIDE RD 5 PAISLEY ONTARIO NOG2NO

confirms the right to use the waters of a WELL, tributary of MCKAY CREEK for IRRIGATION of 1.0 ACRE.

This right was perfected under Permit G-8969. The date of priority is JUNE 27, 1980. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.0125 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the wells.

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	TaxLot	Measured Distances
2 N	32 E	WM	34	SW NE	400	1530 FEET SOUTH AND 1810 FEET WEST FROM THE NE CORNER OF, SECTION 34

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent 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 and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	32 E	WM	34	SW NE	1.0

The quantity of water diverted at the new point of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	32 E	ŴМ	34	SE NE	2300 FEET SOUTH AND 870 FEET WEST FROM THE NE CORNER OF SECTION 34

When required by the Department, the water user shall install, maintain and operate an in-line flow meter or other suitable device for measuring the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

This certificate describes that portion of water right Certificate 94797, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered NOV 2 6 2024 approving Transfer Application T-14429.
The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

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

WITNESS the signature of the Water Resources Director, affixed NOV 2 6 2024

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for

IVAN GALL, DIRECTOR

Oregon Water Resources Department



Water Resources Department

North Mall Office Building 725 Summer St NE, Suite A Salem, OR 97301 Phone 503 986-0900 Fax 503 986-0904 www.oregon.gov/owrd

August 27, 2023

VIA CERTIFIED MAIL AND E-MAIL

NICHOLE AND MONTE LUDINGTON 43731 JERICO LANE PENDLETON, OR 97801-9582

SUBJECT: Water Right Transfer Application T-14429

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-14429. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

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

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

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

Please don't hesitate to contact me at 503 979-9607 or Kim.R.French@water.oregon.gov, if I may be of assistance.

Sincerely,

Kim French

Transfer Specialist

Transfer and Conservation Section

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-14429, Umatilla County)	PROPOSING APPROVAL OF A CHANGE IN
)	PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

NICHOLE AND MONTE LUDINGTON 43731 JERICO LANE PENDLETON, OR 97801-9582

Findings of Fact

- 1. On March 26, 2024, NICHOLE AND MONTE LUDINGTON filed an application to change the place of use under Certificate 94797. The Department assigned the application number T-14429.
- 2. Notice of the application for transfer was published on April 2, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 3. On July 15, 2024, the Department sent a copy of the draft Preliminary Determination to the applicants, proposing to approve Transfer Application T-14429. The draft Preliminary Determination cover letter provided a deadline of August 15, 2024, for the applicants to respond and submit the required information. The applicants requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicants are authorized to pursue the transfer.
- 4. On August 6, 2024, the applicant requested additional time to complete beneficial use of the water to October 1, 2029, pursuant to OAR 690-380-5140(3). The applicant needs additional time to install the new irrigation system and measurement device.

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

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

Certificate:

94797 in the name of GUY KRISZA (perfected under Permit G-8969)

Use:

IRRIGATION OF 1.0 ACRE

Priority Date:

JUNE 27, 1980

Rate:

0.0125 CUBIC FOOT PER SECOND

Limit/Duty:

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, 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 and shall conform to such reasonable rotation system as may be

ordered by the proper state officer.

Source:

A WELL, tributary of MCKAY CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	TaxLot	Measured Distances
2 N	- 32 E	WM	34	SW NE	400	1530 FEET SOUTH AND 1810 FEET WEST FROM THE NE CORNER OF SECTION 34

Authorized Place of Use:

			TION		
	Rng	Mer	Sec	Q-Q	Acres
2 N	32 E	WM	34	SW NE	1.0

Transfer Application T-14429 proposes to change the place of use of the right to:

		IRRIGAT	ΓΙΟΝ		
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	32 E	WM	34	SW NE	1.0

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

- 7. Water has been used within the last five years prior to the submittal of Transfer Application T-14429 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- 8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-14429.
- The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
- 10. The proposed change, as conditioned, would not result in enlargement of the right.
- 11. The proposed change would not result in injury to other existing water rights.

12. All other application requirements are met.

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-14429 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14429 is approved, the final order will include the following:

- 1. The change in place of use proposed in Transfer Application T-14429 is approved.
- 2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 94797 and any related decree.
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new place of use.
- 4. Water right Certificate 94797 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
- 5. The former place of use of the transferred right shall no longer receive water under the right.
- 6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2029**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
- 7. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Nated in Salem, Oregon on

AUG 27 2024

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for

IVAN GALL, DIRECTOR

Oregon Water Resources Department

This Preliminary Determination was prepared by Kim French. If you have questions about the information in this document, you may reach me at 503-979-9607 or Kim.R.French@water.oregon.gov.

Protests

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

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

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

Requests for Standing

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

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

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

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

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

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

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

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

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

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

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

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



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 15, 2024

VIA E-MAIL

NICHOLE AND MONTE LUDINGTON 43731 JERICO LANE PENDLETON, OR 97801-9582

Reference: Water Right Transfer Application T-14429

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-14429. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by insert August 15, 2024.

Required items needing your immediate attention:

- 1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
- 2. Respond in writing by AUGUST 15, 2024, with acknowledgement that you agree to the proposed action and conditions.
- 3. If you find any errors, please let me know.
- 4. REQUIRED: You must submit a Report of Ownership for the lands where the water right is currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; OR
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

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

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

- d) Must include a list of owners at the time the report was generated; AND
- e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
- 5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is <u>not</u> already included in the transfer application. The Department's statement of consent form (Consent By Deeded Landowner) is available at: https://www.oregon.gov/OWRD/WRDFormsPDF/consent to transfer form.pdf

Conditions of your water right...

Please note the proposed date by which all conditions must be met: October 1, 2025. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. Please let me know by the comment deadline if you will need more time and explain the reasons why.

What happens next...

Once the preliminary determination is issued a publication period is required. The Department will publish a notice in their weekly publication, which opens a 30-day period in which the transfer can be protested.

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

- 1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
- 2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by August 15, 2024, a Preliminary Determination may be issued denying the application as incomplete.

Please don't hesitate to contact me at , if I may be of assistance.

Sincerely,

Kim French

Transfer Specialist

Transfer and Conservation Section

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

In the Matter of Transfer Application T-14429, Umatilla County))	DRAFT
)	PRELIMINARY DETERMINATION PROPOSING APPROVAL OF A CHANGE IN
)	PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

NICHOLE AND MONTE LUDINGTON 43731 JERICO LANE PENDLETON, OR 97801-9582

Findings of Fact

- 1. On March 26, 2024, Nichole and Monte Ludington filed an application to change the place of use under Certificate 94797. The Department assigned the application number T-14429.
- 2. Notice of the application for transfer was published on April 2, 2024, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
- 3. The portion of the right to be transferred is as follows:

Certificate:

94797 in the name of GUY KRISZA (perfected under Permit G-8969)

Use:

IRRIGATION OF 1.0 ACRE

Priority Date:

JUNE 27, 1980

Rate:

0.0125 CUBIC FOOT PER SECOND

Limit/Duty:

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, 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 and shall conform to such reasonable rotation system as may be

ordered by the proper state officer.

Source:

A WELL, tributary of MCKAY CREEK

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	TaxLot	Measured Distances
2 N	32 E	WM	34	SW NE	400	1530 FEET SOUTH AND 1810 FEET WEST FROM THE NE CORNER OF SECTION 34

Authorized Place of Use:

		IRRIGA"	TION		
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	32 E	WM	34	SW NE	1.0

4. Transfer Application T-14429 also proposes to change the place of use of the right to:

4-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1		IRRIGA	TION		
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	32 E	WM	34	SW NE	1.0

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

- 5. Water has been used within the last five years prior to the submittal of Transfer Application T-14429 according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
- A water delivery system sufficient to use the full amount of water allowed under the
 existing right was present within the five-year period prior to submittal of Transfer
 Application T-14429.
- 7. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
- 8. The proposed change would not result in enlargement of the right.
- 9. The proposed change would not result in injury to other existing water rights.
- 10. All other application requirements are met.

