

T-10312

T-10312

Name Stanley E Tenold

By _____

Address PO Box 757Bodega Bay, CA 94923650-269-0034Change in ADD use _____Date filed 2-5-07

Date of hearing _____

Place of hearing _____

Date of order 10-31-07 Vol. 73, page 589

Date for application of water _____

Proof mailed _____

Proof received COBL 9/25/2012Certificate issued July 26, 2013 Vol. _____, page 8818883550Reconsideration - 12-13-07 V. 73p. 806

DESCRIPTION OF WATER RIGHT

Name of stream North Myrtle CreekTrib. of Myrtle Creek County of DouglasUse DD IR

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 7/13/1983 8/11/1983In name of Same

_____ Adjudication, Vol. _____, page _____

App. No. 565296 Per. No. 47919 Cert. No. 81416

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>2-5-07</u>	<u>700.00</u>	<u>86111</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

NOTEDouglas County Planning Dept Room 106 Justice Building, Roseburg, OR 97470CWRE: William J. Ruppert #115Public Notice: 2/13/2007Contractor: John Borden

Mailing List for Transfer Certificate

Application: T-10312

Certificate: 88188

Certificate/Transfer Holder: (include copy of map)

STANLEY E. TENOLD
4040 NORTH MYRTLE RD
MYRTLE CREEK OR 97457 ✓

Copies Mailed

By: *MG*
(SUPPORT STAFF)

on: JUL 26 2013
(DATE)

Copies of final Certificate to be sent to:

1. Watermaster #15 - David Williams (Include map) ✓
2. Data Center ✓
3. Water Availability ✓
4. Vault ✓
5. File ✓

Other Persons to receive copies (proposed and/or final certificate: (Include map)

WILLIAM J RUPPERT, CWRE ✓

Record Marking(s):

1. Original Application# S-65296
2. Old Certificate# 81416



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

Date Mailed: JUL 26 2013

NOTICE OF CERTIFICATE ISSUANCE

Attached is a certificate that confirms the water rights established under the terms of a transfer order issued by this Department.

This certificate 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.

This statement of judicial review rights is required under ORS 536.075; it does not alter or add to existing review rights or create review rights that are not otherwise provided by law.

The water must be controlled and not wasted. To change the location of the point of diversion, the character of use, or the location of use requires the advance approval of the Water Resources Director.

If you have any questions please contact Gerry Clark at 503-986-0811.

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STANLEY E. TENOLD
4040 NORTH MYRTLE RD
MYRTLE CREEK OR 97457

confirms the right to use the waters of NORTH MYRTLE CREEK, tributary to MYRTLE CREEK for DOMESTIC AND IRRIGATION OF 1.3 ACRES.

This right was perfected under Permit S-47919. The date of priority is JULY 13, 1983. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.026 CUBIC FOOT PER SECOND, or its equivalent in case of rotation, measured at the point of diversion.

The quantity of water diverted at each of the additional points of diversion for domestic use may occur year-round at a rate not to exceed 0.003 cfs per household on a non-continuous basis. A flow restrictor shall be maintained at each of the two additional points of diversion to ensure that the rate is not exceeded.

The points of diversion (POD) are located as follows:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
29 S	5 W	WM	13	SW SE	5	POD 1 - 1600 FEET SOUTH AND 215 FEET EAST FROM NE CORNER, DLC 48
29 S	5 W	WM	13	SW SE	5	POD 2 - 1600 FEET SOUTH AND 225 FEET EAST FROM NE CORNER, DLC 48
29 S	5 W	WM	13	SW SE	5	POD 3 - 2160 FEET SOUTH AND 1715 FEET WEST FROM E1/4 CORNER, SECTION 13

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2.5 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use 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:

DOMESTIC AND IRRIGATION								
POD	Tax Lot	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 AND 3	201	29 S	5 W	WM	13	SW SE	5	1.00
2 AND 3	202	29 S	5 W	WM	13	SW SE	5	0.30

NOTICE OF RIGHT TO 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.

The quantity of water diverted at the additional points of diversion, together with that diverted at the original point of diversion, shall not exceed the quantity of water available from the original point of diversion.

The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the points of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

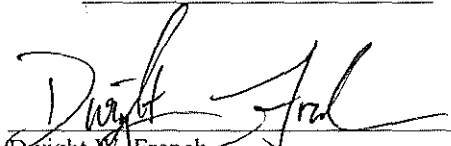
When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction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

This certificate is issued to confirm a change in point of diversion, place of use and character of use approved by an order of the Water Resources Director entered October 31, 2007, at Special Order Volume 73, Page 589, approving Transfer Application 10312, and together with Certificate 83550, supercedes Certificate 81416, State record of Water Right Certificates.

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.

JUL 26 2013

Issued _____



Dwight W. French
Administrator Water Rights and Adjudications, for
Phillip C. Ward, Director

MEMO

TO: FILE T-10312

FROM: JWG

DATE: 4-16, 2013

RE: DETERMINATION OF PROOF

I've determined that a PROPOSED ☒ FINAL certificate should be prepared and mailed to the permit holder consistent with:

Permit ☒ Transfer

FPS ☒ COBU

As described in the permit/transfer but as clarified by the FPS COBU

As described in the PERMIT/TRANSFER and FPS or COBU but as further specified below:

Conflict? ☒ No Yes: _____

stamped PROPOSED or assign Cert # 88188

☒ Draft certificate(s) are available in the transfer directory.

☒ Water Organization identified using area of interest tool? ☒ No Yes, cc: _____

☒ Check ownership; and if there is a new owner, add them to the mailing list.

☒ Prepare a mailing list.

Record marking: App _____ Cert _____

NOTES:

Property Details for Property ID: [REDACTED]	
Owner Information :	
Owner Name: TENOLD, STANLEY E TRS OF THE	
Owner Address #1: STANLEY E TENOLD REV TRUST	
Owner Address #2: 4040 NORTH MYRTLE RD	
Owner Address # 3:	Alternate Account #:
Owner City/State/Zip: MYRTLE CREEK, OR 97457	Account Status: A
Property Information :	
Township: 29	Situs Address: 3865 NORTH MYRTLE RD MYRTLE CREEK, OR 97457
Range: 05W	Map ID: 29051300201
Section: 13	County Property Class: 110S
Quarter:	Legal Acreage: 3.54
Sixteenth:	Code Area: 01900
Maintenance Area: 4	Neighborhood Code: BAR
Year Built:	Living Area:
Bedrooms:	Baths:
Exemption Code:	Exemption Desc.:
MFD Home ID:	
Value Information : 2012-2013 Certified Values and Tax Information	
Improvement Appr. Value: \$0.00	Total Appr. Value: \$89,284.00
Land Appr. Value: \$89,284.00	Exemption Value: \$0.00
Land Market Value: \$89,284.00	Total Assessed Value: \$73,133.00
Total Real Market Value: \$89,284.00	Taxes Imposed: \$520.89
Sales Information :	
Deed No: PP 2006-24	
Sale Price: \$0.00	Sale Date:
<u>DISCLAIMER</u>	
The information provided here is for convenience ONLY. For All Commercial, Industrial, and Multi-Family Properties visit the Douglas County Assessor's Office. The records located at the Douglas County Assessor's office are the one and only legal instruments for Assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Douglas County in no way will be liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Douglas County Assessor's Office.	

Property Details for Property ID: [REDACTED]**Owner Information :**

Owner Name: TENOLD, STANLEY E TRS OF THE
Owner Address #1: STANLEY E TENOLD REV TRUST
Owner Address #2: 4040 NORTH MYRTLE RD
Owner Address # 3: Alternate Account #:
Owner City/State/Zip: MYRTLE CREEK, OR 97457 Account Status: A

Property Information :

Township: 29 Situs Address: 3875 NORTH MYRTLE RD
Range: 05W MYRTLE CREEK, OR 97457
Section: 13 Map ID: 29051300202
Quarter: County Property Class: 110S
Sixteenth: Legal Acreage: 3.44
Maintenance Area: 4 Code Area: 01900
Year Built: Neighborhood Code: BAR
Bedrooms: Living Area:
Exemption Code: Baths:
MFD Home ID: Exemption Desc.:

Value Information : 2012-2013 Certified Values and Tax Information

Improvement Appr. Value: \$0.00 Total Appr. Value: \$90,288.00
Land Appr. Value: \$90,288.00 Exemption Value: \$0.00
Land Market Value: \$90,288.00 Total Assessed Value: \$73,841.00
Total Real Market Value: \$90,288.00 Taxes Imposed: \$525.76

Sales Information :

Deed No: PP 2006-24
Sale Price: \$0.00 Sale Date:

DISCLAIMER

The information provided here is for convenience ONLY. For All Commercial, Industrial, and Multi-Family Properties visit the Douglas County Assessor's Office. The records located at the Douglas County Assessor's office are the one and only legal instruments for Assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Douglas County in no way will be liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Douglas County Assessor's Office.

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

SW1/4 SEC.13 T29S. R.5W. W.M.
DOUGLAS COUNTY
1" = 200'

REVISED ON

29 5 13C

1/4 COR

CEN SEC

CANCELLED NO'S

SEE MAP 29 5 13

SEE MAP 29 5 14D

SEE MAP 29 5 13

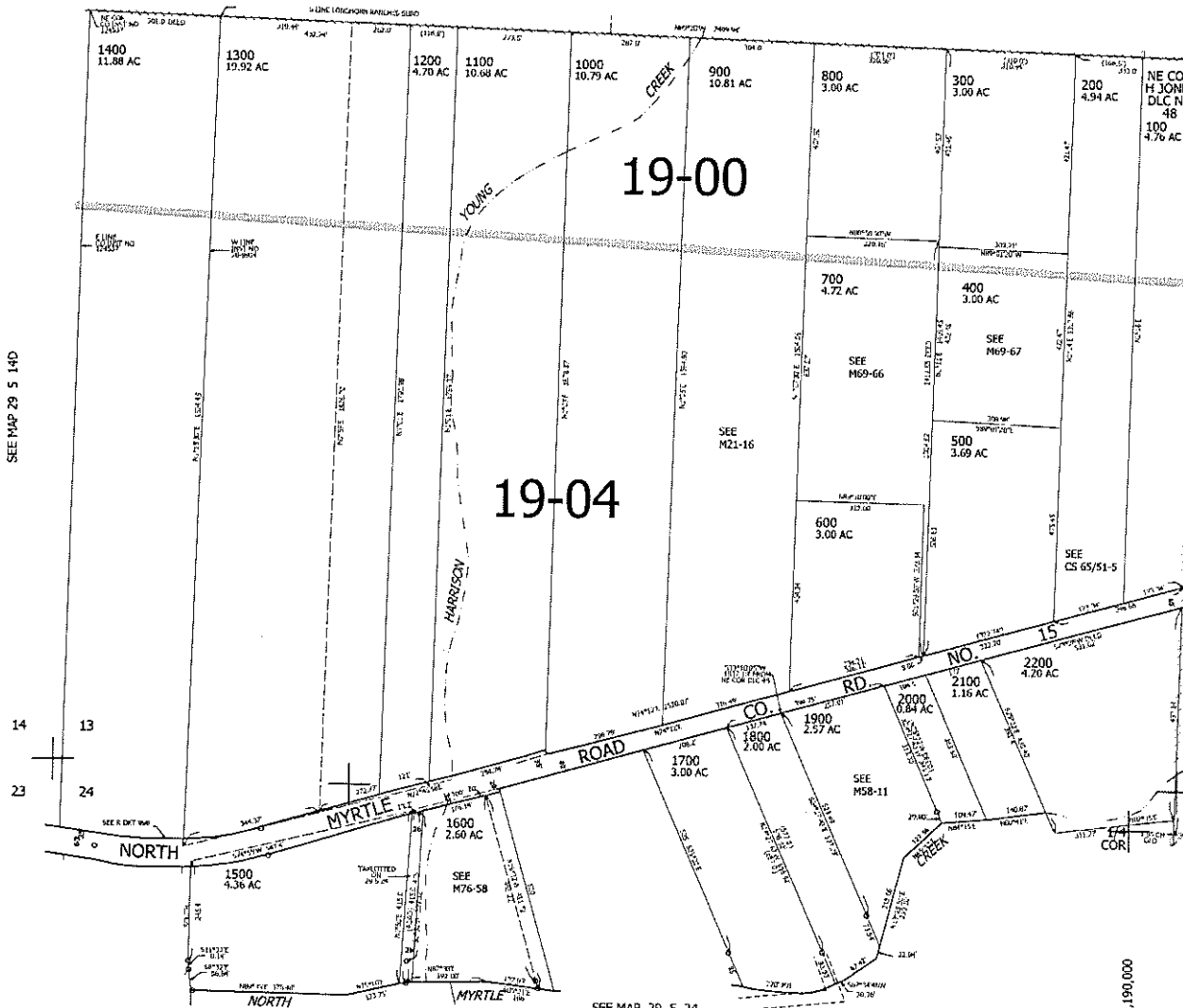
14

23

513,000

SEE MAP 29 5 24

29 5 13C



THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY.

SEC.13 T29S. R.5W. W.M.
DOUGLAS COUNTY

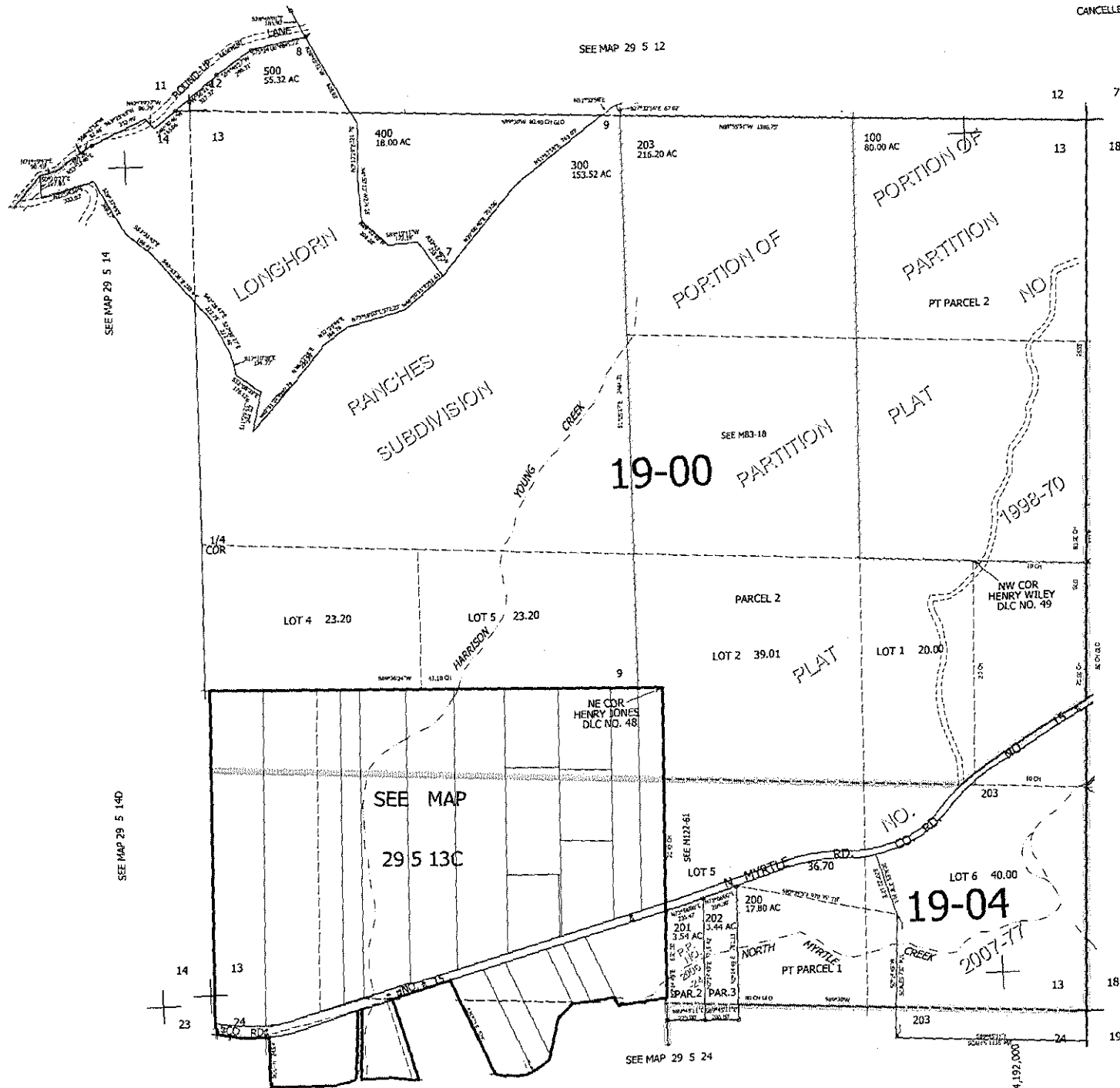
1" = 400'