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-14429 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-14429 is approved, the final order will include the following:

- 1. The change in place of use proposed in Transfer Application T-14429 is approved.
- 2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 94797 and any related decree.

- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new place of use.
- 4. Water right Certificate 94797 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
- 5. The former place of use of the transferred right shall no longer receive water under the right.
- 6. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2025**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.
- 7. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated in Salem, Oregon on

DRAFT

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

This draft Preliminary Determination was prepared by Kim French. If you have questions about the information in this document, you may reach me at 503-979-9607 or Kim.R.French@water.oregon.gov.

11.

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-14429

Review Due Date:

Applica	ant Name: Nichole & Monte Ludington
Propos	ed Changes: POU POD POA USE OTHER
Review	ver(s): G.Silbernagel Date of Review: 05/28/2024
	Do you have <u>evidence</u> 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.)
	Is there a history of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? Yes No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
3.	Have headgate notices been issued for the source that serves the transferred right(s)? Yes No Records not available.
	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:
	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 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:
8.	N/A 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)?
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: The rate on certificate is 1/80th cfs per acre. Applicatation states needed water is .025 cfs. I just
	wanted to clarify this for the transfer staff processing this application so that enlargement doesn't occur.
11.	 For POU changes that involve micro-irrigation:

1

•	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:
i	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:
i	iii. Did the applicant comply with and meet all of the conditions of the temporary transfer? Yes No If "No", explain:
	iv. Do you have any other observations regarding the temporary transfer? Yes No If "Yes", describe:
	v. Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? Yes No If "No", explain:
c. To the b	est of your knowledge, if this transfer is approved, does it appear that:
i	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:

Page 4 of 5

Last revised May 2019

Watermaster Review Form

Salem, OR 97301-1266

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T-			
be required to be ins at each point	argement of the right or injury to other alled prior to diversion of water, as of diversion/appropriation (new anapoint of diversion/appropriation.	a condition of this transfer:	
For additional information, or should contact the area Water		oe of measurement device, the applicant	
Watermaster name:			
District:			
Address:			
City/State/Zip:			
Phone:			
Email:			
-	e one specified in the Preliminary D It and mail the form below to the Sa	Determination or Final Order is approve alem office.	d
********	**********	*******	
• •	l of an Alternate Measuremen out after consultation with the appli		
On behalf of the Director, I aut	horize use of the following suitable	alternate measurement device:	
Watermaster signature	District	Date	
If this form is used for approval of ar	alternative measurement device, it must b	be mailed to:	
Oregon Water Resources Departmer 725 Summer Street NE, Suite A	t		

TACS Page 5 of 5 Last revised May 2019

STATE OF OREGON WATER RESOURCES DEPARTMENT

RECEIPT # 1 42852

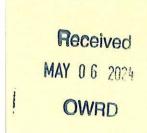
725 Summer St. N.E. Ste. A SALEM, OR 97301-4172

INVOICE # .

-	1111		(503) 98	6-0900 / (50	3) 986-0904 (fax	()			
RECEI	VED FROM	1: Monte G	Lu	dinato	n	APPLIC	CATION		
BY:		Nichole	LLI	dihate	20	PER	MIT		
				1		TRAN	SFER	T-14429	
CASH:	CH	ECK:# 7/8/ 0	THER: (ID	ENTIFY)				1100	
Ш		X 2106				TOTAL	REC'D	5/, 178.12	7
	1083	TREASURY	4170	WRD MI	SC CASH A	CCT	The same		
0	407.	COPIES 47/2	4		RI	A Francis	25	S	
L	0417		300	Transfer	Reinh	UISIM	nt	\$/798.17	7
-	0401/01			/	1 Au	thorn	Tý I	7	
0	243 I/S Le	ase 0244				45 Cons. W	ayer		
L				WHD OI	PERATING A	ACCI			
772		MISCELLANEOUS						S	75
	407	COPY & TAPE FEE	S					S	74
	1410	RESEARCH FEES						\$	
	1408	MISC REVENUE:					=	S	
	C162	DEPOSIT LIAB. (II	NOT THE REAL PROPERTY.					S	
C	240	EXTENSION OF TI	ME					RECORD FEE	
	201	WATER RIGHTS:			EXAM FEE	020	2	\$	
	201	SURFACE WATER			\$	020		S	
	203	GROUND WATER			S	020			
·	1205	TRANSFER WELL CONSTRUC	TION		EXAM FEE			LICENSE FEE	911
	218	WELL DRILL CONS		R	S	021	9	\$	Ī
	1210	LANDOWNER'S PE				022	0	\$	
				m e					
-		OTHER	(IDENTI	FY)					
	0536	TREASURY	0437	WELL C	ONST. STA	RT FEE			
0	211	WELL CONST STA	RT FEE		S		CARD#		
0	210	MONITORING WEL	LS		\$		CARD#		
		OTHER	(IDENTI	FY)		Banger Line			
	0007	TREASURY	(1)	VAN STATE	ACTIVITY	LIC NUM	BER		
L	Accessed to the second			and the second	ACTIVITI	LIOITON		s	Sept.
	233	POWER LICENSE						\$	
)231	HYDRO LICENSE F		VIII)				\$	
		HYDRO APPLICAT	ION						
		TREASURY	-	OTHER	/ RDX				
	LIND		TITLE						
				101111				\$	
I	DESCHIPT	ION					9		
					- 1	11	1		

RECEIPT: 142852 Distribution - White Copy - Customer, Yellow Copy - Fiscal, Blue Copy - Fife, Buff Copy - Fiscal

DATED 5-6-202 BY: 1/3



REIMBURSEMENT AUTHORITY APPLICANT'S AGREEMENT Contract Number: R11-491-25

This Agreement is between the Oregon Water Resources Department, hereafter OWRD, and Nichole and Monte Ludington, hereafter Applicant, hereafter known together as the parties.

OWRD Information		Applica	nt's Information	Applicant's Representative		
Contact:	Kelly Starnes	Name:	Nichole and Monte Ludington	Name:	Water Right Services, LLC	
Title:	Transfer Advisor	Contact:		Contact:	Bryce Withers	
Address:	725 Summer Street, NE, Suite A	Address:	43731 Jerico Ln	Address:	PO Box 1830	
	Salem, OR 97301-1266		Pendleton, OR 97801-9582		Bend, OR 97709	
Phone:	503 979-3511	Phone:	(541) 310-2041	Phone:	(541) 389-2837	
Fax:	503 986-0901	Fax:		Fax:		
Email:	patrick.k.starnes@water.oregon.gov	Email:	niki.nic@hotmail.com	Email:	johnshort@usa.com	

Purpose The purpose of this Agreement is to expedite the processing of the Transfer Application. (Application Number: T-14429)

- 1. Authority. The OWRD has been authorized pursuant to ORS 536.055 to enter into a voluntary agreement with any applicant, permittee or regulated entity (collectively Applicant) for expediting or enhancing a regulatory process. In making this agreement, OWRD shall require the applicant to pay the full cost of expedited process.
- Restrictions. Applicant and OWRD agree that this Agreement shall not be construed to restrict in any way the decisions and actions by OWRD. OWRD shall be free to exercise independent judgment consistent with existing laws and regulations.
- 3. Effective Date and Duration. Unless otherwise terminated by non-deposit of funds by the Applicant, this Agreement shall become effective on the date on which both parties have signed the Agreement and the full deposit of the estimated cost of the proposed service.

4. Consideration.

- a. Applicant shall pay OWRD in advance for actual costs incurred by OWRD. The estimated maximum reimbursement payable to OWRD under this Agreement is \$1,798.12. Applicant agrees to pay the full amount of \$1,798.12 to OWRD prior to commencement of any work stated in this Agreement. This payment will be placed in an account administered by OWRD and drawn upon as costs are actually incurred. If the actual cost of performing the work is less than payments received, OWRD will refund the unspent balance. If the actual cost of processing exceeds the estimate, the Applicant can either elect to terminate this Agreement or amend the Agreement to reflect the increase in cost.
- b. The costs stated in this Agreement do not include the statutory application processing and filing fees.
- Confidentiality. Applicant agrees that any information provided to or acquired by OWRD under this Agreement will be subject to the Oregon Public Records Law and shall be considered public records.
- 6. Indemnity. Applicant shall defend, save, hold harmless, and indemnify the State of Oregon, OWRD, and their officers, employees, and agents from and against all claims, suits, actions, losses, damages, liabilities, costs, and expenses of any nature resulting from or arising out of, or relating to the activities of Applicant or its representatives, officers, employees, contractors, or agents under this Agreement or with respect to the expedited service. The Applicant acknowledges that the Oregon Water Resources Department cannot and does not guarantee a favorable review under the subject regulatory process.

- 7. Termination by Applicant. Applicant may request to terminate this agreement only in writing at anytime during the process. The Applicant agrees to pay for the work done by OWRD up until the time of the written termination request. OWRD, upon receiving such written termination request from the Applicant, will refund any unspent balance.
- 8. Termination by OWRD. OWRD may terminate this Agreement if the applicant fails to provide any requested items necessary to complete the application and/or comply with applicable rule requirements within the specified timeframe outlined in the request letter, being a period of not less than 30 days.
- Funds Authorized and Available. By its execution of this Agreement, Applicants certify that sufficient funds are authorized and available to cover the expenditures contemplated by this Agreement.
- 10. Duration of Estimate. The Estimate of Time to completion is approximately 120 days once this Agreement has been fully executed and payment of the estimated cost deposited. If the Applicant's Agreement is not received by the Department within thirty (30) days of mailing the Agreement, the Applicant may need to re-apply for a new estimate. NOTE: Any time estimate is approximate; No guarantee of Final Order issuance of a date is certain. Duration estimates do not include any statutory waiting periods.
- 10. Completion Date. OWRD, by the execution of this Agreement does not guarantee the completion date indicated in this Agreement. Completion date is only an estimate and may be affected by the Department's workload, issues arising from the processing of the requested services and Applicant's timely response to requests for additional information.
- 11. Captions. The captions or headings in this Agreement are for the convenience only and in no way define, limit, or describe the scope, or intent, of any provision of this Agreement.
- 12. Amendment and Merger. The terms of this Agreement shall not be waived, altered, modified, supplemented, or amended in any manner whatsoever, except by written instrument signed by both parties. Such waiver, consent, modification or change, if made, shall be effective only in the specific instance and for the specific purpose given. There are no understandings, agreements or representations, oral or written, not specified herein regarding this Agreement.

13.	Signatures.	All parties, by the authorized representative's signature below, hereby acknowledge	that they l	have read this
	Agreement	understand it and agree to be bound by its terms and conditions		

For OWRD:

4/2/2024

Mail signed Agreement to:

Stacy Phillips Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1266

STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT #142596

725 Summer St. N.E. Ste. A SALEM, OR 97301-4172

INVOICE #

		(000) 00	0 03007 (30	3) 300-0304 (Idx)				
RECEIVED FROM: Monte 6- Ludington APPLICATION								
BY: Nichole L Ludinaton PERMIT								
			1		TRANSFER	T.14429		
CASH: CH	HECK:# O	THER: (ID	ENTIFY	Г	**	1000		
	X 2101				TOTAL REC'D	\$ 25.00		
1083	TREASURY	4170	WRD MI	SC CASH AC	CT			
200.000	11-1	1	WIID WI	RI	1491.75	s		
0407		24	Transi	On Print	want	\$125.00		
			Iransf	1	Authors	120.00		
0243 I/S Le	ease 0244 I	Muni Wate	er Mgmt. Pla	024	Cons. Water			
		4270	WRD O	PERATING A	CCT			
	MISCELLANEOUS							
0407	COPY & TAPE FEE	S				\$		
0410	RESEARCH FEES					\$		
0408	MISC REVENUE: (IDENTIF	Y)			S		
TC162	DEPOSIT LIAB. (IE	ENTIFY)				\$		
0240	EXTENSION OF TIM	ΛE				\$		
	WATER RIGHTS:			EXAM FEE		RECORD FEE		
0201	SURFACE WATER			\$	0202	\$		
0203	GROUND WATER			S	0204	\$		
0205	TRANSFER			S				
	WELL CONSTRUCT	TION		EXAM FEE		LICENSE FEE		
0218	WELL DRILL CONS	TRUCTO	R	\$	0219	\$		
	LANDOWNER'S PE	RMIT			0220	\$		
	OTHER	(IDENTI	FY)					
				Har and the same of the same o				
0536	TREASURY	0437	WELL C	ONST. STAR	TFEE			
0211	WELL CONST STAF	RTFEE		S	CARD#			
0210	MONITORING WEL	LS		\$	CARD#			
	OTHER	(IDENTI	FY)					
The second	TREASURY			ACTIVITY	LIO NOWIDLIN	s		
0233	POWER LICENSE F					\$		
0231	HYDRO LICENSE F	EE (FW/V	VHD)			\$		
	HYDRO APPLICATI	ON				•		
	TREASURY		OTHER	/ RDX				
FUND TITLE OBJ. CODE VENDOR #								
								OBJ. COD
DESCRIPT	TION					W.		
					1//			

RECEIPT: 142596

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



OREGON WATER RESOURCES DEPARTMENT

TRANSFER REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION



ORS 536.055 authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement.

Please contact Transfer Personnel before submitting this request; as the application fee is a non-refundable \$125.00 fee per request. Checks submitted for this application should be separate from Transfer fees.

TYPI	<u>C</u>		FILE NUMBER					
Transfer App	olication	Transfer Number	thd T-14420	1				
	Applicant	Information	Applicant's Repre	esentative/Contact				
Name:	Nichole & M	Ionte Ludington	Water Right Services	, LLC/ Bryce Withers				
Address:	43731 Jerico	Ln	PO Box 1830					
	Pendleton, C	OR 97801-9582	Bend, OR 97709	Ü				
Phone:	541-310-204	1	541-389-2837					
Fax:								
E-Mail Address:	niki.nic@ho	tmail.com	johnshort@usa.com	n				
request. That OWRE frame for the That upon rein advance to An incomple Expedited processor of the Complete Oregon Transfer 725 Sum	will, within for expedited service initiate the expete or inaccurate rocessing does better the expete of the expet	timate I may agree or decline to spedited service. the application may delay the property of t	fy me in writing of the estimate enter into a formal contract to pocess and increase the cost to p	es of costs and time pay the estimated cost				
certify that I am the Applicant Name: Bryce With		t's Representative Other (F	lease specify)	RECEIVED				

OWRD USE ONLY: Reimbursement Authority Number: R11-49/- 25

11491-25

OWRD

Signature:

WATER RIGHT TRANSFER COVER SHEET

Transfer: T-1	Transfer: T-14429 Transfer Specialist:											
Transfer Typ	e: Regular Tran	nsfer	Reimbu	rsement A	uthorit	y? []					
Applicant:				Agent:				Receiving Landowner:				
Nichole & Monte Ludington				Short								
43731 Jer				ox 1830								
	n, OR 97801-9!			l, OR 977 -	709			ļ				
<u>Current Lar</u>	ndowner if other	than Applicant:	CWR	<u>t</u> :				<u>Irr</u>	igation [<u>District</u> :		
Affected Lo	ocal Gov'ts: County		Affec	Affected Tribal Gov't:				BOR Notified (date):				
Water Rights	Affected											
File											<u> </u>	
Marked	App. File #	or Decree Nam	е	Pern	nit		Certificate		RR/CR	Needed		RR/CR Nos.
						-			Yes	□ No		
						+			Yes Yes	No No		
Kou Datos P	Initial Actions (C	······································				1				LJWU		
<u> </u>	Initial Actions (Sorch 26, 2024	upport Starry	Propos	ed Action(cl· DI A	۵CF	OF LISE					
Fees Pd: 13				····			T					
		00.4		vledgemer				Basin: 7 Umatilla				
	c Notice: 4/2/2		County sent cc: of Ack Letter				County: UMATILLA					
WM Distric Silbernag		y M.	WM Review request sent:				WM Review date received:					
ODFW Dist	rict:	ODFW Review sent:			OE	FW Revi	ew date	recelv	ed:			
Groundwater				GW Review sent:				G۷	V Review	date rec	eived	:
Caseworker A	Actions: Newspa _l	per & PD Notice	:									
Newspaper	notice needed: [Name of Newspaper:								
Newspaper	notice sent to co	ordinator:	Newspaper notice que				ote	requeste	d (NRS1):	:		
Request for	news \$ sent:		News \$ received:									
Affidavit of	publication recei	ved:	Last day of publication				n:					
Peer Review:												•
Document Drafted Peer Review			ew Coordina		tor	or Changes Mad		_		s	ignature Date	
	Date:	Date:	r	Date:		_ Date:				t:		
DPD	Initials:	1		Initials:		Initials:		- 1	\ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \ \		N/A	
PD	PD Date: Date:			Date:				_	Date:		D	ate:
TT Address	Initials:	Initials:	— ¹	nitials:								
						Date:			Date:			
FO	Date: Initials:							- 1	No. of c	ocs for	Date:	
	:							I.				