REVISED ON
6-14-07

29 5 13
& INDEX

CANCELLED NO'S

SEE MAP 29 5 12



SEE MAP 29 4 18

SEE MAP 29 5 14D

SEE MAP 29 5 24

29 5 13
& INDEX

513,000

4,192,000

Completion Checklist for Claims of Beneficial Use

Application # _____
 Date Received 9/25/2012
 CWRE Name Wm Ruppert
 File Marked ✓
 Oversized Map # _____
 Reviewer _____

Transfer # T 10312
 Claim Logged ✓

Map Review:

- ☒ Map on polyester film (OAR 690-014-0170(1) & 310-0050(1)(b))
- ☒ Application & permit #; or transfer # (OAR 690-014-0100(1))
- ☒ Disclaimer (OAR 690-014-0170(5))
- ☒ North arrow (OAR 690-310-0050(2)(c))
- ☒ CWRE stamp and signature (OAR 690-014 & 310-0050)
- ☒ Appropriate scale (1" = 1320', 1" = 400', or the original full-size scale of the county assessor map) (014 & 310)
- ☒ Township, range, section, and tax lot numbers (OAR 690-310-0050(4))
- ☒ Source illustrated if surface water (OAR 690-014-0170(3))
- ☒ Point(s) of diversion or appropriation (illustrated) (OAR 690-014(4) & 690-310-0050)
- ☒ Point(s) of diversion or appropriation (coordinates) (OAR 690-014(4) & 690-310-0050)
- ☒ Conveyance structures illustrated (pump, pipelines, ditches, etc.) (OAR 690-310-0050)
- ☒ Description of the location, in relation to the point of diversion or appropriation, of any fish screens, by-pass devices, and measuring devices required (OAR 690-014-0170(4)) @ PODs
- ☒ Place of use (1/4 1/4, or projected 1/4 1/4 lines within DLCs, or Gov Lots; if irrigation, # of acres in each subdivision; if for domestic or human consumption, location of dwelling or spigot) (OAR 690-310-0050, 690-014, 690-380-6010) travel trailers on lots ok

Report Review:

- ☒ On form or format provided by the Department (OAR 690-014-0100(1))
- ☒ Application & permit #; or transfer # (OAR 690-014)
- ☒ Ownership information (OAR 690-014)
- ☒ Date of survey (OAR 690-014)
- ☒ Person interviewed (OAR 690-014)
- ☒ County (OAR 690-014)
- ☒ Description of conveyances system (from POD to POU) (OAR 690-014-0100)
- ☒ Source(s) of water (OAR 690-014-0100)
- ☒ Place of use location (OAR 690-014-0100)
- ☒ Type of use (OAR 690-014-0100)
- ☒ Extent of use (OAR 690-014-0100)
- ☒ Rate and Duty (OAR 690-014-0100)
- ☒ Diversion rate for each use (OAR 690-014-0100)
- ☒ Diversion works description (pump make, serial model, capacity, and description) (OAR 690-014-0100)
- ☒ System capacity (OAR 690-014-0100)
- ☒ Calculated capacity of system (required)
- ☒ Measured amount of use (optional)
- ☒ Permit/Transfer Final Order Conditions (OAR 690-014-0100)
- ☒ Time limits
- ☒ Initial water level measurements
- ☒ Annual static water level measurements
- ☒ Measurement, recording, and reporting
- ☒ Meter/measuring device
- ☒ Water use reporting
- ☒ Fish screening and/or by-pass OK per ODFW
- ☒ Pump test (ground water)
- ☒ Other conditions

- ☒ CWRE stamp and signature (OAR 690-014-0100)
- ☒ Signature(s) of permittee of transfer holder (OAR 690-014-0100)

DEF = deficient

N/A = Not Applicable

S:\groups\wr\certs\Resource Center\Forms_Checklists_Mailing Instructions\COBU Checklist 1-11-2012.rtf

Need submitted 11/13/2012
Calcs for portable pump
sent email to Transfer Holder

Talked w/ Dave Williams Wm.
1.5 gpm flow restrictor is
only appears to be 1 since
pump is portable. OK
-see page 3 of the
claim. (1.5 gpm)

Certificate Issuance Processing Checklist

_____ Map and COBU reviewed
_____ Conflict check Any Conflicts? _____
_____ Check for ownership

Staff Recommendations:

_____ Proof to the Satisfaction has been established to the full extent as described in the permit or transfer order.

_____ Proof to the Satisfaction has been not been established to the full extent as described in the permit or transfer order and the right should be limited as follows: _____

_____ Proof to the Satisfaction has not been established for the following reasons: _____

_____ **Proposed Actions:**
Send letter requesting the following items/information: _____
Send letter recommending extension to cure deficiencies: _____

Can certificate be processed further?

_____ Yes

If "Yes":

_____ Proposed
_____ Final

Certificate # _____

Mailing list:

Proposed:

Final:

WILLIAM J. RUPPERT
P.O. BOX 1564
MYRTLE CREEK, OR 97457
PHONE 863-4855

RECEIVED BY OWRD

NOV 13 2012

SALEM, OR

REGISTERED PROFESSIONAL LAND SURVEYOR
CERTIFIED WATER RIGHT EXAMINER

Attention:

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

RE: T-10312 Response to request for theoretical discharge calculations for irrigation from PODs 1 and 2

Gerry,

The following calculations are made with the assumption that the restrictor for domestic use is bypassed. The observed discharge rates for irrigation were made when the restrictor was bypassed. Calculations for theoretical maximum discharge parameters are at minimum lift and minimum pipe length.

Horsepower for the gas engine was estimated by comparing the pump engine to similar two cycle chainsaw engines. Examples of cc engine size per hp for chainsaw engines shown on Exhibit E range from 16.4 to 20.5 cc per horsepower. A conservative estimate for the 21.1 cc subject engine is one horsepower.

Theoretical discharge is more than 4 times enough to satisfy the allowable rate for irrigation; therefore a 1/4 hp engine would be adequate.

Enclosed are revised pages 4, 5, and 15 of the COBU. Also enclosed are Exhibits C, D, and E.

William J. Ruppert

cc: Stan Tenold



**CLAIM OF
BENEFICIAL USE
for Permits claiming more
than 0.1 cfs and All Transfers**



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

No fee is required for submitting this form for a transfer.

A fee of \$150 must accompany this form to be accepted for permits
with a priority date of July 9, 1987, or later. (ORS 536.050(1))

A separate form shall be completed for each permit.

In cases where a permit has been amended through the permit amendment process, a separate claim for the permit amendment is not required. Incorporate the permit amendment into the claim for the permit.

This form is subject to revision. **Begin each new claim** by checking for a new version of this form at:
http://www.wrd.state.or.us/OWRD/WR/cwre_info.shtml#.

The completion of this form is required by OAR 690-014-0100(1) and 690-014-0110(4).

Please type or print in dark ink. If this form is found to contain errors or omissions, it may be returned to you. **Every item must have a response.** If any requested information does not apply to the claim, insert "NA." **Do not delete or alter any section of this form unless directed by the form.** The Department may require the submittal of additional information from any water user or authorized agent.

If you have questions regarding the completion of this form, please call 503-986-0900 and ask for the Certificate Section.

The Department has a program that allows it to enter into a voluntary agreement with an applicant for expedited services. Under such an agreement, the applicant pays the cost to hire additional staff that would not otherwise be available. This program means a certificate may be issued in about a month. For more information on this program see
http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml.

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**SECTION 1
GENERAL INFORMATION**

SEP 25 2012

SALEM, OR

1. File Information

APPLICATION # (G, R, S or T)	PERMIT # (IF APPLICABLE)	PERMIT AMENDMENT # (IF APPLICABLE)
T-10312		

2. Property Owner (current owner information)

APPLICANT/BUSINESS NAME Stanley E. Tenold		PHONE NO. 541-378-6543	ADDITIONAL CONTACT NO.
ADDRESS 4040 North Myrtle Road			
CITY Myrtle Creek	STATE OR	ZIP 97457	E-MAIL STANTENOLD@yahoo.com

If the current property owner is not the permit or transfer holder of record, it is recommended that an assignment be filed with the Department. **The COBU must be signed by each permit or transfer holder of record.**

3. Permit or transfer holder of record (this may, or may not, be the current property owner)

PERMIT OR TRANSFER HOLDER OF RECORD Same as Property Owner		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL PERMIT OR TRANSFER HOLDER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

4. Date of Site Inspection: **9/6/2012**

5. Person(s) interviewed and description of their association with the project:

NAME	DATE	ASSOCIATION WITH THE PROJECT
Stanley E. Tenold	8/22/2012	Transfer Holder/Owner

6. County: **Douglas**

7. If any property described in the place of use of the permit or transfer final order is excluded from this report, identify the owner of record for that property (ORS 537.230(4)):

****Mark "NA" if there are no owners of property not included in this claim**

OWNER OF RECORD NA		
ADDRESS		
CITY	STATE	ZIP

ADDITIONAL OWNER OF RECORD		
ADDRESS		
CITY	STATE	ZIP

RECEIVED BY OWRD

SEP 25 2012

SALEM, OR

SECTION 2

SYSTEM DESCRIPTION

A. Points of Diversion/Appropriation

1. Point of diversion/appropriation name or number:

POINT OF DIVERSION/APPROPRIATION (POD/POA) NAME OR NUMBER (CORRESPOND TO MAP)	WELL LOG ID # FOR ALL WORK PERFORMED ON THE WELL (IF APPLICABLE)	WELL TAG # (IF APPLICABLE)
1		
2		
3		

Attach each well log available for the well (include the log for the original well and any subsequent alterations, reconstructions, or deepenings)

2. Point of diversion/appropriation source and, if from surface water, the tributary:

POD/POA NAME OR NUMBER	SOURCE	TRIBUTARY
1	North Myrtle Creek	Myrtle Creek
2	North Myrtle Creek	Myrtle Creek
3	North Myrtle Creek	Myrtle Creek

3. Developed use(s), period of use, and rate for each use:

POD/POA NAME OR NUMBER	USES	IF IRRIGATION, LIST CROP TYPE	SEASON OR MONTHS WHEN WATER WAS USED	RATE OR VOLUME FOR USE (CFS, GPM, OR AF)
1	Domestic		Year round	0.003 CFS
2	Domestic		Year round	0.003 CFS
1 and 3	Irrigation 1.0 ac	Hay and pasture	Irrigation season	0.0125 CFS
3 only **	Irrigation 8.0 ac	Hay and pasture	Irrigation season	0.10 CFS **
2 and 3	Irrigation 0.3 ac	Hay and pasture	Irrigation season	0.0038 CFS
Total Quantity of Water Used				0.1223 CFS

** Remaining part of Cert. 81416

4a. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of diversion or appropriation to the place of use:

P.O.D.s 1 and 2. One unit pump and motor was moved to be used at either P.O.D.

A portable pump and gasoline engine was used for P.O.D.s 1 and 2. Initial 1" pipe 60 ft. then through a 1.5 gallon flow limiter. A 100 ft. length of 3/4" hose then carried water to a recreation vehicle. The pump was moved from P.O.D. 1 to P.O.D. 2.

For irrigation the same system was used with 300 ft. of additional 3/4" hose and a green thumb sprinkler and open hose.

4b. Provide a general narrative description of the distribution works. This description must trace the water system from **each** point of diversion or appropriation to the place of use:

P.O.D. 3

Water is pumped into a 3" pvc buried pipe as shown on the map. Two inch hand lines with sprinklers are connected to risers along the buried line.

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SECTION 2

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

YES

If "YES" you will need to copy and complete Sections 2B through 2H for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

1

B. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
29S	5W	WM	13	SW SE	5		Irrigation	1.0	
Total Acres Irrigated								1.0	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

C. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Echo	WP1000	024 RE	Cent.	1"	3/4"

3. Motor Information

MANUFACTURER	HORSEPOWER
Echo gas	Estimated 1 hp

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If A WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
1.0 estimated	35	2 ft.	8 ft to 36 ft.	0.067cfs

RECEIVED BY OWRD

NOV 13 2012

SALEM, OR

SECTION 2

*Superseded
11/13/2012*

SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

YES

If "YES" you will need to copy and complete Sections 2B through 2H for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

1

B. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
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Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Echo	WP1000	024 RE	Cent.	1"	3/4"

3. Motor Information

MANUFACTURER	HORSEPOWER
Echo gas	Unknown

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a WELL, THE WATER LEVEL DURING PUMPING	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
Unknown		2 ft.	8 ft to 36 ft.	0.06 cfs

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5. Provide pump calculations:

See copy of unit specifications Exhibit A
See also Exhibits C, D and E with cover letter November 9, 2012.

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Empty container	2 gallon container	20 seconds	6 gal. =0.0134 cfs

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
1"	60	PVC	Above
¾"	450	Rubber	Above

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
3/16	35	6 gpm * See Note at item 12 below	1	1	0.013 at Minimum lift and length of hose.

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)

12. Additional notes or comments related to the system:

Sprinkler capacity measured into 2 gallon container was 3.0 gpm .
Open hose discharge measured into 2 gallon container was 6.0 gpm.
Maximum theoretical sprinkler discharge see exhibit D.

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5. Provide pump calculations:

See copy of unit specifications Exhibit A

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Empty container	2 gallon container	20 seconds	6 gal. = 0.0134 cfs

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
1"	60	PVC	Above
3/4'	450	Rubber	Above

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
		3 gpm * See Note at item 12 below			

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)

12. Additional notes or comments related to the system:

Sprinkler capacity measured into 2 gallon container was 3.0 gpm .
Open hose discharge measured into 2 gallon container was 6.0 gpm.

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D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)? **NO**

If "NO", items 2 through 8 relating to this section may be deleted.

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir) **NO**

If "NO", item 2 and 3 relating to this section may be deleted.

F. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

G. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer? **NO**

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

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SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

YES

If "YES" you will need to copy and complete Sections 2B through 2H for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

2

B. Place

of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLot	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
29S	5W	WM	13	SW SE	5		Irrigation	0.3	
Total Acres Irrigated								0.3	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLot), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLot, and QQ.

C. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Echo	WP1000	024 RE	Cent.	1"	3/4"

3. Motor Information

MANUFACTURER	HORSEPOWER
Echo gas	Unknown

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level during pumping	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
Unknown		2 ft.	8 ft to 36 ft.	0.06 cfs

5. Provide pump calculations:

See copy of unit specifications Exhibit A

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6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
Empty container	2 gallon container	20 seconds	6 gal. =0.0134 cfs

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
1"	60	PVC	Above
3/4"	450	Rubber	Above

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
		3 gpm * See Note at item 12 below			

Reminder: For sprinkler output determination use the reference information at the end of this document.

11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)

12. Additional notes or comments related to the system:

Sprinkler capacity measured into 2 gallon container was 3.0 gpm .
Open hose discharge measured into 2 gallon container was 6.0 gpm.

D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)?

If "NO", items 2 through 8 relating to this section may be deleted.

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E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir)

NO

If "NO", item 2 and 3 relating to this section may be deleted.

F. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

G. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system?

NO

If "NO", items 2 through 4 relating to this section may be deleted.

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer?

NO

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

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SYSTEM DESCRIPTION (B through H)

Are there multiple PODs or POAs?

YES

If "YES" you will need to copy and complete Sections 2B through 2H for each POD/POA.

POD/POA Name or Number this section describes (only needed if there is more than one):

3

B. Place of Use

1. Is the right for municipal use?

NO

If "YES" the table below may be deleted.

TWP	RNG	MER	SEC	QQ	GLOT	DLC	USE	IF IRRIGATION, # PRIMARY ACRES	IF IRRIGATION, # SUPPLEMENTAL ACRES
29S	5W	WM	13	NE SE		49	Irrigation	2.1**	
29S	5W	WM	13	SW SE	5			1.3	
29S	5W	WM	13	SW SE	5			5.0**	
29S	5W	WM	13	SE SE	6			0.9**	
Total Acres Irrigated. ** includes remainder cert. 81416								9.3	

Reminder: The map associated with this claim must identify Donation Land Claims (DLC), Government Lots (GLOT), Quarter Quarters (QQ), and if for irrigation, the number of acres irrigated within each projected DLC, GLOT, and QQ.

C. Diversion and Delivery System Information

Provide the following information concerning the diversion and delivery system. Information provided must describe the equipment used to transport and apply the water from the point of diversion/appropriation to the place of use.

1. Is a pump used?

YES

If "NO" items 2 through item 6 may be deleted.

2. Pump Information

MANUFACTURER	MODEL	SERIAL NUMBER	TYPE (CENTRIFUGAL, TURBINE OR SUBMERSIBLE)	INTAKE SIZE	DISCHARGE SIZE
Paco	130-150 gpm	Cat #12209-03-0001-1741-	Centrifugal	2"	1.5"

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3. Motor Information

MANUFACTURER	HORSEPOWER
Baldor	7.5

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SALEM, OR

4. Theoretical Pump Capacity

HORSEPOWER	OPERATING PSI	LIFT FROM SOURCE TO PUMP *If a well, the water level during pumping	LIFT FROM PUMP TO PLACE OF USE	TOTAL PUMP OUTPUT (IN CFS)
7.5	79	2 ft.	5 ft to 55 ft.	0.23cfs

5. Provide pump calculations:

Total Head from chart 50 psi= 127 feet + 55 feet =

$$Q_{\text{pump}} = \frac{(\text{Hp})(550 \text{ ft lb/sec/Hp})(\text{efficiency})}{(62.4 \text{ lb/cu ft})(\text{lift} + \text{press})} = \frac{(\text{efficiency})(\text{Hp})}{\text{total head}} = \text{cfs}$$

$$Q_{\text{pump}} = \frac{(7.5)(550 \text{ ft lb/sec/Hp})(.75)}{(62.4 \text{ lb/cu ft})(172 \text{ ft})} = \frac{(6.61)(7.5)}{182} = 0.272 \text{ cfs}$$

This calculation is based on a maximum lift. In practice the hand line is laid out with an average lift that is somewhat less than the maximum lift.

6. Measured Pump Capacity (using meter if meter was present and system was operating)

INITIAL METER READING	ENDING METER READING	DURATION OF TIME OBSERVED	TOTAL PUMP OUTPUT (IN CFS)
NA			

Reminder: For pump calculations use the reference information at the end of this document.

7. Is the distribution system piped?

YES NO

If "NO" items 8 through item 11 may be deleted.

8. Mainline Information

MAINLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
3"	1880 ft.	PVC	Buried

9. Lateral or Handline Information

LATERAL OR HANDLINE SIZE	LENGTH	TYPE OF PIPE	BURIED OR ABOVE GROUND
2"	1400 ft.	Al.	Above

10. Sprinkler Information

SIZE	OPERATING PSI	SPRINKLER OUTPUT (GPM)	TOTAL NUMBER OF SPRINKLERS	MAXIMUM NUMBER USED	TOTAL SPRINKLER OUTPUT (CFS)
1/8"	55	3.2 gpm	32	32	102 gpm = 0.23 cfs

Reminder: For sprinkler output determination use the reference information at the end of this document.

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11. Pivot Information

MANUFACTURER	MAXIMUM WETTED RADIUS	OPERATING PSI	TOTAL PIVOT OUTPUT (GPM)	TOTAL PIVOT OUTPUT (CFS)
NA				

12. Additional notes or comments related to the system:

--

D. Groundwater Source Information (Well and Sump)

1. Is the appropriation from ground water (well or sump)? **NO**

If "NO", items 2 through 8 relating to this section may be deleted.

E. Storage

1. Does the distribution system include in-system storage (i.e. storage tank, bulge in system / reservoir) **NO**

If "NO", item 2 and 3 relating to this section may be deleted.

F. Gravity Flow Pipe

(THE DEPARTMENT TYPICALLY USES THE HAZEN-WILLIAM'S FORMULA FOR A GRAVITY FLOW PIPE SYSTEM)

1. Does the system involve a gravity flow pipe? **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

G. Gravity Flow Canal or Ditch

(THE DEPARTMENT TYPICALLY USES MANNING'S FORMULA FOR CANALS AND DITCHES)

1. Is a gravity flow canal or ditch used to convey the water as part of the distribution system? **NO**

If "NO", items 2 through 4 relating to this section may be deleted.

H. Reservoir

1. Does the claim involve a reservoir modified through a transfer? **NO**

Reminder: Complete this section if the reservoir right has been modified through the transfer process. If the claim is for a permitted reservoir use the Claim of Beneficial Use form for reservoirs.

If "NO", items 2 through 9 relating to this section may be deleted.

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SECTION 3 CONDITIONS

All conditions contained in the permit, permit amendment, transfer final order, or any extension final order shall be addressed. Reports that do not address all performance related conditions will be returned.

1. Time Limits:

Permits, transfer final orders, and any extension final orders contain any or all of the following dates: the date when the actual construction work was to begin, the date when the construction was to be completed, and the date when the complete application of water to the proposed use was to be completed. These dates may be referred to as ABC dates. Describe how the water user has complied with each of the development timelines established in the permit, extension or transfer final order:

	DATE FROM PERMIT OR TRANSFER	DATE ACCOMPLISHED*	DESCRIPTION OF ACTIONS TAKEN BY WATER USER TO COMPLY WITH THE TIME LIMITS
ISSUANCE DATE	12/13/2007		
BEGIN CONSTRUCTION (A)	NA		
COMPLETE CONSTRUCTION (B)	NA		
COMPLETE APPLICATION OF WATER (C)	Oct. 1, 2012	June, 2008	Irrigated hay and pasture

* MUST BE WITHIN PERIOD BETWEEN PERMIT, TRANSFER FINAL ORDER, OR ANY EXTENSION FINAL ORDER ISSUANCE AND THE DATE TO COMPLETELY APPLY WATER

2. Is there an extension final order(s)?

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If "NO", you may delete item 3 in this section.

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4. Initial Water Level Measurements:

SALEM, OR

a. Was the water user required to submit an initial static water level measurement? **NO**

If "NO", items 4b through 4d relating to this section may be deleted.

5. Annual Static Water Level Measurements:

a. Was the water user required to submit annual static water level measurements? **NO**

If "NO", items 5b through 5e relating to this section may be deleted.

6. Pump Test (Required for most ground water permits prior to issuance of a certificate)

a. Did the permit require the submittal of a pump test? **NO**

If "NO", items 6b through 6e relating to this section may be deleted.

b

7. Measurement Conditions:

a. Does the permit, permit amendment, transfer final order, or any extension final order require the installation of a meter or approved measuring device? **NO**

If "NO", items 7b through 7f relating to this section may be deleted.

8. Recording and reporting conditions

a. Is the water user required to report the water use to the Department?

NO

If "NO", item 8b relating to this section may be deleted.

9. Fish Screening

a. Are any points of diversion required to be screened to prevent fish from entering the point of diversion?

YES

If "NO", items 9b through 9e relating to this section may be deleted.

Reminder: If fish screening devices were required, the COBU map must indicate their location in relation to the point of diversion.

b. Has the fish screening been installed?

YES

c. When was the fish screening installed?

DATE	BY WHOM
2001	Tenold

Reminder: If the permit or transfer final order was issued on or after February 1, 2011, the fish screen is required to be approved by the Oregon Department of Fish and Wildlife regardless of the rate of diversion.

d. If the diversion **involves a pump** *and* the **total** diversion rate of all rights at the point of diversion is less than 225 gpm (0.5 cfs) and the permit was issued prior to February 1, 2011:

- Has the self-certification form previously been submitted to the Department? NA
- If not, go to <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>, complete and attach a copy of the self-certification form to this claim, and send a copy of it to the Oregon Department of Fish and Wildlife (ODFW).

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. The ODFW self certification form needs to have been previously submitted or be attached to this form.

e. If the diversion does **not involve a pump** *or* the **total** diversion rate of all rights at the point of diversion is 225 gpm (0.5 cfs) or greater:

- Has the ODFW approval been previously submitted? NA
- If not, contact and work with ODFW to ensure compliance. To demonstrate compliance, provide signed documentation from ODFW. A form is available at <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml>

Reminder: Failure to submit evidence of a timely installed fish screen may result in an unfavorable determination. In order to receive a favorable approval, the ODFW/WRD "Fish Screen Inspection" form needs to have been previously submitted or be attached to this form.

10. By-pass Devices

a. Are any points of diversion required to have a by-pass device to prevent fish from entering the point of diversion?

NO

:

(Provide a letter from ODFW indicating the device is approved or is unnecessary. If there is no letter from ODFW, explain whether or not a by-pass device is necessary.)

See exhibit B

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11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

- | | |
|---|----|
| a. Were there special well construction standards? | NO |
| b. Was submittal of a ground water monitoring plan required? | NO |
| c. Was the water user required to restore the riparian area if it was disturbed? | NO |
| d. Was a fishway required? | NO |
| e. Was submittal of a letter from an engineer required prior to storage of water? | NO |
| f. Was submittal of a water management and conservation plan required? | NO |
| g. Other conditions? | NO |

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

SECTION 4 VARIATIONS

Include a description of variations from the permit, permit amendment final order, extension final order, or transfer final order. (i.e. *"The permit allowed three points of diversion. The water user only developed one of the points."* or *"The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres."*)

--

SECTION 5 ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Exhibit A	Pump specifications for P.O.D. 1 and 2
Exhibit B	Copy of letter from OFWD
Exhibit C	Calculation of theoretical pump capacity for irrigation PODs 1&2
Exhibit D	Calculation of theoretical sprinkler discharge for irrigation PODs 1&2
Exhibit E three pages	Examples of engine cc per horsepower.

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11. Other conditions required by permit, permit amendment final order, extension final order, or transfer final order:

- a. Were there special well construction standards? NO
- b. Was submittal of a ground water monitoring plan required? NO
- c. Was the water user required to restore the riparian area if it was disturbed? NO
- d. Was a fishway required? NO
- e. Was submittal of a letter from an engineer required prior to storage of water? NO
- f. Was submittal of a water management and conservation plan required? NO
- g. Other conditions? NO

If "YES" to any of the above, identify the condition and describe the water user's actions to comply with the condition(s):

--

SECTION 4 VARIATIONS

Include a description of variations from the permit, permit amendment final order, extension final order, or transfer final order. (i.e. *"The permit allowed three points of diversion. The water user only developed one of the points."* or *"The permit allowed 40.0 acres of irrigation. The water user only developed 10.0 acres."*)

--

SECTION 5 ATTACHMENTS

Provide a list of any additional documents you are attaching to this report:

ATTACHMENT NAME	DESCRIPTION
Exhibit A	Pump specifications for P.O.D. 1 and 2
Exhibit B	Copy of letter from OFWD

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SECTION 6

CLAIM SUMMARY

POD / POA NAME OR #	MAXIMUM RATE AUTHORIZED	CALCULATED THEORETICAL RATE BASED ON SYSTEM	AMOUNT OF WATER MEASURED	USE	# OF ACRES ALLOWED	# OF ACRES DEVELOPED
1	0.003 cfs	NA	0.003 cfs with restrictor	Domestic		
2	0.003 cfs	NA	0.003 cfs with restrictor	Domestic		
1 and 3	0.0125 cfs	NA	0.0134	Irrigation	1.0	1.0
2 and 3	0.0038 cfs	NA	0.0134	Irrigation	0.3	0.3
3 only**	0.10 cfs	0.23 cfs	NA	Irrigation	8.0	8.0

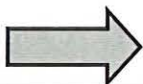
**** Remainder of Cert. 81416**

SECTION 7

CLAIM OF BENEFICIAL USE MAP

The Claim of Beneficial Use Map must be submitted with this claim. Claims submitted without the Claim of Beneficial Use map will be returned. The map shall be submitted on poly film at a scale of 1" = 1320 feet, 1" = 400 feet, or the original full-size scale of the county assessor map for the location.

Provide a general description of the survey method used to prepare the map. Examples of possible methods include, but are not limited to, a traverse survey, GPS, or the use of aerial photos. If the basis of the survey is an aerial photo, provide the source, date, series and the aerial photo identification number.



Diversion points 1 and 2 were located by traverse from property corners per partition plat 2006-0024 which is tied to the northeast corner of DLC 48. Therefore these two points show ties to the NE corner of DLC 48, T29S, R5W, WM.

Diversion point 3 and irrigation are record per Certificate 81416.

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Map Checklist

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Please be sure that the map you submit includes ALL the items listed below.
(Reminder: Incomplete maps and/or claims may be returned.)