Transfer Cover Sheet



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 1, 2024

Nichole & Monte Ludington 43731 Jericho Ln. Pendleton, OR 97801-9582 Reference: Application T-14429

On March 26, 2024, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1360.00. Receipt number 142601 is enclosed.

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

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

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

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

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

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

Cc:

Watermaster Dist. #5, Gregory M. Silbernagel (via email)

John Short, Agent

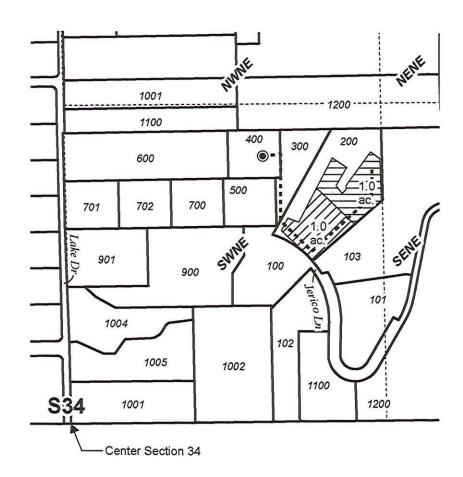
Umatilla County Community Development, Local Government

Enclosure

T2N R32E, WM, UMATILLA COUNTY, OR



1" = 400"



Well - Authorized

-- Pipeline

POU IR "OFF"

POU IR "Remaining / No Change"

--- Section

----- Quarter Quarter

Tax Lot

Well Locations:

Well - Authorized: 1120' N, 820' E of Ctr. Sec 34 (1530' S, 1810' W of NE Cor Sec 34)

RECEIVED

MAR 2 6 2024

OWRD



RENEWAL DATE 12/31/2024



PERMANENT TRANSFER "OFF/REMAINING" MAP Ludington

Cert. 94797 6/7/1980 Priority

Date: 2/21/2024

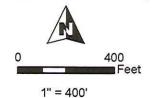
14429 =

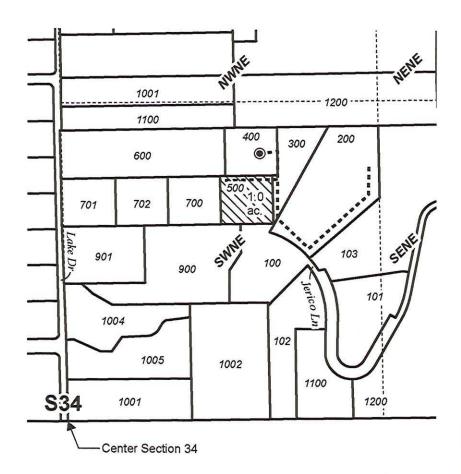
This map is not intended to provide legal dimensions or locations of property ownership lines.

WATER RIGHT SERVICES, LLC PO BOX 1830, BEND, OR 97709

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

T2N R32E, WM, UMATILLA COUNTY, OR





Well - Authorized

Pipeline

POU IR "ON"

Section

----- Quarter Quarter

Tax Lot

Well Locations:

Well - Authorized: 1120' N, 820' E of Ctr. Sec 34 (1530' S, 1810' W of NE Cor Sec 34)

RECEIVED
MAR 2 6 2024

OWRD



RENEWAL DATE 12/31/2024



14429 -

PERMANENT TRANSFER "ON" MAP Ludington

Cert. 94797 6/7/1980 Priority

Date: 2/21/2024

This map is not intended to provide legal dimensions or locations of property ownership lines. WATER RIGHT SERVICES, LLC
PO BOX 1830, BEND, OR 97709
WWW.OREGONWATER.US CCB # 197121
johnshort@usa.com 541-389-2837

STATE OF OREGON

WATER RESOURCES DEPARTMENT 725 Summer St. N.E. Ste. A

RECEIPT	142601		R 97301-4172 503) 986-0904 (fax)	INVOICE #	
PECEIVED	FROM: Monte C	Ludina	ton	APPLICATION	
BY:	Withole	1 Ludoh	aton	PERMIT	
	74		7	TRANSFER	T-14429
CASH:	CHECK:# 2182	THER: (IDENTIFY)		TOTAL REC'D	\$ / 360.00
108	33 TREASURY	4170 WRD	MISC CASH AC	CT	
0407	COPIES				\$
	OTHER: (I	DENTIFY)	2		S
0243	/S Lease 0244	Muni Water Mgmt. F	Plan 0245	Cons. Water	
		4270 WRD	OPERATING AC	CT	
	MISCELLANEOUS		46110		
0407	COPY & TAPE FEE	ES	14110		\$
0410	RESEARCH FEES				\$
0408	MISC REVENUE:	(IDENTIFY)			\$
TC16	DEPOSIT LIAB. (I	DENTIFY)			\$
0240	EXTENSION OF T	IME			\$
	WATER RIGHTS:		EXAM FEE		RECORD FEE
0201	SURFACE WATER		\$	0202	\$
0203	GROUND WATER		\$	0204	\$
0205	TRANSFER		\$ 360.00		Water and the same of the same
	WELL CONSTRUC	CTION	EXAM FEE		LICENSE FEE
0218	WELL DRILL CON	STRUCTOR	S	0219	\$
	LANDOWNER'S P	ERMIT		0220	\$
-	OTHER	(IDENTIFY)			
05	36 TREASURY	0437 WELL	CONST. START	FEE	
				CARD	
0211	WELL CONST STA		\$	CARD	
0210	MONITORING WE				
-	OTHER	(IDENTIFY)			
060	7 TREASURY	0467 HYDR	OACTIVITY	LIC NUMBER	TIES .
0233	POWER LICENSE	FEE (FW/WRD)			\$
0231	HYDRO LICENSE	FEE (FW/WRD)			\$
	HYDRO APPLICAT	ION			\$
	TREASURY	OTHE	R/RDX		
FLINE		TITLE			
	CODE				
	CRIPTION	_ VENOUN			\$
			1	1	/

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

RECEIPT: 142601 DATES 26-2024BY:

Application for Permanent Water Right Transfer

Part 1 of 5 - Minimum Requirements Checklist

This transfer application <u>will be returned</u> 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.