SALEM, OR

- ☒ Map on polyester film
- ☒ Appropriate scale (1" = 400 feet, 1" = 1320 feet, or the original full-size scale of the county assessor map)
- ☒ Township, Range, Section, Donation Land Claims, and Government Lots
- ☒ If irrigation, number of acres irrigated within each projected Donation Land Claims, Government Lots, Quarter-Quarters

- ☒ Locations of fish screens and/or fish by-pass devices in relationship to point of diversion
- ☒ Locations of meters and/or measuring devices in relationship to point of diversion or appropriation
- ☒ Conveyance structures illustrated (pumps, reservoirs, pipelines, ditches, etc.)
- ☒ Point(s) of diversion or appropriation (illustrated and coordinates)
- ☒ Tax lot boundaries and numbers
- ☒ Source illustrated if surface water
- ☒ Disclaimer ("This map is not intended to provide legal dimensions or locations of property ownership lines")
- ☒ Application and permit number or transfer number
- ☒ North arrow
- ☒ Legend
- ☒ CWRE stamp and signature

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SE 1/4 SECTION 13, T29S, R5W, WM

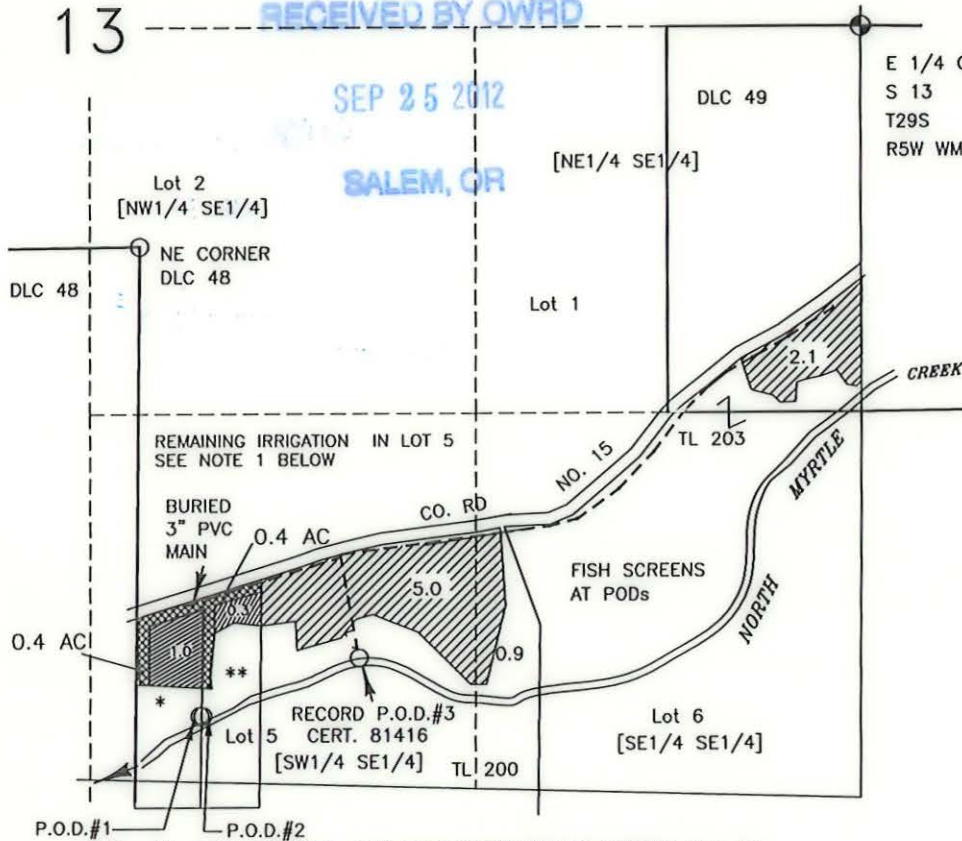
13

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AREA TO TRANSFER FROM IRRIGATION TO DOMESTIC USE FOR 2 HOUSES
PARCELS TWO AND THREE TO EACH TRANSFER 0.4 ACRES TO DOMESTIC USE
AREA REMAINING UNDER IRRIGATION (NOT INCLUDED IN TRANSFER)



THIS MAP IS TO BE USED FOR WATER RIGHT PURPOSES ONLY

P.O.D.#1
P.O.D.#2
POD #1 1600' SOUTH & 215' EAST FROM THE NE CORNER DLC 48
POD #2 1600' SOUTH & 225' EAST FROM THE NE CORNER DLC 48
POD #3 2160' SOUTH & 1715' WEST FROM THE E1/4 CORNER SEC. 13

- IN TRANSFER
- * PARCEL 2 OF LAND PARTITION 2006-24, TAX LOT 201
ASSESSOR PAGE 29 05 13 (1.0 ACRES IRRIGATION REMAINING)
 - ** PARCEL 3 OF LAND PARTITION 2006-24, TAX LOT 202
ASSESSOR PAGE 29 05 13 (0.3 ACRES IRRIGATION REMAINING)
- POD 1 AND 2 ARE FOR DOMESTIC USE AND ADDITIONAL PODs
FOR IRRIGATION.

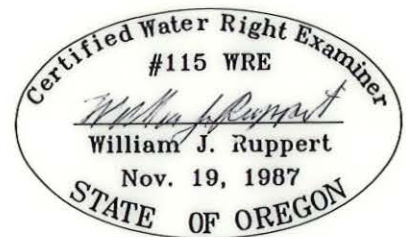
HOUSES ARE NOT CONSTRUCTED AS OF SEPT. 2012.
DOMESTIC USE CLAIM FOR TRAVEL TRAILER.

MAP TO ACCOMPANY CLAIM OF BENEFICIAL USE
TRANSFER NUMBER T-10312

IN NAME OF

Stanley E. Tenold BY:

WILLIAM J. RUPPERT
P.O. BOX 1564
MYRTLE CREEK, OR 97457
SEPT. 24, 2012



NOTE 1
1.0 ACRES IN TAXLOT 201
0.3 ACRES IN TAXLOT 202
5.0 ACRES NOT IN TRANSFER
6.3 ACRES IN GOV. LOT 5

SCALE
SCALE 8"=1MILE

TRANSFER NUMBER T-10312

13

RECEIVED BY OWRD

SEP 25 2012

SALEM, OR

E 1/4 COR.
S 13
T29S
R5W WM.

DLC 49

Lot 2
[NW1/4 SE1/4]

NE CORNER
DLC 48

DLC 48

[NE1/4 SE1/4]

Lot 1

REMAINING IRRIGATION IN LOT 5
SEE NOTE 1 BELOW

BURIED
3" PVC
MAIN

0.4 AC

CO. RD

NO. 15

TL 203

FISH SCREENS
AT PODs

NORTH MYRTLE CREEK

0.4 AC

1.0

**

RECORD P.O.D.#3

CERT. 81416

[SW1/4 SE1/4]

TL 200

Lot 6

[SE1/4 SE1/4]

P.O.D.#1

P.O.D.#2

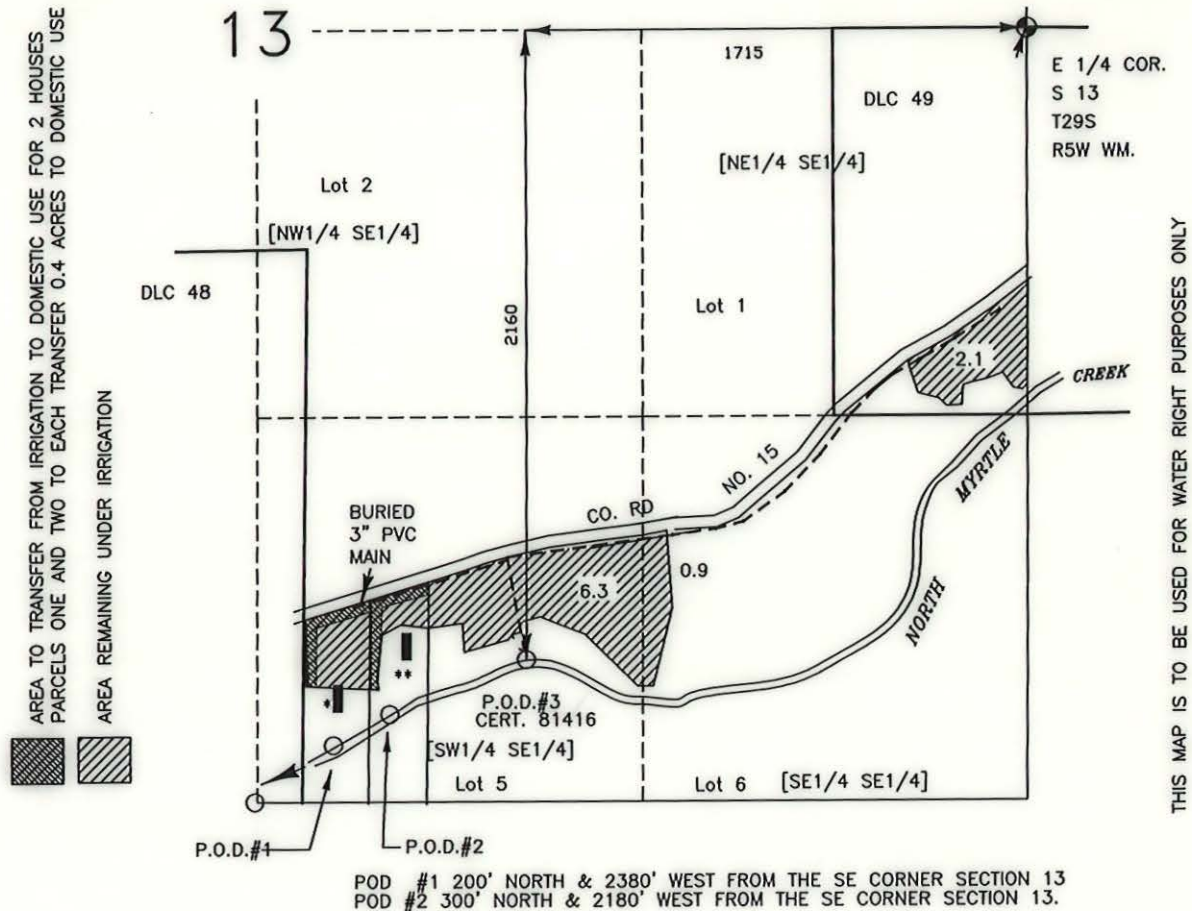
POD #1 1600' SOUTH & 215' EAST FROM THE NE CORNER DLC 48

POD #2 1600' SOUTH & 225' EAST FROM THE NE CORNER DLC 48

POD #3 2160' SOUTH & 1715' WEST FROM THE E1/4 CORNER SEC. 13

Superseded by map
received 8/24/07

SE 1/4 SECTION 13, T29S, R5W, WM



- * PARCEL 2 OF LAND PARTITION 2006-24, TAX LOT 201
- ** PARCEL 3 OF LAND PARTITION 2006-24, TAX LOT 202
- ASSESSOR PAGE 29 05 13

POD 1 AND 2 ARE FOR DOMESTIC USE AND ADDITIONAL PODs FOR IRRIGATION.

HOUSES ARE NOT CONSTRUCTED AS OF APPLICATION DATE.
HOUSES MAY BE LOCATED ANYWHERE ON EACH PARCEL.



EXPIRES 12/64/08

MAP TO ACCOMPANY TRANSFER APPLICATION
PERMIT NO. 47919, CERTIFICATE NO. 81416

IN NAME OF
Stanley E. Tenold BY:

WILLIAM J. RUPPERT
P.O. BOX 1564
MYRTLE CREEK, OR 97457
JAN. 26, 2007
REV. JUNE 18, 2007

0 330 660 1320

SCALE
SCALE 8"=1MILE

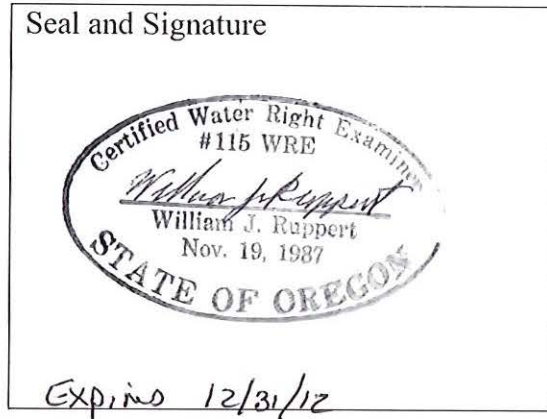
RECEIVED
JUN 27 2007

WATER RESOURCES DEPT
SALEM, OREGON

SECTION 8
SIGNATURES

CWRE Statement, Seal and Signature

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge.



CWRE NAME William J. Ruppert		PHONE NO. 541-863-4855	ADDITIONAL CONTACT NO.
ADDRESS P.O. Box 1564			
CITY Myrtle Creek	STATE OR	ZIP 97457	E-MAIL

Permit or Transfer Holder's of Record Signature or Acknowledgement

This Claim of Beneficial Use must be signed by each permit or transfer holder of record.

The facts contained in this Claim of Beneficial Use are true and correct to the best of my knowledge. I request that the Department issue a water right certificate.

SIGNATURE	PRINT OR TYPE NAME	DATE
	Stanley E. Tenold	9/24/12

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SPECIFICATIONS

MODEL -----	WP-1000
Length -----	310 mm (12.2 in.)
Width -----	226 mm (8.9 in.)
Height -----	305 mm (12.0 in.)
Weight (dry) -----	5.4 kg (11.9 lb.)
Engine Type -----	Air cooled, two-stroke, single cylinder gasoline engine
Bore -----	32.2 mm (1.268 in.)
Stroke -----	26.0 mm (1.04 in.)
Displacement -----	21.1 cc (1.29 cu. in.)
Exhaust -----	Spark arrestor muffler or spark arrestor muffler with catalyst
Carburetor -----	Diaphragm model w/purge
Ignition System -----	Flywheel magneto, capacitor discharge ignition type
Spark Plug -----	NGK BPM-7A Gap 0.65 mm (0.026 in.)
Fuel -----	Mixed (Gasoline and Two-stroke Oil)
Fuel/Oil Ratio -----	50 : 1 Power Blend X™ ISO-L-EGD (ISO/CD 13738) and J.A.S.O. M345- FD, two-stroke, air-cooled engine oil.
Gasoline -----	Use 89 Octane unleaded. Do not use fuel containing methyl alcohol, more than 10% ethyl alcohol or 15% MTBE. Do not use alternative fuels such as E-15 or E-85.
Oil -----	Power Blend X™ Premium Universal 2-Stroke Oil
Fuel Tank Capacity -----	0.4 lit. (13.5 US fl. oz.)
Starter System -----	Automatic Rewind Starter
Maximum Suction Lift -----	7.5 m (24.6 ft.)
Maximum Total Head -----	29 m (95.1 ft.)
Maximum Discharge -----	105 liters/min. (27.7 gal/min. 1662 gal/hr.)
Impeller Material -----	Cast Iron
Volute Material -----	Cast Iron
Seal Type -----	Carbon Ceramic Seal
Idle Speed -----	2,800 RPM
Wide Open Throttle Speed (W.O.T.) -----	6,000 RPM
Maximum Vertical Suction Lift -----	7.5 m (24 ft.)
Total Maximum Vertical Discharge -----	Vertical Suction plus Vertical Discharge = 29 m (95 ft.)

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SALEM, OR



EXHIBIT B

Oregon

John A. Kitzhaber, MD, Governor

Department of Fish and Wildlife
Rogue Watershed District Office
1495 East Gregory Road
Central Point OR 97502
(541) 826-8774
(541) 826-8776
dfw.state.or.us



June 18, 2012

Stan Tenold
4040 N. Myrtle Rd.
Myrtle Creek, OR 97457

Dear Stan,

Regarding OWRD water right transfer T-10312, ODFW is satisfied that the condition for fish screening has been met, and has determined that a bypass device is not required.

Sincerely,

Rich Kilbane
SW Field Coordinator
Fish Screening and Passage Program

(541) 826-8774 ext. 243

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EXHIBIT C For T-10312 Stanley Tenold

Pump Capacity Calculation Sheet

using Department designed formula:

$(hp)(\text{efficiency}) / (\text{lift} + \text{psi head}) = \text{capacity in cfs}$

Efficiency:

Centrifugal = 6.61

Turbine = 7.04

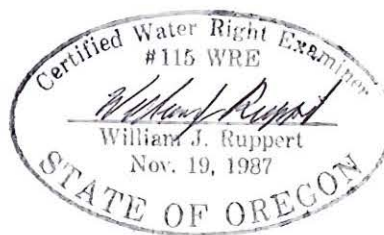
Data Entry (fill in underlined blanks)

HP = 1
Efficiency = 6.61
Lift = 10
PSI = 35

Results Calculated

$(hp)(\text{efficiency}) = 6.61$
Head based on psi = 88.9
Total dynamic head = 98.9
(head + lift)

Pump Capacity = 0.067 feet per second



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EXHIBIT D

Sprinkler Capacity Calculator

Data Entry (fill in underlined blanks)

Sprinkler group 1 Nozzle size = 3/16 inch (type an apostrophe before the size)
 Pressure = 35 PSI
 Number of heads = 1

Sprinkler group 2 Nozzle size = 0 inch (type an apostrophe before the size)
(if applicable) Pressure = 0 PSI
 Number of heads = 0

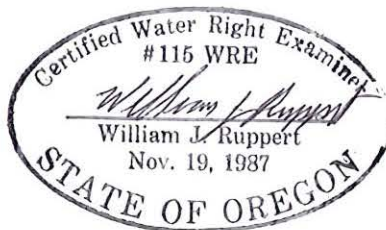
Sprinkler group 3 Nozzle size = 0 inch (type an apostrophe before the size)
(if applicable) Pressure = 0 PSI
 Number of heads = 0

Results calculated

Sprinkler group 1 capacity = 6 gpm, or 0.013 cfs
Sprinkler group 2 capacity = 0 gpm, or 0 cfs
Sprinkler group 3 capacity = 0 gpm, or 0 cfs

Total sprinkler capacity = 6 gpm, or 0.013 cfs

Note: If entered values return a result of "#N/A" gpm, then the sprinkler capacity chart does not contain a rate for that nozzle size and PSI.



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EXHIBIT E

In Brief:- Engines and their horsepower. The ratio of cc to hp varies by the cu.in. or cu.cm., rpm, tune and if blown, turbocharged or supercharged but is about 1 cu.in per hp for a modern vehicle engine


 .co.uk

Comspan Communications
Cable, Phone, High Speed Optical Internet for your home or business.
www.mycomspan.com

AdChoices

how many cc in a hp

engine cc to horsepower

Convert Conversion Calculator Convert All Measurements Instantly. It's 100% Free. translateye.com

Briggs & Stratton Engines Torqued off at your old engine? We can help you repower with new! www.BrandNewEngines.com

Ask: Briggs Engines A Briggs Tech Will Answer Now! Receive Your Answer in Minutes. JustAnswer.com/Briggs-Strat AdChoices

Unit Conversion Tool - download here for your server, PC or laptop to use anywhere, anytime, off line.

 Custom Search

Many people have asked for a relationship between horsepower and cc or how many cc in a hp.

The short answer is about 15 to 17cc = 1 hp or about 1 cu.in. = 1 bhp for a modern car.

The full answer is complex - the power output of an engine depends on the state of tune as well as size, and the definition of horsepower must be considered, brake horsepower (bhp) or shaft horsepower (shp), and is not covered here.

Horsepower can be increased by engine tuning, more volatile fuel, supercharging or exhaust turbo boosting.

The intention of this page is to give a general answer based on a list of data from a broad range of engines.
The original, pre-sorted data list can be found [here](#).

As can be seen from the table below, the top 10 highly tuned engines cover a wide variety from Formula 1 racing cars and dragsters, through TT and motocross bikes to a tiny 3.5cc model car engine producing 3.45hp at a screaming 42,600 rpm and weighing in at 340 grams.
Compare that mighty midget to the 2,300 ton ships engine producing 108,920 hp at 102 rpm from 25,498,000 cc at the other end of the scale. Size isn't everything!

Note:-

1 cubic inch (cu.in.) = 16.387064 cubic centimetres (cu.cm. cm³ or cc)

1000 cc = 1 litre

1 hp (UK) = 0.7457 kilowatt (kW)

rpm = revolutions per minute

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Engines sorted with the highest tuned first, ie. with the lowest cu.cm to horsepower ratio

engine	cc	hp	rpm	cc / hp
Model car 2 stroke diesel - Rossi 236R21	3.5	3.45	42,600	1.0145
Top fuel dragster V8 supercharged	8194	8000+	8 200	1.0243
F1 racing car 1987 turbo - qualifying	1494	1400+	14 000	1.0671
F1 racing car 1987 turbo - race trim - Honda	1494	1000	13 000	1.4940
Honda TT race bike	125	47		2.6596
Model aircraft - Chinese contest diesel	3.5	1.3	26 000	2.6923
Model aircraft - Typhoon Russian diesel	2.47	0.82	27 200	3.0122
BMW F1 racing car 2003 - P83	2998	920	19 200	3.2587
Motocross bike	125	33		3.7879
Honda - stock road bike	125	33		3.7879
F1 racing car 1995 - no turbo	3000	750		4.0000

Related pages

" [Home page](#)
 " [Info on SI Units](#)
 " [SI Unit Descriptions](#)
 " [SI Derived Units](#)
 " [SI Prefixes \(mega, giga\)](#)
 " [Imperial/UK Units](#)
 " [Scientific Notation](#)
 (i.e. what is 1.00E+09)
Detail pages
 " [Feet to metres calculator](#)
 " [Metres to feet calculator](#)
 " [British Thermal Units Btu](#)
 " [Density of bulk materials](#)
 " [Density of liquids](#)
 " [Specific Gravity of water](#)
 " [Density of metals](#)
 " [Density of woods](#)
 " [Kitchen metric](#)
 " [Medical metric](#)
 " [Parts per million - ppm](#)

Model aircraft OS glowplug	5.23	1.2	22 000	4.3583
Junior motorbike - reed valve	125	28	14 000	4.4643
Model aircraft OS glowplug	8.17	1.8	17 000	4.5389
Model aircraft OS glowplug	9.95	1.9	16 000	5.2368
Superbike 600cc Class	599	112		5.3482
Superbike 1000cc Ducati FO3	999	186	13 000	5.3710
Kawasaki ZX-10R - road trim	998	182	11 700	5.4835
Junior - road bike	125	20		6.2500
Model aircraft OS glowplug	1.76	0.27	17 000	6.5185
Lotus 2-Eleven - supercharged	1798	252	8 000	7.1349
Ford Escort 2.0L COSWORTH	2000	225		8.8889
Junior - de-tuned	125	13.5		9.2593
Fuji ATM	50	5.2	10 000	9.6154
Scooter	60	5.8	8 500	10.3448
Street bike	50	4.2	7 000	11.9048
Ford Escort 1.6L RS TURBO	1600	130		12.3077
Tractor pulling Allison V12	28000	2200		12.7273
Honda Accord	1800	136		13.2353
Ford Escort 2.0L 16V RS	2000	150		13.3333
Ford Mondeo	2000	150		13.3333
Ford Escort 2.0L RS	2000	149		13.4228
Honda Accord	2000	147		13.6054
Ford Escort 1.8L 16V XR3	1800	130		13.8462
Honda Accord	1600	115		13.9130
Fuji ATM	32	2.2	10000	14.5455
Mitsubishi Carisma Classic	1600	110		14.5455
RR Griffon 58 - Shackleton aircraft	37000	2455		15.0713
Ford Escort 1.6L 16V	1600	105		15.2381
Ford pickup/utility	2000	130		15.3846
Ford saloon	2000	130		15.3846
Ford Thunderbird	3900	252		15.4762
Mitsubishi Carisma Classic	1400	90		15.5556
Ford Escort 1.8L 16V	1800	115		15.6522
Mitsubishi Carisma Classic	1300	82		15.8537
P&W Wasp Major - race tuned	71500	4500		15.8889
Rolls Royce Merlin / Packard V-1650	27000	1695		15.9292
Marine outboard	815	50		16.3000
→ Chainsaw	36	2.2		16.3636
Ford Fiesta 1.25L 16 valve	1250	75		16.6667
Honda Jazz	1399	83		16.8554
Ford Escort 1.8L 8V	1800	105		17.1429
Marine outboard	105	6		17.5000
Ford Escort 1.6L 8V	1600	90		17.7778
→ Chainsaw	25.6	1.4		18.2857
Marine outboard	1298	70		18.5429
Ford Escort 1.4L 8 valve	1400	74		18.9189

" Clothing metric
 " Yarn metric
 " Time
 " cc to hp
 " Paper & Envelopes
 " Gross to Nett price
 " Nett to Gross price
 " Add on Commission
 " Sheet metal swg - mm
 " Wire & rod swg - awg
 " Electrical wire swg - awg
 " Steam tables (4 pages)
 " Watts, amps, volts, ohms
 " M Threads & spanners
 " Self tapping screws
 " M tap & pilot drill sizes



Other useful sites

AdChoices [▷]

Briggs & Stratton Parts

Shop Online For Briggs Parts All Discounted and Fast Shipping!
www.ctesmallengine.com

Briggs & Stratton Parts

Parts ready to ship
 direct 365 Day Returns
www.lawnmowerpros.com/B...

Ask a Briggs Mechanic Now

A Briggs Tech Will Answer You Now!
 Questions Answered Every 9 Seconds.
JustAnswer.com/Briggs-Stratton

EMA Dermatology

It's like sending your iPad to medical school.
www.modmed.com

Briggs and Stratton Parts

Briggs and Stratton Parts Wide assortment of Parts
www.rpmpowerproducts.com

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MGB	1798	95	5400	18.9263
Ford pickup/utility	4000	210		19.0476
Jaguar 3.4	3442	180	5300	19.1222
Ford saloon	3000	155		19.3548
Austin Healey 3000 Mk3 1963	2912	150		19.4133
Ford Mustang	3800	193		19.6891
Ford pickup/utility	4000	203		19.7044
Ford pickup/utility	4600	232		19.8276
Marine outboard	597	30		19.9000
Allison V12 in P38 aircraft	28000	1400	4000	20.0000
Marine outboard	302	15		20.1333
Marine outboard	815	40		20.3750
→ Chainsaw	40.8	2		20.4000
Pratt & Whitney <u>Wasp Major</u> , radial 28cyl	71500	3500	2800	20.4286
→ Chainsaw	32.8	1.6		20.5000
Ford pickup/utility	5400	260		20.7692
Ford pickup/utility	4200	202		20.7921
Ford pickup/utility	5400	255		21.1765
Marine outboard	1298	60		21.6333
Ford pickup/utility	4200	191		21.9895
Ford Fiesta 1.1L 8 valve	1100	50		22.0000
Marine outboard	597	25		23.8800
Austin A35 and Morris Minor	948	37	4800	25.6216
Rolls Royce Merlin Mk.II	27000	1030		26.2136
Ford pickup/utility	4600	175		26.2857
Briggs & Stratton Industrial engine	465	15.5		30.0000
Briggs & Stratton Industrial engine	480	16		30.0000
Marine outboard	302	9.9		30.5051
Briggs & Stratton Industrial engine	319	8		39.8750
Briggs & Stratton Industrial engine	148	3.5		42.2857
Ships <u>turbo two stroke diesel</u> , 14 cyl	25498000	108,920	102	234.0

" A guide to earning money on the internet

goto top

:-:

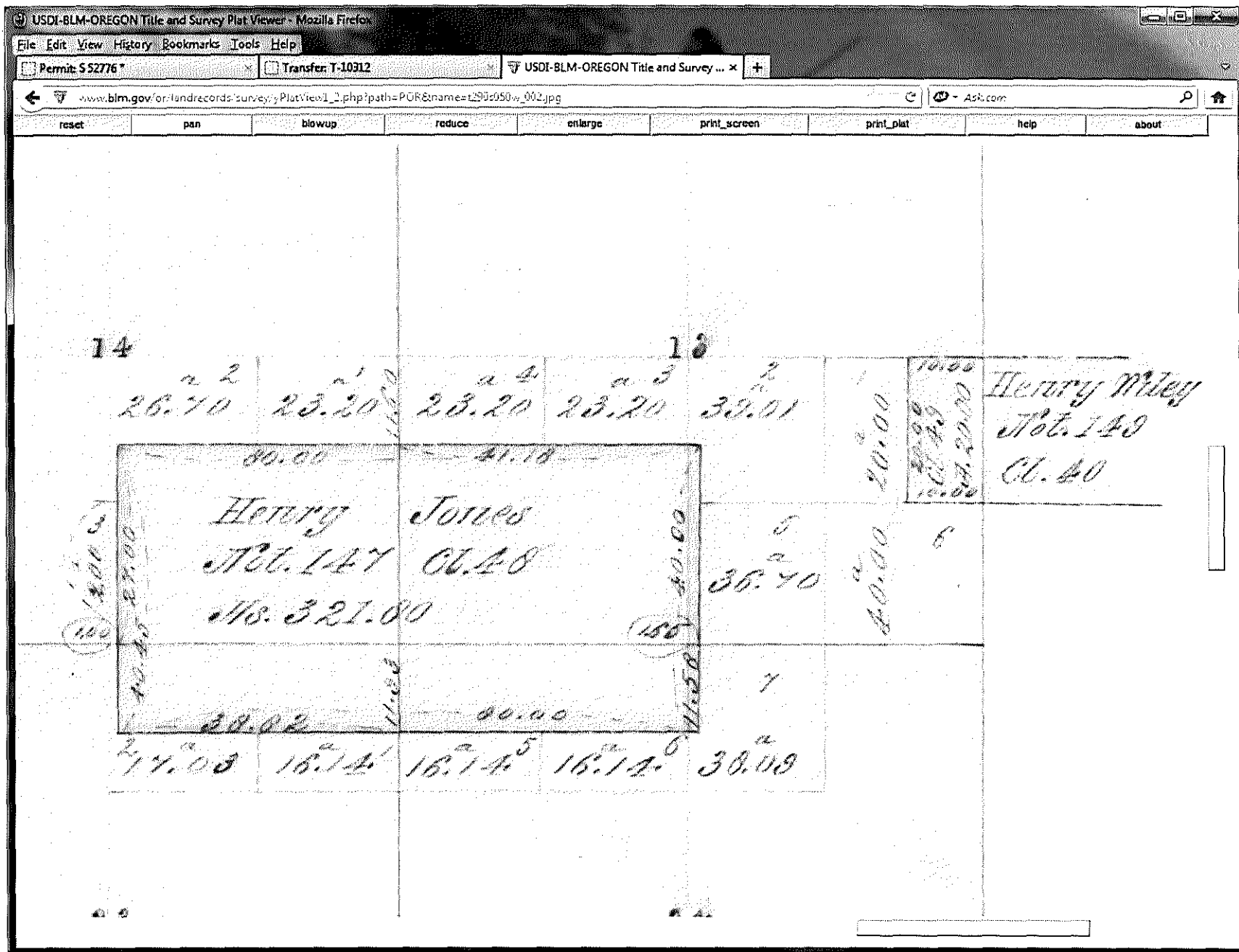
last modified: 6 th. August 2010

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NOV 13 2012

SALEM, OR



Gerry Clark

From: Gerry Clark
Sent: Thursday, November 15, 2012 3:01 PM
To: 'Stan Tenold'
Subject: RE: Transfer T-10312 and Extension of Time Application for Transfer

Stan,

On Tuesday, November 13, 2012, I received additional information prepared by your CWRE, William Ruppert. The additional information addressed the question that I raised concerning the calculations of the system.

Thank you for your attention to my comment.

Gerry

From: Stan Tenold [mailto:stantenold@yahoo.com]
Sent: Monday, October 01, 2012 10:39 AM
To: Gerry Clark
Subject: Re: Transfer T-10312 and Extension of Time Application for Transfer

Gerry,

My reading of OAR 690-014-0100(9) would imply they want the maximum capacity of the system not diminished by other factors such as elevation, pipe size etc. This maximum would be the maximum rate of application. What you appear to be requesting is the "minimum" maximum, factoring in elevation, pipe size, etc.