Part 2 – Completed Transfer Application Map Checklist. Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd fee calculator. Part 4 – Completed Applicant Information and Signature. Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? 1 List them here: 94797 Please include a separate Part 5 for each water right. (See instructions on page 6) NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met. Attachments: Completed Transfer Application Map. Completed Evidence of Use Affidavit and supporting documentation. N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district. N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. (For Staff Use Only) WE ARE RETURNING		
Part 2 – Completed Transfer Application Map Checklist. Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/mlsc/wrd fee calculator. Part 4 – Completed Applicant Information and Signature. Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? 1 List them here: 94797 Please include a separate Part 5 for each water right. (See instructions on page 6) NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met. Attachments: Completed Transfer Application Map. Completed Evidence of Use Affidavit and supporting documentation. Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district. 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 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. Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.	Check all	items included with this application. (N/A = Not Applicable)
Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd fee calculator. Part 4 – Completed Applicant Information and Signature. Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? 1 List them here: 94797 Please include a separate Part 5 for each water right. (See instructions on page 6) NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met. Attachments: Completed Transfer Application Map. Completed Evidence of Use Affidavit and supporting documentation. Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district. N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water point of appropriation (well), if the proposed well is more than 500' from the surface water point of appropriation (see not enclosed/insufficient	\boxtimes	Part 1 – Completed Minimum Requirements Checklist.
completed Fee Worksheet, page 3. Try the new online fee calculator at: http://apps.wrd.state.or.us/apps/misc/wrd fee calculator. Part 4 – Completed Applicant Information and Signature. Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? 1 List them here: 94797 Please include a separate Part 5 for each water right. (See instructions on page 6) NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met. Attachments: Completed Transfer Application Map. Completed Evidence of Use Affidavit and supporting documentation. Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district. N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation, the surface water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. (For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(5): Application fee not enclosed/insufficient Land Use Form not enclosed or incomplete Additional signature(s) required	\boxtimes	Part 2 – Completed Transfer Application Map Checklist.
Part 4 – Completed Applicant Information and Signature. Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? 1 List them here: 94797 Please include a separate Part 5 for each water right. (See instructions on page 6) NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met. Attachments: Completed Transfer Application Map. Completed Evidence of Use Affidavit and supporting documentation. N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district. 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. Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. (For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficient Land Use Form not enclosed or incomplete Land Use Form not enclosed or incomplete Other/Explanation	\boxtimes	completed Fee Worksheet, page 3. Try the new online fee calculator at:
Part 5 – Information about Water Rights to be Transferred: How many water rights are to be transferred? 1 List them here: 94797 Please include a separate Part 5 for each water right. (See instructions on page 6) NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met. Attachments: Completed Transfer Application Map. Completed Evidence of Use Affidavit and supporting documentation. N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district. Complete when the transfer applicant is not the irrigation district. N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used 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 (well), if the proposed well is more than 500' from the surface water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. (For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficent Map not included or incomplete Additional signature(s) required Delaction fee not enclosed or incomplete Evidence of Use Form not enclosed or incomplete Delaction fee not enclosed or incomplete Delaction fee not enclosed or incomplete Delaction fee not en	\boxtimes	
Completed Transfer Application Map. Completed Evidence of Use Affidavit and supporting documentation. Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district. N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. (For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficient Additional signature(s) required Part Si Incomplete Evidence of Use Form not enclosed or incomplete Evidence of Use Form not enclosed or incomplete		be transferred? 1 List them here: 94797 Please include a separate Part 5 for each water right. (See instructions on page 6) NOTE: A separate transfer application is required for each water right unless the
N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) N/A Supplemental Form D − For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district. N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500′ from the surface water source and more than 1000′ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. (For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(s): Application fee not enclosed/insufficient Map not included or incomplete Evidence of Use Form not enclosed or incomplete Land Use Form not enclosed or incomplete Evidence of Use Form not enclosed or incomplete Land Use Form not enclosed or		Attachments:
N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.) N/A Supplemental Form D − For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district. N/A Oregon Water Resources Department's Land Use Information Form with approval and signature from each local land use authority in which water is to be diverted, conveyed, and/or used. Not required if water is to be diverted, conveyed, and/or used only on federal lands or if all of the following apply: a) a change in place of use only, b) no structural changes, c) the use of water is for irrigation only, and d) the use is located within an irrigation district or an exclusive farm use zone. N/A Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation. N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500′ from the surface water source and more than 1000′ upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. (For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(s): Application fee not enclosed/insufficient Map not included or incomplete Evidence of Use Form not enclosed or incomplete Land Use Form not enclosed or incomplete Evidence of Use Form not enclosed or incomplete Land Use Form not enclosed or		Completed Transfer Application Map.
right is on.) Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district. 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. Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. (For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficient Land Use Form not enclosed or incomplete Additional signature(s) required Water Well Report for a change from a surface water point of diversion. See OAR 690-380-2130 for requirements and applicability.		
district. Complete when the transfer applicant is not the irrigation district. 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. Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. (For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficient Map not included or incomplete Land Use Form not enclosed or incomplete Evidence of Use Form not enclosed or incomplete Hadlitional signature(s) required Part is incomplete		pr 40 MeV 80 M
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. Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. (For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficient Land Use Form not enclosed or incomplete Additional signature(s) required Part is incomplete Other/Explanation		AP AND
point(s) of appropriation. N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. (For Staff Use Only)		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 <u>all</u> 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
point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability. (For Staff Use Only) WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficient Map not included or incomplete Land Use Form not enclosed or incomplete Evidence of Use Form not enclosed or incomplete Additional signature(s) required Part is incomplete Other/Explanation		
WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficient Map not included or incomplete Land Use Form not enclosed or incomplete Evidence of Use Form not enclosed or incomplete Additional signature(s) required Part is incomplete Other/Explanation		point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR
		WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): Application fee not enclosed/insufficient Map not included or incomplete Land Use Form not enclosed or incomplete Evidence of Use Form not enclosed or incomplete Additional signature(s) required Part is incomplete

Revised 7/7/2022

Permanent Transfer Application Form - Page 1 of 9

RECEIVED

TACS

MAR 2,6 2024

Part 2 of 5 - Transfer Application Map

Your transfer application will be returned if any of the map requirements listed below are not met. Please be sure that the transfer application map you submit includes all the required items and matches the existing water right map. Check all boxes that apply. N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions. N/A If more than three water rights are involved, separate maps are needed for each water right. \boxtimes Permanent quality printed with dark ink on good quality paper. X 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. X A north arrow, a legend, and scale. M 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. X Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines. M Tax lot boundaries (property lines) are required. Tax lot numbers are recommended. M Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads. M Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches. X Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged. N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. M Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit. N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

Revised 7/7/2022

Permanent Transfer Application Form - Page 2 of 9

TACS

MAR 2.6 2024

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed:		
	Place of Use Character of Use Point of Diversion/Appropriation		
	Number of above boxes checked = 1 (2a)		
	Subtract 1 from the number in line 2a = 0 (2b) If only one change, this will be 0		
2	Multiply line 2b by \$1090 and enter » » » » » » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer 1 (3a)		
	Subtract 1 from the number in 3a above: <u>0 (3b)</u> If only one water right this will be 0		
3	Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a well?		
	No: enter 0 Yes: enter \$480 for the 1st well to be added or changed (4a)		
	Do you propose to add or change additional wells?		
	No: enter 0 Yes: multiply the number of additional wells by \$410(4b)		
4	Add line 4a to line 4b and enter » » » » » » » » » » » » » » » »	4	0
	Do you propose to change the place of use or character of use?	Ė	
	No: enter 0 on line 5		
	Yes: enter the cfs for the portions of the rights to be transferred (see below*): .0125 (5a)		
	Subtract 1.0 from the number in 5a above:9875 (5b)		
	If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » »		
	If 5b is greater than 0, round up to the nearest whole number:(5c) and multiply		
5	5c by \$410, then enter on line 5 » » » » » » » » » » » » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » Subtotal:	6	\$1,360
	Is this transfer:		
	necessary to complete a project funded by the Oregon Watershed Enhancement Board		
	(OWEB) under ORS 541.932?		1
	endorsed in writing by ODFW as a change that will result in a net benefit to fish and		
	wildlife habitat?		/
_	If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
	If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » » »	7	44
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » » »	-	\$1,360

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

1. For irrigation calculate cfs for each water right involved as follows:

a. Divide total authorized cfs by total acres in the water right (for C12345, 1.25 cfs ÷100 ac); then multiply by the number of acres to be transferred to get the transfer cfs (x 45 ac= 0.56 cfs).

if the water right certificate does not list total cfs, but identifies the allowable use as 1/40 or 1/80 of a cfs per acre; multiply number of acres proposed for change by either 0.025 (1/40) or 0.0125 (1/80). (For C87654, 45.0 ac x 0.0125 cfs/ac = 0.56 cfs)

2. Add cfs for the portions of water rights on all the land included in the transfer; however do not count cfs for supplemental rights on acreage for which you have already calculated the cfs fee for the primary right on the same land. The fee should be assessed only once for each "on the ground" acre included in the transfer. (In this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