Stan

On Oct 1, 2012, at 10:11 AM, "Gerry Clark" <gerald.e.clark@state.or.us> wrote:

Stan,

Great question. The Department does not view the pump specifications as the required calculations. The Rules require that calculations be provided to identify the maximum capacity of the system. These calculations take into account the site specific data that the specifications cannot predict such as the operating psi, the elevation change between the source and the place of use, etc. The specifications are helpful, but do not supply the site specific rate, maximum capacity that the Rules require.

OAR 690-014-0100(9) Computations for the maximum capacity of the system shall be submitted for all claims. These computations may suffice to determine the maximum rate of application if the system was not operating when the inspection was conducted.

Please let me know if you have any additional questions concerning your Claim.

Gerry

From: Stan Tenold [mailto:stantenold@yahoo.com]
Sent: Friday, September 28, 2012 9:11 AM
To: Gerry Clark
Subject: Re: Transfer T-10312 and Extension of Time Application for Transfer

Gerry,

Thanks for your review of the documents. The specifications for the pump are included at the end of the document. Does that not satisfy the requirement for maximum capacity of the pump?

Thanks,

Stan

On Sep 27, 2012, at 4:41 PM, "Gerry Clark" <gerald.e.clark@state.or.us> wrote:

Stan,

We received your Claim in our office on Tuesday of this week. I have reviewed the Claim to see if there are any areas of the Claim that require additional information or clarification. I did identify one item that needs to be addressed:

1. Our Rules require that the Claim contain theoretical calculations for each pump regardless of whether the capacity of the pump is measured. In the case of your Claim, it indicates a measured capacity, but does not include the calculation necessary to determine the maximum (theoretical) capacity of the pump. The calculation should be prepared by the CWRE and must be stamped and signed.

Please be aware that this review is only a cursory review. At some point in the future, when the Claim is fully reviewed for a determination as to the extent of beneficial use made under the transfer, additional information may be requested at that time.

As Lisa discussed in her previous message, if you want to have the Claim reviewed sooner, rather than later, you can request processing under the Reimbursement Authority Program.

Please let me know if you have any additional questions.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811
Fax: 503-986-0901

WRD Home Page: www.wrd.state.or.us

From: Lisa Jaramillo
Sent: Wednesday, September 26, 2012 8:56 AM
To: Stan Tenold
Cc: Gerry Clark; Craig Kohanek
Subject: FW: Transfer T-10312 and Extension of Time Application for Transfer

Mr. Tenold,

I am forwarding a copy of your e-mail regarding submittal of a Claim of Beneficial Use (CBU) report for Transfer T-10312 to Gerry Clark. He is the lead staff in the Department's Certificates Section and would be the person to review it.

Please note, it will likely take much longer than December 2012 for your CBU for Transfer T-10312 to be reviewed by Department staff. CBUs are reviewed in the order in which they are received by the Department. There is an expedited process, however, called the Reimbursement Authority process in which you can pay to have your CBU pulled out of order and processed now by private contractors that have been trained by the Department.

Here is a link to information about the Reimbursement Authority expedited process for CBUs: http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx

If you wish, Craig Kohanek of the Department's Water Rights Section is available to provide you with more detail on how this expedited process works. His phone number is 503-986-0823.

Have a good morning,
Lisa

Lisa J. Jaramillo
Water Management and Conservation Analyst
Water Right Services Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
Phone: 503-986-0880
Fax: 503-986-0903

From: Stan Tenold [mailto:stantenold@yahoo.com]
Sent: Wednesday, September 26, 2012 7:15 AM
To: Lisa Jaramillo
Subject: Re: Transfer T-10312 and Extension of Time Application for Transfer

Lisa,

I mailed in the transfer documents on Monday, they should arrive today. I will also attach them to this email. I don't know what the backlog is for reviewing transfer applications but I would appreciate it if this transfer could be reviewed since the Bill Ruppert, the water rights examiner is allowing his license to expire 12/31/12.

I believe this completes all the submissions I need to make regarding my water rights.

Thank you,

Stan Tenold

<image001.jpg>

<image002.jpg>

On Aug 13, 2012, at 10:48 AM, Lisa Jaramillo <lisa.j.jaramillo@state.or.us> wrote:

Mr. Tenold,

Thank you. I will place a copy of the letter from ODFW in the file for Transfer T-10312.

Other than the water right involved in Transfer T-10312, I was able to track down the following water rights under your name:

Certificate 81479 and Certificate 83550. No further documentation is needed at this time for these two water right certificates.

There is also a pending application for a water use permit (Application S-86427) under your name. A water use permit for this application has not yet been issued. At some point in the future, assuming a permit is issued, you will need to complete construction and the application of water to beneficial use under the permit, and then submit a Claim of Beneficial Use report and survey map to the Oregon Water Resources Department.

Sincerely,
Lisa Jaramillo

Lisa J. Jaramillo

Water Management and Conservation Analyst

Water Right Services Division

Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1266

Phone: 503-986-0880

Fax: 503-986-0903

From: Stan Tenold [<mailto:stantenold@yahoo.com>]

Sent: Wednesday, August 08, 2012 9:37 AM

To: Lisa Jaramillo

Subject: Re: Transfer T-10312 and Extension of Time Application for Transfer

Lisa,

I decided to complete the installation of the equipment. Attached is the letter from Fish and Game approving the fish screen. I have installed the pump and water restrictor. Today I had Bill Ruppert document the installation for the two lots. He will complete the documentation and I will submit the information for approval.

Thank you for your assistance. If you have questions please let me know.

For information purposes, I have irrigated my other water rights for hay, and to maintain the water rights as active. Is there any documentation that I need to file to document the usage?

Stan Tenold

On Jun 4, 2012, at 1:19 PM, Lisa Jaramillo wrote:

Hello Mr. Tenfold,

I have attached a copy of the Final Order approving Transfer Application T-10312. Additionally, I am including this link to the Application for Extension of Time for a Transfer: <http://www.wrd.state.or.us/OWRD/PUBS/docs/forms/TransferExtension.pdf>

Additionally, the application fee for the Application for Extension of Time for a Transfer is \$500. To locate this fee, please refer to Page 7 of 8 under "Other Fees."

Also, Dorothy Pedersen (Transfer Program Coordinator) is the staff person that processes Transfer Extension of Time applications. If you have any further questions, you can reach her at 503-986-0890.

Lisa J. Jaramillo

Water Management and Conservation Analyst
Water Right Services Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
Phone: 503-986-0880
Fax: 503-986-0903

<T-10312 Final Order_Tenold.pdf>

Gerry Clark

From: Gerry Clark
Sent: Thursday, September 27, 2012 4:40 PM
To: Stan Tenold
Cc: Craig Kohanek; Lisa Jaramillo
Subject: RE: Transfer T-10312 and Extension of Time Application for Transfer

Stan,

We received your Claim in our office on Tuesday of this week. I have reviewed the Claim to see if there are any areas of the Claim that require additional information or clarification. I did identify one item that needs to be addressed:

1. Our Rules require that the Claim contain theoretical calculations for each pump regardless of whether the capacity of the pump is measured. In the case of your Claim, it indicates a measured capacity, but does not include the calculation necessary to determine the maximum (theoretical) capacity of the pump. The calculation should be prepared by the CWRE and must be stamped and signed.

Please be aware that this review is only a cursory review. At some point in the future, when the Claim is fully reviewed for a determination as to the extent of beneficial use made under the transfer, additional information may be requested at that time.

As Lisa discussed in her previous message, if you want to have the Claim reviewed sooner, rather than later, you can request processing under the Reimbursement Authority Program.

Please let me know if you have any additional questions.

Gerry

Gerry Clark
Water Right Services Division
Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301

Phone: 503-986-0811
Fax: 503-986-0901

WRD Home Page: www.wrd.state.or.us

From: Lisa Jaramillo
Sent: Wednesday, September 26, 2012 8:56 AM
To: Stan Tenold
Cc: Gerry Clark; Craig Kohanek
Subject: FW: Transfer T-10312 and Extension of Time Application for Transfer

Mr. Tenold,

I am forwarding a copy of your e-mail regarding submittal of a Claim of Beneficial Use (CBU) report for Transfer T-10312 to Gerry Clark. He is the lead staff in the Department's Certificates Section and would be the person to review it.

Please note, it will likely take much longer than December 2012 for your CBU for Transfer T-10312 to be reviewed by Department staff. CBUs are reviewed in the order in which they are received by the Department. There is an expedited process, however, called the Reimbursement Authority process in which you can pay to have your CBU pulled out of order and processed now by private contractors that have been trained by the Department.

Here is a link to information about the Reimbursement Authority expedited process for CBUs: http://www.oregon.gov/owrd/pages/mgmt_reimbursement_authority.aspx

If you wish, Craig Kohanek of the Department's Water Rights Section is available to provide you with more detail on how this expedited process works. His phone number is 503-986-0823.

Have a good morning,
Lisa

Lisa J. Jaramillo
Water Management and Conservation Analyst
Water Right Services Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
Phone: 503-986-0880
Fax: 503-986-0903

From: Stan Tenold [mailto:stantenold@yahoo.com]
Sent: Wednesday, September 26, 2012 7:15 AM
To: Lisa Jaramillo
Subject: Re: Transfer T-10312 and Extension of Time Application for Transfer

Lisa,

I mailed in the transfer documents on Monday, they should arrive today. I will also attach them to this email. I don't know what the backlog is for reviewing transfer applications but I would appreciate it if this transfer could be reviewed since the Bill Ruppert, the water rights examiner is allowing his license to expire 12/31/12.

I believe this completes all the submissions I need to make regarding my water rights.

Thank you,

Stan Tenold

On Aug 13, 2012, at 10:48 AM, Lisa Jaramillo <lisa.j.jaramillo@state.or.us> wrote:

Mr. Tenold,

Thank you. I will place a copy of the letter from ODFW in the file for Transfer T-10312.

Other than the water right involved in Transfer T-10312, I was able to track down the following water rights under your name:

Certificate 81479 and Certificate 83550. No further documentation is needed at this time for these two water right certificates.

There is also a pending application for a water use permit (Application S-86427) under your name. A water use permit for this application has not yet been issued. At some point in the future, assuming a permit is issued, you will need to complete construction and the application of water to beneficial use under the permit, and then submit a Claim of Beneficial Use report and survey map to the Oregon Water Resources Department.

Sincerely,
Lisa Jaramillo

Lisa J. Jaramillo
Water Management and Conservation Analyst
Water Right Services Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
Phone: 503-986-0880
Fax: 503-986-0903

From: Stan Tenold [<mailto:stantenold@yahoo.com>]
Sent: Wednesday, August 08, 2012 9:37 AM
To: Lisa Jaramillo
Subject: Re: Transfer T-10312 and Extension of Time Application for Transfer

Lisa,

I decided to complete the installation of the equipment. Attached is the letter from Fish and Game approving the fish screen. I have installed the pump and water restrictor. Today I had Bill Ruppert document the installation for the two lots. He will complete the documentation and I will submit the information for approval.

Thank you for your assistance. If you have questions please let me know.

For information purposes, I have irrigated my other water rights for hay, and to maintain the water rights as active. Is there any documentation that I need to file to document the usage?

Stan Tenold

On Jun 4, 2012, at 1:19 PM, Lisa Jaramillo wrote:

Hello Mr. Tenfold,

I have attached a copy of the Final Order approving Transfer Application T-10312. Additionally, I am including this link to the Application for Extension of Time for a

Transfer: <http://www.wrd.state.or.us/OWRD/PUBS/docs/forms/TransferExtension.pdf>

Additionally, the application fee for the Application for Extension of Time for a Transfer is \$500. To locate this fee, please refer to Page 7 of 8 under "Other Fees."

Also, Dorothy Pedersen (Transfer Program Coordinator) is the staff person that processes Transfer Extension of Time applications. If you have any further questions, you can reach her at 503-986-0890.

Lisa J. Jaramillo

Water Management and Conservation Analyst

Water Right Services Division

Oregon Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1266

Phone: 503-986-0880

Fax: 503-986-0903

<T-10312 Final Order_Tenold.pdf>



Oregon

John A. Kitzhaber, MD, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

October 3, 2012

Stanley Tenold
4040 North Myrtle Creek Road
Myrtle Creek OR 97454

On September 25, 2012, the Water Resources Department received the Claim of Beneficial Use (COBU) for the following file(s):

T-10312

The COBU included a report and map. The Department hopes to review your submittal within approximately 2 - 4 years. At that time we will review these items and provide a final certificate, proposed certificate, or a request for additional information.

If you are interested in having your COBU reviewed sooner, you may pay to have your file processed immediately, using the Reimbursement Authority program, which is described at:
http://www.wrd.state.or.us/OWRD/mgmt_reimbursement_authority.shtml

For all other questions please call our Customer Service phone: (503) 986-0811.

If you sell the property, please contact the Department, or have the new owners contact the Department about the need to file an assignment.

Cc: file



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

December 14, 2007

STANLEY E TENOLD
PO BOX 751
BODEGA BAY, CA 94923

Reference: Transfer 10312

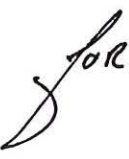
Enclosed is a copy of the reconsideration order approving your water right transfer application.

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

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

You have the requirement to hire a Certified Water Right 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 completed the change or within one year of the completion date authorized in the transfer, whichever occurs first.

Sincerely,

 Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #15
William Ruppert, CWRE
Sam Moyer, ODFW

Enclosure

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

In the Matter of Transfer Application	)	RECONSIDERATION OF A FINAL
T-10312, Douglas County	)	ORDER AND APPROVAL OF A
	)	CHANGE IN POINT OF DIVERSION,
	)	PLACE OF USE AND CHARACTER OF
	)	USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications. OAR 137-004-0080 describes the process for reconsideration of an order in other than contested case.

Applicant

Stanley E. Tenold
P.O. Box 751
Bodega Bay, California 94923

Findings of Fact

Background

1. On February 5, 2007, Stanley E. Tenold filed an application to change the place of use, the character of use and add two additional points of diversion under a portion of Certificate 81416. The Department assigned the application number T-10312.
2. On June 21, 2007, Stanley E. Tenold amended the application by providing additional and corrected information:
 - a) Confirming the transfer of 0.8 acre, use of water year-round at a rate not to exceed 0.003 cfs per each of two domestic households on a non-continuous basis, and installation of a flow restrictor for each domestic use;
 - b) Describing how to prevent irrigation on lands withdrawn from irrigation for purposes of the transfer to domestic uses; and,
 - c) Updating the application map to show the correct coordinates of the proposed points of diversion from North Myrtle Creek.

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either 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.

3. On August 24, 2007, Stanley E. Tenold further amended the application by providing a map to clarify and confirm the information cited in Finding of Fact No. 2, above.
4. The portion of the right to be transferred is as follows:

Certificate: 81416 in the name of Stanley E. Tenold (perfected under Permit S-47919)

Use: IRRIGATION of 2.1 ACRES

Priority Date: JULY 13, 1983

Rate: 0.026 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: NORTH MYRTLE CREEK, tributary to MYRTLE CREEK

Authorized Point of Diversion:

POD #	Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
*3	29 S	5 W	WM	13	SW SE	5	2160 FEET SOUTH AND 1715 FEET WEST FROM E1/4 CORNER OF SECTION 13

*This existing, authorized POD will be referred to as POD No. 3 for the remainder of this document.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
29 S	5 W	WM	13	SW SE	5	2.1

5. Application T-10312 proposes two additional points of diversion approximately 0.10 mile (POD No. 2) and 0.13 mile (POD No. 1) downstream from the authorized irrigation point of diversion (POD No. 3). The proposed additional points of diversion are located as follows:

POD No.	Twp	Rng	Mer	Sec	Q-Q	GLot	Tax Lot	Survey Coordinates
1	29 S	5 W	WM	13	SW SE	5	201	200 FEET NORTH AND 2380 FEET WEST FROM THE SE CORNER OF SECTION 13
2	29 S	5 W	WM	13	SW SE	5	202	300 FEET NORTH AND 2180 FEET WEST FROM THE SE CORNER OF SECTION 13

6. Application T-10312 proposes to change the character of use of 0.8 acre of irrigation use to Domestic Use for two households; one on Tax Lot 201 and one on Tax Lot 202.
7. Application T-10312 also proposes to change the season of use from the irrigation season to year round use for the two proposed domestic uses. To prevent enlargement of the right or injury to other water rights due to extension of the season of use, the applicant proposes to reduce the maximum rate of diversion and install flow restrictors at each point of diversion, as stated in Finding of Fact No. 2(a).