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

Revised 7/7/2022

Permanent Transfer Application Form - Page 3 of 9

RECEIVED

TACS

MAR 26 2024

OWRD

Part 4 of 5 - Applicant Information and Signature

Applicant Information

DITIONAL CONTACT NO.	PHONE NÖ. ADDITIONAL CON 541-310-2041	APPLICANT/BUSINESS NAME NICHOLE LUDINGTON & MONTE LUDINGTON						
NO.	FAX NO.			ADDRESS 43731 JERICO LN				
	E-MAIL niki.nic@hotmail.com	ZIP 97801-9582	STATE OR	CITY PENDLETON				
ГНЕ	niki.nic@hotmail.com EIVE ALL CORRESPONDENCE FROM THE	IT IS GIVEN TO RECEI	DDRESS, CONSE	95-2				

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

AGENT/BUSINESS NAME JOHN A. SHORT / W	ATER RIGHT SERVICES	. цс	PHONE NO. 541-389-2837	ADDITIONAL CONTACT NO.				
ADDRESS PO BOX 1830		•	,	FAX NO.				
CITY BEND	CITY STATE ZIP E-MAIL							
	MAIL ADDRESS, CONSE		CEIVE ALL CORRESPONDENCE WILL ALSO BE MAILED.	E FROM THE DEPARTMENT				

Explain in your own words what you propose to accomplish with this transfer application, and why: Move 1.0 acre of primary irrigation to a new place of use on an adjacent property.

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

Check One Box

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

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per Week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: East Oregonian.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- · Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the

Refunds may only be granted	538.0	uest and, as set for	th in ORS 536.050(4)(a)	. if the Dire	ector determines tha	ıt a
refund of all or part of a fee i	s appropri	ate in the interests	of fairness to the public	c or neces	sary to correct an err	or
of the Department.						
I (we) affirm that the informat	ion contai		N 160 (60)		2 6 100	
70			onte Ludington	k.	3/20/14	
Applicant signature		Print	Name (and Title if app	licable)	Date	
h. hulnt	M	N	ichole Luding	non	3/18/2024	
Applicant signature		Print	Name (and Title if app	licable)	Date	
Is the applicant the sole owner located? Yes No*	of the land	d on which the wate	er right, or portion ther	eof, propo	sed for transfer is	
*If NO, include signatures of all a attach affidavits of consent (and water right(s) were conveyed.						
Check the following boxes that	apply:					
The applicant is responsent to the applicant.	sible for c	ompletion of chang	e(s). Notices and corres	spondence	should continue to b	рe
The receiving landown issued. Copies of notice			pleting the proposed ch d be sent to this landow	CT4 1 7 1 7	fter the final order is	
Both the receiving land and correspondence sh			esponsible for completi er and the applicant.	lon of char	nge(s). Copies of noti	ces
At this time, are the lands in thi	s transfer	application in the p	rocess of being sold?	Yes 🛛	No	
If YES, and you know who t below. If you do not know wat a later date.		200.20		-		
If a property sells, the certif		10.00	에는 통하는 아름이 있다. 아이들은 아이들이 되었다. 그렇게 되었는 큐얼을 되었다. 그렇게		ner,	
unless a sale agreement or https://www.oregon.gov/o						
	WIG/WIG	Omis Di / Hansier	rioperty Transaction.			
RECEIVING LANDOWNER NAME n/a			PHONE NO.	ADDITION	AL CONTACT NO.	
ADDRESS		6		FAX NO.		
СІТУ	STATE	ZIP	E-MAIL			
Describe any special ownership	circumsta	nces:				
The confirming Certificate shall	be issued i	n the name of:	Applicant Receiving	ng Landow	ner	
Revised 7/7/2022 P	ermanent 1	Fransfer Application	Form - Page 5 of 9		т/	ACS

RECEIVED

MAR 26 2024

IRRIGATION DISTRICT NAME n/a	ADDRESS							
СПУ	STATE	ZIP						
Check here if water for any of the rig contract for stored water with a fede								
ENTITY NAME n/a	ADDRESS							
CITY	STATE	ZIP						
CORPORATION, OR TRIBAL GOVERNMENTS WITHI	n whose jurisdiction wa	ter will be diverted, conveyed o						
ENTITY NAME Umatilia County Community Development	n whose jurisdiction wa ADDRESS 216 SE 4th Street, R	ter will be diverted, conveyed o						
CORPORATION, OR TRIBAL GOVERNMENTS WITHIS ENTITY NAME Umatilla County Community Development CITY	n whose jurisdiction wa	ter will be diverted, conveyed o						
To meet State Land Use Consistency Req corporation, or tribal governments withi ENTITY NAME Umatilia County Community Development CITY Pendleton ENTITY NAME	n whose jurisdiction wa ADDRESS 216 SE 4th Street, R STATE	pom 104						

Part 5 of 5 - Water Right Information

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

				C	ERTII	FICA	TE# 9	<u>4797</u>			
Descri	ption of Water	Delivery Sys	tem	Ĭ							
Syster	n capacity: 0.0	25 cubic feet	per	sec	ond (cfs)	OR				
		gallons p	er m	inut	e (gp	m)					
five ye	ears. Include inf oply the water a	ormation on	the	pum	ps, c	anal	s, pipe	lines,	and sp	orinkler	t some time within the last s used to divert, convey, to sprinklers for
<u>irrigat</u>	<u>ion.</u>										
	cation of Author POD/POA nam		51			C 1125				5.5	ropriation (POA)
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)		Wp		ng	Sec		Х	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well	Authorized Proposed	UMAT 699	2	N	32	E	34	sw	NE	400	1530' S, 1820' W of NE Cor Sec 34
	☐ Authorized ☐ Proposed						8				-
	Authorized										
	Proposed						<u> </u>				
	☐ Authorized☐ Proposed						ŀ				
	all type(s) of che Place of Use Character of Point of Dive Additional Po Surface Wate POA (SW/GV of the propose Complete on "CODES" liste	(POU) Use (USE) ersion (POD) oint of Divers er POD to Gro V) ed changes and ally the Proposed above to comment of the proposed above the	ion ound ffec sed ((APC d Wa t the ("to" ribe	DD) ter enti or "o	re w on" rop	S S S S S S S S S S S S S S S S S S S	Supple Point of Addition Substite Sovern ight? section hange	menta of Appropriate onal Population onment on of Ta	al Use to ropriati pint of A (SUB) Action	ed in parentheses): o Primary Use (S to P) on/Well (POA) Appropriation (APOA) POD (GOV) on the next page. Use the be changed.

Revised 7/7/2022

Permanent Transfer Application Form – Page 7 of 9

RECEIVED TACS

MAR 26 2024

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

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

Table 2. Description of Changes to Water Right Certificate # 94797

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change. If there is more than one POD/POA involved in the proposed changes, specify the acreage associated with each POD/POA.

	т				at ap	pear	s on tl	ne cert	tificate		ds) DPOSED CHAI ill be changed.		Proposed Changes (see			######################################	The	listir			uld app		FTER	on" lands) PROPOSED	CHANGES	5
Tv	/p	Rn		Sec		14		Gvt tLot or DLC		Type of USE listed on Certificate	POD(s) or	Priority Date	"CODES" from previous page)			Twp Rng S		Sec	14	14	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
		W.											EXAMPLE					100				BUTT			0.00	
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	s	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	s	9	E	2	sw	NW	500		5.0		POD #6	1901
2	N	32	E	34	sw	NE	200		1.0	IR	WELL	1980	POU	2	N	32	Ε	34	sw	NE	500		1.0	IR	WELL	1980
					140									H												:
		-255																								
						TO	TAL AC	RES:	1.0					Г						TO	TAL ACI	RES:	1.0			