8. Application T-10312 also proposes to change the place of use of the right to:

DOMESTIC							
POD No.	Tax Lot	Twp	Rng	Mer	Sec	Q-Q	GLot
1	201	29 S	5 W	WM	13	SW SE	5
2	202	29 S	5 W	WM	13	SW SE	5

IRRIGATION								
POD No.	Tax Lot	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 and 3	201	29 S	5 W	WM	13	SW SE	5	1.0
2 and 3	202	29 S	5 W	WM	13	SW SE	5	0.3

9. Notice of the application for transfer was published on February 13, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
10. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new points of diversion to prevent fish from entering the diversions and/or safely transport fish back to the body of water from which the fish were diverted and that the diversions are not currently equipped with an appropriate fish screening and/or by-pass device. The diversions may be eligible for screening cost share funds.
11. On July 17, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10312 to the applicant. The draft Preliminary Determination set forth a deadline of August 17, 2007, for the applicant to respond. On July 31, 2007, the applicant requested that the Department revise the document, consistent with the revised map as noted in Finding of Fact No. 3, before proceeding with issuance of a Preliminary Determination. On August 6, 2007, Mr. Tenold provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
12. On August 31, 2007 a revised draft Preliminary Determination was emailed to the applicant for review. Stan Tenold responded September 3, 2007, requesting the date for completion of the changes to be changed, to allow 3 to 5 years for development since the two lots are to be sold, and the new buyers will have responsibility for installing the equipment and putting the water to beneficial use. The Department considers the request reasonable and has extended the date for completion, as stated later in this document.
13. On September 17, 2007, the Department issued a Preliminary Determination proposing to approve Transfer T-10312 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on September 25, 2007, and in The Douglas County Mail newspaper on September 27 and October 4 and 11, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.
14. On October 31, 2007, the Department issued a Final Order approving T-10312, recorded at Special Order Volume 73, Pages 589 to 593.

15. On November 16, 2007, Stan Tenold contacted the Department by e-mail and requested clarification of language in the order pertaining to the change in character of use, so as to more clearly state that domestic uses are to be established for two households.
16. Subsequent Department review of the order indicated a need to modify the language of the order to clarify the establishment of two domestic uses, as well as to specify that fish screen and/or by-pass requirements apply to both of the new points of diversion.
17. The Department reviewed the order and concluded that the order should be reconsidered pursuant to OAR 137-004-0080(5). This order is issued to supersede the previous order and to clarify the above mentioned points.

Transfer Review Criteria [OAR 690-380-4010(2)]

18. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
19. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10312.
20. The proposed changes, as conditioned, would not result in enlargement of the right.
21. The proposed changes, as conditioned, would not result in injury to other water rights.

Conclusions of Law

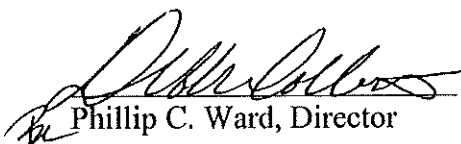
The changes in place of use, character of use and additional points of diversion proposed in application T-10312 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The order recorded at Special Order Volume 73, pages 589 through 593 is superseded by this order and is of no further force or effect.
2. The changes in place of use, in character of use to domestic use for two households, and two additional points of diversion proposed in application T-10312 are approved.
3. Water right certificate 81416 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
4. 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 81416 and any related decree.

5. The quantity of water diverted at the proposed additional points of diversion, together with that diverted at the original point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
6. The former place of use of the transferred portion of the right shall no longer receive water under the right.
7. The quantity of water diverted at each of the additional points of diversion for domestic use may occur year-round at a rate not to exceed a maximum of 0.006 cfs, being 0.003 cfs per household on a non-continuous basis. A flow restrictor shall be installed at each of the two additional points of diversion to ensure that the rate is not exceeded.
8. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at each new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass devices meet ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that each required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass devices, as appropriate, at the points of diversion consistent with ODFW's operational and maintenance standards.
9. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, 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.
10. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2012**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
11. When satisfactory proof of the completed changes is received, a new certificate confirming the portion of the right transferred will be issued.

Dated at Salem, Oregon this 13 day of December 2007.


Phillip C. Ward, Director

Mailing date: _____

File T-10312

Lisa Jaramillo

From: Lisa Jaramillo
Sent: Monday, August 13, 2012 10:49 AM
To: Stan Tenold
Subject: RE: Transfer T-10312 and Extension of Time Application for Transfer

Mr. Tenold,

Thank you. I will place a copy of the letter from ODFW in the file for Transfer T-10312.

Other than the water right involved in Transfer T-10312, I was able to track down the following water rights under your name:

Certificate 81479 and Certificate 83550. No further documentation is needed at this time for these two water right certificates.

There is also a pending application for a water use permit (Application S-86427) under your name. A water use permit for this application has not yet been issued. At some point in the future, assuming a permit is issued, you will need to complete construction and the application of water to beneficial use under the permit, and then submit a Claim of Beneficial Use report and survey map to the Oregon Water Resources Department.

Sincerely,
Lisa Jaramillo

Lisa J. Jaramillo
Water Management and Conservation Analyst
Water Right Services Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
Phone: 503-986-0880
Fax: 503-986-0903

From: Stan Tenold [<mailto:stantenold@yahoo.com>]
Sent: Wednesday, August 08, 2012 9:37 AM
To: Lisa Jaramillo
Subject: Re: Transfer T-10312 and Extension of Time Application for Transfer

Lisa,

I decided to complete the installation of the equipment. Attached is the letter from Fish and Game approving the fish screen. I have installed the pump and water restrictor. Today I had Bill Ruppert document the installation for the two lots. He will complete the documentation and I will submit the information for approval.

Thank you for your assistance. If you have questions please let me know.

For information purposes, I have irrigated my other water rights for hay, and to maintain the water rights as active. Is there any documentation that I need to file to document the usage?

Stan Tenold

On Jun 4, 2012, at 1:19 PM, Lisa Jaramillo wrote:

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I have attached a copy of the Final Order approving Transfer Application T-10312. Additionally, I am including this link to the Application for Extension of Time for a Transfer: <http://www.wrd.state.or.us/OWRD/PUBS/docs/forms/TransferExtension.pdf>

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Also, Dorothy Pedersen (Transfer Program Coordinator) is the staff person that processes Transfer Extension of Time applications. If you have any further questions, you can reach her at 503-986-0890.

Lisa J. Jaramillo

Water Management and Conservation Analyst
Water Right Services Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
Phone: 503-986-0880
Fax: 503-986-0903

<T-10312 Final Order_Tenold.pdf>

Lisa Jaramillo

From: Stan Tenold <stantenold@yahoo.com>
Sent: Wednesday, August 08, 2012 9:37 AM
To: Lisa Jaramillo
Subject: Re: Transfer T-10312 and Extension of Time Application for Transfer
Attachments: Fish Screen Approval Lots.pdf

Lisa,

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Lisa J. Jaramillo
Water Management and Conservation Analyst
Water Right Services Division
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266
Phone: 503-986-0880
Fax: 503-986-0903

<T-10312 Final Order_Tenold.pdf>



Oregon

John A. Kitzhaber, MD, Governor

Department of Fish and Wildlife

Rogue Watershed District Office

1495 East Gregory Road

Central Point OR 97502

(541) 826-8774

(541) 826-8776

dfw.state.or.us

June 18, 2012



Stan Tenold
4040 N. Myrtle Rd.
Myrtle Creek, OR 97457

Dear Stan,

Regarding OWRD water right transfer T-10312, ODFW is satisfied that the condition for fish screening has been met, and has determined that a bypass device is not required.

Sincerely,

Rich Kilbane
SW Field Coordinator
Fish Screening and Passage Program

(541) 826-8774 ext. 243

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Monday, December 10, 2007 10:33 AM
To: 'Stan Tenold'
Cc: Gerry Clark
Subject: RE: T-10312 reconsideration of order

Stan,

Since the changes for both tax lots were included in a single transfer application, they will result in a single certificate that covers both tax lots. The order gives a common completion date for beneficial use on the portions of the right on both lots. The two future landowners may cooperate to hire a CWRE to prepare a joint Claim of Beneficial Use for both properties, or they may each hire a CWRE to prepare a Claim of Beneficial Use for each property separately.

One owner may complete beneficial use sooner than the other; however, they each must either meet the completion date in the order or request an extension of time. Before issuing the water right certificate for the properties, the Department will check with both landowners to determine whether the intended development of the right is complete.

When you sell the lots, you will want to submit to the Department a request for partial assignment of the transfer to each of the new landowners. The Request for Assignment form can be found on the website at www.wrd.state.or.us under "Forms". The fee for an assignment is \$50.00.

I will forward the revised final order (consistent with the draft) to the director's office for signature.

Sincerely,
Dorothy

Dorothy Pedersen
(503) 986-0890

-----Original Message-----

From: Stan Tenold [mailto:stantenold@yahoo.com]
Sent: Sunday, December 09, 2007 7:10 AM
To: Dorothy Pedersen
Subject: Re: T-10312 reconsideration of order

Dorothy,

The draft looks fine. I will ask the question again, when I'm ready to transfer/perfect the water right will a separate water right be issued for each lot? Also, each lot can be perfected at a separate time?

Thank you for your assistance,

Stan Tenold

On Dec 5, 2007, at 5:07 PM, Dorothy Pedersen wrote:

>
> Hi Stan,
>
> Attached is the draft order of reconsideration, intended to supersede
> the order that was issued for T-10312. Please review and let me know
> if this clears up the issues to your satisfaction, or if you wish
> further clarification. Once we have it finalized, I'll have the
> director's office sign and issue it.

Dorothy Pedersen

From: Stan Tenold [stantenold@yahoo.com]
Sent: Sunday, December 09, 2007 7:10 AM
To: Dorothy Pedersen
Subject: Re: T-10312 reconsideration of order

Dorothy,

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> director's office sign and issue it.
>
> Thanks,
> Dorothy
>
>
> Dorothy I. Pedersen
> Field Services Division
> Oregon Water Resources Department
> Dorothy.I.PEDERSEN@wrdd.state.or.us
> 503-986-0890
>
> <10312-ord-reconsideration.doc>

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Wednesday, December 05, 2007 5:07 PM
To: 'Stan Tenold'
Subject: T-10312 reconsideration of order

Attachments: 10312-ord-reconsideration.doc



10312-ord-reconsideration.doc ...

Hi Stan,

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Thanks,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrdd.state.or.us
503-986-0890

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

In the Matter of Transfer Application
T-10312, Douglas County

)
)
)
)
)
)
)

DRAFT

RECONSIDERATION OF A FINAL
ORDER AND APPROVAL OF A
CHANGE IN POINT OF DIVERSION,
PLACE OF USE AND CHARACTER OF
USE

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications. OAR 137-004-0080 describes the process for reconsideration of an order in other than contested case.

Applicant

Stanley E. Tenold
P.O. Box 751
Bodega Bay, California 94923

Findings of Fact

Background

1. On February 5, 2007, Stanley E. Tenold filed an application to change the place of use, the character of use and add two additional points of diversion under a portion of Certificate 81416. The Department assigned the application number T-10312.
2. On June 21, 2007, Stanley E. Tenold amended the application by providing additional and corrected information:
 - a) Confirming the transfer of 0.8 acre, use of water year-round at a rate not to exceed 0.003 cfs per each of two domestic households on a non-continuous basis, and installation of a flow restrictor for each domestic use;
 - b) Describing how to prevent irrigation on lands withdrawn from irrigation for purposes of the transfer to domestic uses; and,

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080, you may either 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.

- c) Updating the application map to show the correct coordinates of the proposed points of diversion from North Myrtle Creek.

3. On August 24, 2007, Stanley E. Tenold further amended the application by providing a map to clarify and confirm the information cited in Finding of Fact No. 2, above.

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

Certificate: 81416 in the name of Stanley E. Tenold (perfected under Permit S-47919)

Use: IRRIGATION of 2.1 ACRES

Priority Date: JULY 13, 1983

Rate: 0.026 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: NORTH MYRTLE CREEK, tributary to MYRTLE CREEK

Authorized Point of Diversion:

POD #	Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
*3	29 S	5 W	WM	13	SW SE	5	2160 FEET SOUTH AND 1715 FEET WEST FROM E1/4 CORNER OF SECTION 13

*This existing, authorized POD will be referred to as POD No. 3 for the remainder of this document.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
29 S	5 W	WM	13	SW SE	5	2.1

5. Application T-10312 proposes two additional points of diversion approximately 0.10 mile (POD No. 2) and 0.13 mile (POD No. 1) downstream from the authorized irrigation point of diversion (POD No. 3). The proposed additional points of diversion are located as follows:

POD No.	Twp	Rng	Mer	Sec	Q-Q	GLot	Tax Lot	Survey Coordinates
1	29 S	5 W	WM	13	SW SE	5	201	200 FEET NORTH AND 2380 FEET WEST FROM THE SE CORNER OF SECTION 13
2	29 S	5 W	WM	13	SW SE	5	202	300 FEET NORTH AND 2180 FEET WEST FROM THE SE CORNER OF SECTION 13

6. Application T-10312 proposes to change the character of use of 0.8 acre of irrigation use to Domestic Use for two households; one on Tax Lot 201 and one on Tax Lot 202.
7. Application T-10312 also proposes to change the season of use from the irrigation season to year round use for the two proposed domestic uses. To prevent enlargement of the right or injury to other water rights due to extension of the season of use, the applicant proposes to reduce the maximum rate of diversion and install flow restrictors at each point of diversion, as stated in Finding of Fact No. 2(a).