Additional remarks:_____

RECEIVED

Revised 7/7/2022

Permanent Transfer Application Form - Page 8 of 9

TACS

MAR 2 6 2024

14429 -

OWRD

		certificate w 34737
For Pla	nce of Use or Character of Use Changes	
	there other water right certificates, water use permits or ground water registration the "to" lands? \square Yes $\ oxtimes$ No	ns associated
If YES	S, list the certificate, water use permit, or ground water registration numbers:	
a pri	want to ORS 540.510, any "layered" water use such as an irrigation right that is su mary right proposed for transfer must be included in the transfer or be cancelled. ground water registration must be filed separately in a ground water registration	Any change
For Suk	bstitution (ground water supplemental irrigation will be substituted for surface w	ater primary irrigation)
	nd water supplemental Permit or Certificate #; ace water primary Certificate #	
For a cl	hange from Supplemental Irrigation Use to Primary Irrigation Use	
Ident	tify the primary certificate to be cancelled. Certificate #	
For a c	hange in point(s) of appropriation (well(s)) or additional point(s) of appropriatio	n:
	Well log(s) are attached for each authorized and proposed well(s) that are clearly with the corresponding well(s) in Table 1 above and on the accompanying application: You may search for well logs on the Department's web page at: http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx	
AND/	/OR	
	Describe the construction of the authorized and proposed well(s) in Table 3 for a have a well log. For <i>proposed wells not yet constructed or built</i> , provide "a best expedienced information element in the table. The Department recommends you of driller, geologist, or certified water right examiner to assist with assembling the incomplete Table 3.	stimate" for each onsult a licensed well
Table 2 C	anstruction of Pointle) of Annropriation	

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

RECEIVED

MAR 26 2024

IV 2 O LOCI

Revised 7/7/2022

Permanent Transfer Application Form - Page 9 of 9

OWRD

TACS

Land Use Information Form



Applicant(s): NICHOLE LUDINGTON & MONTE LUDINGTON

Mailing Address: 43731 JERICO LN

City: PENDLETON

State: OR

Zip Code: 97801

Daytime Phone: 541-310-2041

A. Land and Location

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

Township	Range	Section	ж ж	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)		Water to be:		Proposed Land Use:
<u>2N</u>	32E	<u>34</u>	SWNE	200	RR2	Diverted	□ Conveyed	⊠ Used	IRRIGATION
<i>u</i>	<u>"</u>	-		300	<u>"</u>	Diverted	Conveyed	Used	IRRIGATION USE
<u>"</u>	<u>"</u>	-		400		☑ Diverted	☑ Conveyed	Used	IRRIGATION USE
-	<u>"</u>	<u>"</u>		500	<u>"</u>	☐ Diverted	☑ Conveyed	⊠ Used	IRRIGATION USE

									USE]
List all cou	nties and ci	ities where	e water is pro	pposed to be	diverted, conve	yed, an	d/or used or develo	pped:		•
				UN	IATILLA COUN	ITY.				
Permi		be filed w tore Water	rith the Water	er Resources Right Transfe tion of Conser	9	0.0000000000000000000000000000000000000	Amendment or Grou ge of Water	nd Water Registra	ation Modification	
Intended u	quantity of se of water	water nee	eded: <u>0.025</u>	round Water Cut Commercial Quasi-Munic	ic feet per second	d □ trial	gallons per minute Domestic for	acre-feet	MAF	CEIVEE 2,6 2024 OWRD
APPLICA	201-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-1-	MOVE 1	.0 ACRE OF	IRRIGATIO	ON USE TO AN	I ADJA	CENT PROPERTY	<i>(</i> .		
	tive sign th		se Informatio	on Form cann	ot be completed	d while	you wait, please ha	ave a local gover		

See bottom of Page 3. →

Revised 2/8/2010

Land Use Information Form - Page 2 of 3

WR/FS

For Local Government Use Only

MAR 2 6 2024

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

Please check the appropriate box below an	d provide the requested information			
Land uses to be served by the proposed water by your comprehensive plan. Cite applicable		e allowed outrig	ght or are not regulated	
☐ Land uses to be served by the proposed water as listed in the table below. (Please attach do Record of Action/land-use decision and accor periods have not ended, check "Being pursu	cumentation of applicable land-use approvants approvants in approvants i	als which have a	already been obtained.	
Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land	d-Use Approval:	
permis, e.e.,		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued	
		☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued	
	*	☐ Obtained ☐ Denied	☐ Being Pursued ☐ Not Being Pursued	
		Obtained Denied	☐ Being Pursued ☐ Not Being Pursued	
Unatilla County Development Code 15 Farm use, as defined in ORS 215 feed yards and sale yards, ho or hogs, the growing, harvestin	is and bearing of warfiness	ut. In a R 52.003, e wising of f a in accord	lone with DKS	mls.
Signature: Charlet Hotel hiss Government Entity: Unatile Count	BICANDAL C	6283 Date:	02-29-2024	ortenent
Note to local government representative: Pleas sign the receipt, you will have 30 days from the V Information Form or WRD may presume the land comprehensive plans.	e complete this form or sign the receipt belo Vater Resources Department's notice date t	ow and return i o return the co	it to the applicant. If you impleted Land Use	
			· Francisco	
Applicant name:	for Request for Land Use Information			
City or County:				
Signature:				

Land Use Information Form - Page 3 of 3

Revised 2/8/2010

WR/FS

WATER RESOURCES DEPARTMENT, SALEM, OREGON 97310 (Please type or print) within 30 days from the date State Permit No. (Do not write above this line) of well completion. (10) LOCATION OF WELL: (1) OWNER: Name GEORGE PETTERSON County UnetiLLA Driller's well number SW 14 NE 14 Section 34 T. 2N R. 32E Address PENDLETON ORE Bearing and distance from section or subdivision corner (2) TYPE OF WORK (check): New Well Deepening Reconditioning [If abandonment, describe material and procedure in Item 12. (11) WATER LEVEL: Completed well. (3) TYPE OF WELL: (4) PROPOSED USE (check): Depth at which water was first found 205 Driven [] Rotary Domestic M Industrial | Municipal | Static level ft. below land surface. Date . Jetted [Cable Irrigation 🛘 Test Well 🗘 Other Dug Bored [] Artesian pressure lbs. per square inch. Date (5) CASING INSTALLED: Threaded | Welded | (12) WELL LOG: Diameter of well below casing ... 8 " Diam, from 7 2 ft. to -18 ft. Gage 1250 Depth drilled 390 ft. Depth of completed well Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in PERFORATIONS: position of Static Water Level and indicate principal water-bearing strata. Perforated? | Yes No. Type of perforator used MATERIAL SWL 10 in. by 5016 Size of perforations 37 BESELT BLECK 10 perforations from _____ft, to _____ft. Alach w/ talc 37 205 perforations from ft. to ft. Bleck w/ Rope Bu 205 220 perforations from _____ ft. to _____ ft. 220 (7) SCREENS: Well screen installed? | Yes No 11 Black w/RED+ Take 288 3/2 Manufacturer's Name 3/2 355 11 Black Type :______ Model No, _____ 355 370 BROWN 370 385 Blech 385 BROWN Drawdown is amount water level is lowered below static level (8) WELL TESTS: AIR Was a pump test made? X Yes | No If yes, by whom? Prilek RECEIVED 70 gal./min. with 120 ft. drawdown after / MAR 2 6 2024 Bailer test gal./min. with ft. drawdown after Axtesian flow g.p.m. inperature of water Depth artesian flow encountered ft. Work started 2-20 1978 Completed 19 78 Date well drilling machine moved off of well (9) CONSTRUCTION: Well seal-Material used Portland Cement Drilling Machine Operator's Certification: This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief. [Signed] Jany Burd Date 2-23 , 19.78 Diameter of well bore below seal _____ in, Number of sacks of cement used in well seal ______ 17_____ sacks Drilling Machine Operator's License No. 933 How was cement grout placed? aRauti Water Well Contractor's Certification: This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief. Name Sary Bund Well Drill
(Person, firm or corporation) (Ty Was a drive shoe used? Yes No Plugs Size: location ft. Did any strata contain unusable water?

Yes No Address 5543 5 44 Doublas Dr Pand oy Type of water? depth of strata

> Contractor's License No. 544 Date 2-23 , 19>8 (USE ADDITIONAL SHEETS IF NECESSARY)

Method of sealing strata off

Was well gravel packed? Yes No Size of gravel:

Gravel placed from ft. to ft.

[Signed] Jay Burel
(Water Well Contractor)

Application for Water Right Transfer Evidence of Use Affidavit



OREGON 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. Re as specific as possible. Attach additional pages if you need more spacing

	r reade print	icgibly of ty				nust be attac		ieeu more spacing.	1213
State	of Oregon)						RECEIVED
) ss						MAR 26 2024
	y of <u>DESCHUTES</u>)	NOV NOTES 15. NO COLO CONTINUES A CALL			~			953	OWRD
	CE WITHERS, in				CIALIST,				
	g address <u>PO B</u>								
teleph	one number 54	11-389-2837	, being first d	uly swor	n depose	and say:			
1.	My knowledg	e of the exe	ercise or statu	s of the v	water righ	nt is based o	on (check one):		
	Perso	nal observa	ation	\boxtimes	Professi	onal expert	ise		
2.	I attest that:								
	Wate	r was used	during the pre	evious fiv	e years o	n the entire	place of use f	or	
	Certif	icate #9479	97; OR						
	My kı	nowledge is	specific to th	e use of v	water at t	he followin	g locations wit	hin the last five y	ears:
	Certificate #	Township	Range	Mer	Sec	14 14	Gov't Lot	Acres	
							or DLC	(if applicable)	-
									-
									_
				-					_
OR									
	Confirming Ce	ertificate#_	has bee	n issued	within the	e past five y	ears; OR		
	Part or all of the instream lease						n the last five	years. The	
								ased instream.); (OR
						tation that a	presumption	of forfeiture for n	ion-use
	would be rebu			3 5.		2			
	Water has bee						opriation for m	nore than	
	3				39				

(continues on reverse side)

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

Signature of Affiant	Date	_
Bolet	2-21-24	

Signed and sworn to (or affirmed) before me this 21 day of February, 2024.



My Commission Expires: Joly 17, 2025

Supporting Documents	Examples
Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
Copies of receipts from sales of irrigated crops or for expenditures related to use of water	Power usage records for pumps associated with irrigation use
	Fertilizer or seed bills related to irrigated crops
	Farmers Co-op sales receipt
Records such as FSA crop reports, irrigation	District assessment records for water delivered
district records, NRCS farm management plan, or records of other water suppliers	Crop reports submitted under a federal loan agreement
records of other tracer suppliers	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.terraserver.com
Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

STATE OF OREGON

COUNTY OF UMATILLA

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

GUY KRISZA 299 SIDE RD 5 PAISLEY ONTARIO NOG2NO CANADA

confirms the right to the use of water perfected under the terms of Permit G-8969. The amount of water used to which this right is entitled is limited to the amount used beneficially, and shall not exceed the amount specified, or its equivalent in the case of rotation, measured at the well(s). The specific limits and conditions of the use are listed below.

SOURCE OF WATER: A WELL, TRIBUTARY OF MCKAY CREEK

PURPOSE OR USE: IRRIGATION OF 2.0 ACRES

MAXIMUM RATE: 0.025 CUBIC FOOT PER SECOND

DATE OF PRIORITY: JUNE 27, 1980

The well is located as follows:

Twp	Rng	Mer	Sec	Q-Q	TL#	Measured Distances
2 N	32 E	WM	34	SW NE	400	1530 FEET SOUTH AND 1810 FEET WEST FROM NE CORNER, SECTION 34

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre-feet per acre for each acre irrigated during the irrigation season of each year and shall conform to such reasonable rotation system as may be ordered by the proper state officer.

A description of the place of use is as follows:

Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	32 E	WM	34	SW NE	2.0

The quantity of water diverted at the new points of appropriation, shall not exceed the quantity of water lawfully available at the original point of appropriation described as follows:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2 N	32 E	WM	34	SE NE	2300 FEET SOUTH AND 870 FEET WEST FROM NE CORNER, SECTION 34

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.482. Any petition for judicial review must be filed within the 60-day time period specified by ORS 183.482. Pursuant to ORS 183.482, ORS 536.075 and OAR 137-003-0675, you may petition for judicial review and 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.

T-10566-cf-53749.ra.klk

Page 1 of 2

Certificate 94797

14429 -

When required by the Department, the water user shall install, maintain and operate an in-line flow meter or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

The right to the use of the water for the above purpose is restricted to beneficial use on the place of use described.

This certificate is issued to confirm changes in POINT OF APPROPRIATION and PLACE OF USE approved by an order of the Water Resources Director entered JULY 13, 2010, at Special Order Volume 81, Page 397, approving Transfer Application 10566, and together with Certificate 85875, supersedes Certificate 53749, State Record of Water Right Certificates.

Issued

DEC 1 1 2019

Dwight French

Water Right Services Division Administrator, for

Thomas M. Byler, Director

Oregon Water Resources Department

RECEIVED
MAR 2,6 2024
OWRD

T-10566-cf-53749.ra.klk

Page 2 of 2

Certificate 94797

Permanent Transfer Application Checklist

Check the Certificates in WRIS Transfer # 14429 Checked by __Dante___ Type of Change(s) Proposed: NO other changes allowed other than those listed Date 3/28/2024 Fee Received: NOU POD □APOD □POA □APOA □USE \$1360 How many rights to be Transferred? Calculated Fee: \$1360 Certificate #(s) **Deficiencies and Observations:** 94797 If OK, check box; if not, fill in. X 1. Is the applicant information complete? Have all the applicants listed at the top of the page signed at the bottom? If not, what is missing? Whose signature is missing? \boxtimes 2. Has the applicant indicated that the place of use is in or near an irrigation district? Have they included a Form D? N/A. Name of the District \boxtimes 3. Part 5 of application, has the applicant completed the entire page and does the information match the description of the explanation of the reasons on Part 4 of the application? If not, you may need to contact the applicant or agent? __ \bowtie 4. For multiple certificates, do each of the certificates listed on Application Page 1 have their own separate completed Part 5 tables 1 & 2? (compare with OAR 690-380-3220-may need to return) If no, which certificates are missing a separate Part 5, tables 1 & 2? ______ \bowtie 5. Has the map been completed and signed by a CWRE? Does the map meet the requirements? If not, what is missing? ______. Map waiver included? _____ \boxtimes 6. If a change in point of appropriation, have the well logs been included? N/A. \boxtimes 7. If a change in place of use within Umatilla County, have the applicant(s) provided a Supplemental Form U? N/A. \boxtimes 8. Has applicant filled out the Minimum Requirements Checklist (Part 1 of 5)? Is the application complete? If not, what is missing (check Evidence of Use and Land Use)? \bowtie 9. If all boxes on this checklist are checked (with no remaining deficiencies identified), accept the application. Put this check sheet in the transfer folder. OR: П This application is deficient, and CANNOT be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days. Actions taken: date

Permanent Transfer Application Checklist

	FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)		
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
	Types of change proposed:		
	Place of Use		
	Character of Use		
	Point of Diversion/Appropriation		
	Number of above boxes checked = (2a)		
	Subtract 1 from the number in line 2a = (2b) If only one change, this will be 0		
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » »	2	0
	Number of water rights included in transfer(3a)		
	Subtract 1 from the number in 3a above:(3b) If only one water right this will be 0		
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » »	3	0
	Do you propose to add or change a well, or change from a surface water POD to a		
	well?		
	No: enter 0 »» » » » » » » » » » » » » » » » »		
4	Yes: enter \$410 » » » » » » » » » » » » » » »	4	0
	Do you propose to change the place of use or character of use?		
	No: enter 0 on line 5 » » » » » » » » » » » » » » » »		
	Yes: enter the cfs for the portions of the rights to be transferred (see		
	example below*): <u>(5a)</u>		
	Subtract 1.0 from the number in 5a above:(5b)		
	If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » »		
	If 5b is greater than 0, round up to the nearest whole number:(5c) and		
5	multiply 5c by \$350, then enter on line 5 » » » » » » »	5	0
6	Add entries on lines 1 through 5 above » » » » » » » » » Subtotal:	6	0
	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 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » »	7	0
8	Subtract line 7 from line 6 » » » » » » » » » » » Transfer Fee:	8	