8. Application T-10312 also proposes to change the place of use of the right to:

DOMESTIC							
POD No.	Tax Lot	Twp	Rng	Mer	Sec	Q-Q	GLot
1	201	29 S	5 W	WM	13	SW SE	5
2	202	29 S	5 W	WM	13	SW SE	5

IRRIGATION								
POD No.	Tax Lot	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 and 3	201	29 S	5 W	WM	13	SW SE	5	1.0
2 and 3	202	29 S	5 W	WM	13	SW SE	5	0.3

9. Notice of the application for transfer was published on February 13, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
10. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new points of diversion to prevent fish from entering the diversions and/or safely transport fish back to the body of water from which the fish were diverted and that the diversions are not currently equipped with an appropriate fish screening and/or by-pass device. The diversions may be eligible for screening cost share funds.
11. On July 17, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10312 to the applicant. The draft Preliminary Determination set forth a deadline of August 17, 2007, for the applicant to respond. On July 31, 2007, the applicant requested that the Department revise the document, consistent with the revised map as noted in Finding of Fact No. 3, before proceeding with issuance of a Preliminary Determination. On August 6, 2007, Mr. Tenold provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
12. On August 31, 2007 a revised draft Preliminary Determination was emailed to the applicant for review. Stan Tenold responded September 3, 2007, requesting the date for completion of the changes to be changed, to allow 3 to 5 years for development since the two lots are to be sold, and the new buyers will have responsibility for installing the equipment and putting the water to beneficial use. The Department considers the request reasonable and has extended the date for completion, as stated later in this document.
13. On September 17, 2007, the Department issued a Preliminary Determination proposing to approve Transfer T-10312 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on September 25, 2007, and in The Douglas County Mail newspaper on September 27 and October 4 and 11, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

14. On October 31, 2007, the Department issued a Final Order approving T-10312, recorded at Special Order Volume 73, Pages 589 to 593.
15. On November 16, 2007, Stan Tenold contacted the Department by e-mail and requested clarification of language in the order pertaining to the change in character of use, so as to more clearly state that domestic uses are to be established for two households.
16. Subsequent Department review of the order indicated a need to modify the language of the order to clarify the establishment of two domestic uses, as well as to specify that fish screen and/or by-pass requirements apply to both of the new points of diversion.
17. The Department reviewed the order and concluded that the order should be reconsidered pursuant to OAR 137-004-0080(5). This order is issued to supersede the previous order and to clarify the above mentioned points.

Transfer Review Criteria [OAR 690-380-4010(2)]

18. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
19. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10312.
20. The proposed changes, as conditioned, would not result in enlargement of the right.
21. The proposed changes, as conditioned, would not result in injury to other water rights.

Conclusions of Law

The changes in place of use, character of use and additional points of diversion proposed in application T-10312 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The order recorded at Special Order Volume 70, pages 589 through 593 is superseded by this order and is of no further force or effect.
2. The changes in place of use, in character of use to domestic use for two households, and two additional points of diversion proposed in application T-10312 are approved.
3. Water right certificate 81416 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.

4. 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 81416 and any related decree.
5. The quantity of water diverted at the proposed additional points of diversion, together with that diverted at the original point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
6. The former place of use of the transferred portion of the right shall no longer receive water under the right.
7. The quantity of water diverted at each of the additional points of diversion for domestic use may occur year-round at a rate not to exceed a maximum of 0.006 cfs, being 0.003 cfs per household on a non-continuous basis. A flow restrictor shall be installed at each of the two additional points of diversion to ensure that the rate is not exceeded.
8. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at each new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass devices meet ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that each required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass devices, as appropriate, at the points of diversion consistent with ODFW's operational and maintenance standards.
9. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, 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.
10. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2012**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
11. When satisfactory proof of the completed changes is received, a new certificate confirming the portion of the right transferred will be issued.

Dated at Salem, Oregon this _____ day of _____ 2007.

DRAFT

Phillip C. Ward, Director

Dorothy Pedersen

From: Stan Tenold [stantenold@yahoo.com]
Sent: Wednesday, November 21, 2007 8:04 AM
To: Dorothy Pedersen
Subject: Re: Proposed Amendment to Agreement R07-236

Dorothy,

Since I intend to sell the two lots for home sites I would like the water rights to be as clean as possible so that it is easy to transfer.

What do you suggest and how do I describe the changes I want?

Thanks,

Stan

On Nov 16, 2007, at 4:54 PM, Dorothy Pedersen wrote:

Stan,

Thank you for carefully looking over your final order, and asking for clarification at this time, rather than waiting till later.

Finding of Facts #6, #7 and #8 of the order refer to two domestic uses, to be established on tax lots 201 and 202. I see that the wording in the "now it is ordered" part of the document does not specifically state that the character of use change that was approved allows for two domestic uses, however, it does say that the changes proposed in application T-10312 are approved. So, without anything to contradict the earlier findings that two domestic uses were proposed, it is assumed that the two domestic uses, as proposed, are approved. Condition #6 on page 4 also indicates that 0.003 cfs is allowed for each household and each of the two new points of diversion will require a flow restrictor.

In hindsight, I see that condition #7 probably should have specified that each new point of diversion should be equipped with a fish screen and/or by-pass device, as that is what was intended.

Does that address your concern? If you think there is something that needs to be changed, you may send a letter to the Department, requesting that the director reconsider the order.

Thanks,
Dorothy

Dorothy Pedersen
(503) 986-0890

From: Stan Tenold [<mailto:stantenold@yahoo.com>]
Sent: Friday, November 16, 2007 8:03 AM
To: Dorothy Pedersen
Subject: Re: Proposed Amendment to Agreement R07-236

Dorothy,

12/3/2007

I was reviewing the final order but it seems to only reference one domestic house. there was supposed to be two. Am I missing something or is there another final order to be issued?

Thank you,

Stan Tenold

On Nov 13, 2007, at 3:06 PM, Dorothy Pedersen wrote:

Stan,

I discovered that the final order was mailed from Salem on November 8th, so it may be taking a few more days than usual due to the Monday postal holiday. Let us know if you do not receive it by the end of this week.

Dorothy

Dorothy Pedersen
(503) 986-0890

From: Stan Tenold [<mailto:stantenold@yahoo.com>]
Sent: Tuesday, November 13, 2007 12:03 PM
To: Dorothy Pedersen
Subject: Re: Proposed Amendment to Agreement R07-236

Thank you for the information, I have not received the final order but I will look for it.

Thanks for all your help.

Stan Tenold

On Nov 13, 2007, at 7:58 AM, Dorothy Pedersen wrote:

Stan,

No protests were received and the final order was signed 10/31/07. Let us know if you have not yet received it.

Sorry for the late response. I have been out of the office for a week.

Dorothy

Dorothy Pedersen
(503) 986-0890

From: Stan Tenold [<mailto:stantenold@yahoo.com>]

12/3/2007

Sent: Thursday, November 08, 2007 10:50 AM
To: Dorothy Pedersen
Subject: Re: Proposed Amendment to Agreement R07-236

Dorothy,

Just checking on the progress of my transfer, have there been any objections?

What will the next step be?

Thank you,

Stan Tenold

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MAR 01 2007

WATER RESOURCES DEPT
SALEM, OREGON

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form

(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: 10312

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

- ☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on

_____, tributary to _____. Because,
(Stream)

(Please attach any available supporting information.)

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

B. Please check one of the following four boxes related to requiring a fish screen and/or by-pass device pursuant to ORS 540.525 or 540.532:

- ☐ 1. The new Point of Diversion (POD) requires a fish screening and/or by-pass device and is currently equipped with an appropriate fish screening and/or by-pass device.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is currently equipped with an appropriate fish screening and/or by-pass device.

Condition: The water user shall maintain and operate a fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with the Oregon Department of Fish and Wildlife's operational and maintenance standards.

- ☒ 2. The new Point of Diversion (POD) requires a fish screening and/or by-pass device prior to water being diverted. The diversion may be eligible for cost share assistance under ODFW's cost share program.

Option 2 should generally be selected if listed fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is

*Please return all 4 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1271*

The electronic version of this form is available at: <http://www1.wrd.state.or.us/msword/ODFWScreen.doc>.

selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Condition: Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

- ☐ 3. The new Point of Diversion (POD) requires a fish screening and/or by-pass device. However, the diversion may be used for up to two years pending a determination of whether cost share assistance under ODFW's cost share program is available.

*If Option 3 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. Except in extraordinary circumstances, Option 3 should **NOT** be checked if listed fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. If extraordinary circumstances are present, please explain:*

Note: This option will yield the following:

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

Condition: Within two years after the date of this order, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. The water user may withdraw water at the new point of diversion without screening or by-pass devices until two years after the date of this order. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

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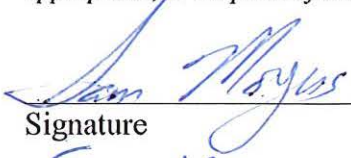
WATER RESOURCES DEPT
SALEM, OREGON

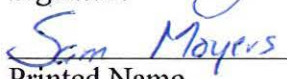
- ☐ 4. The new Point of Diversion (POD) does not currently require a fish screen and/or by-pass device, however, the permittee may be required in the future to install, maintain, and operate fish screening and/or by-pass devices.

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screening and/or by-pass device may be required in the future at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device.

Condition: Within one year after receiving written notification from the Oregon Department of Fish and Wildlife (ODFW) that a fish screening and/or by-pass device is required, the water user shall install a screening and/or by-pass device, as appropriate, at the new point of diversion. The fish screening and/or by-pass device must meet ODFW's design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screening and/or by-pass device meets ODFW's criteria. Once installed the water user shall maintain and operate the fish screening and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.


Signature


Printed Name


Title


Phone

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WATER RESOURCES DEPT
SALEM, OREGON

Page 3

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

Transfer # 10312

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

- ☒ Fish screening and/or fish by-pass devices are required as a condition of this transfer. The fish screen and/or by-pass device must meet ODFW's design, construction, operational and maintenance standards. Fish screening prevents fish from entering the diversion, while a by-pass device safely transports fish back to the body of water from which the fish were diverted.

Pursuant to ORS 498.306, cost share funds may be available to assist in the installation of fish screening and by-pass devices at diversions.

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

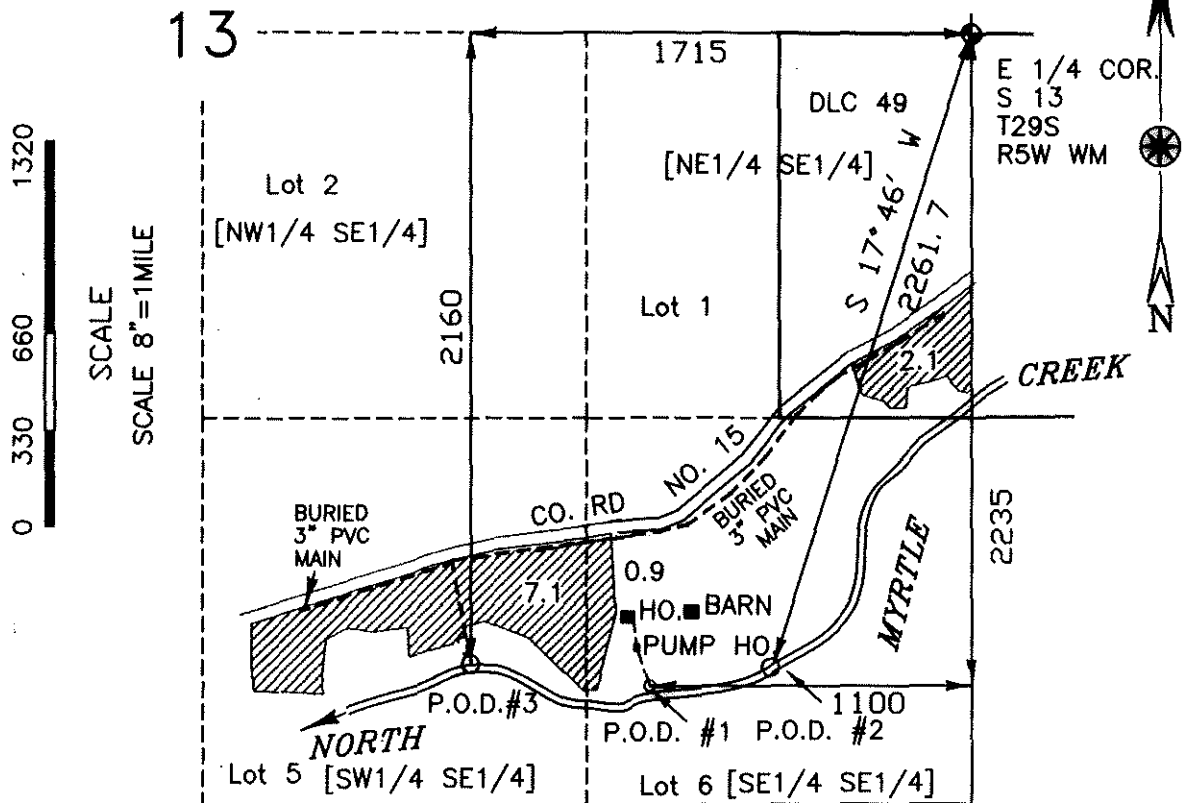
ODFW staff name: Sam Moyas
Address: 4192 N. Unpaga Hwy
City/State/Zip: Roseburg, Or. 97470
Phone: (541) 940-3353 ext 248

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

ODFW staff name: _____
Address: _____
City/State/Zip: _____
Phone: () _____

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SALEM OREGON

SE 1/4 SECTION 13, T29S, R5W, WM



BURIED PIPE: 1.5" PVC PIPE POD #1 TO PUMP
0.75" PVC PIPE FROM PUMP TO HOUSE

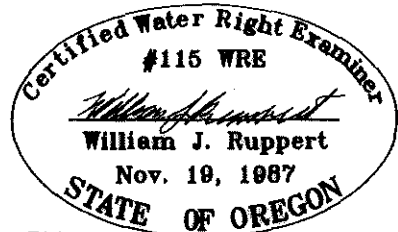
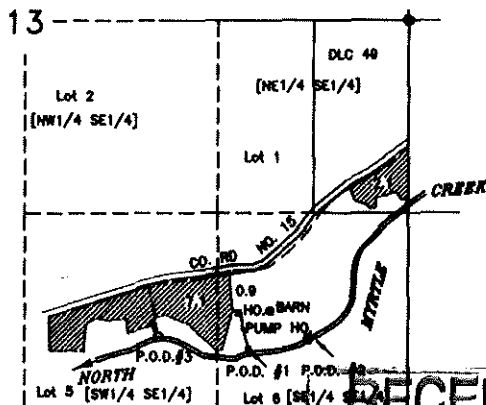
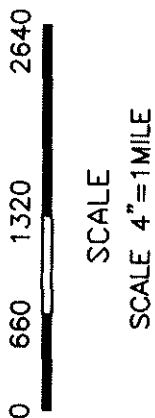
SURVEY BASED ON
AERIAL PHOTO

THIS MAP IS TO BE USED FOR WATER RIGHT PURPOSES ONLY

MAP TO ACCOMPANY CLAIM OF BENEFICIAL USE FOR WATER PERMIT 47919, APPL. 65296

ASSESSOR PAGE 29 05 13
TAX LOT 200

IN NAME OF
Stanley E. Tenold



BY:
WILLIAM J. RUPPERT
P.O. BOX 1564
MYRTLE CREEK, OR 97457

RECEIVED

FEB. 5, 2005

FEB 24 2005

WATER RESOURCES DEPT
SALEM, OREGON

T 10312

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STANLEY E. TENOLD
P.O. BOX 751
BODEGA BAY, CALIFORNIA 94923

confirms the right to use the waters of NORTH MYRTLE CREEK, a tributary of MYRTLE CREEK, for DOMESTIC USE FOR ONE FAMILY AND IRRIGATION OF 10.1 ACRES.

This right was perfected under Permit 47919. The date of priority is JULY 13, 1983 FOR 0.095 CUBIC FOOT PER SECOND (CFS) AND AUGUST 11, 1983 FOR 0.036 CFS. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.131 CUBIC FOOT PER SECOND; BEING 0.005 CFS FOR DOMESTIC AND 0.126 FOR IRRIGATION, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

DOMESTIC - LOT 6 (SE 1/4 SE 1/4), SECTION 13, TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.; 2235 FEET SOUTH AND 1100 FEET WEST FROM THE E 1/4 CORNER OF SECTION 13; AND

IRRIGATION - LOT 5 (SW 1/4 SE 1/4), SECTION 13, TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.; 2160 FEET SOUTH AND 1715 FEET WEST FROM THE E 1/4 CORNER OF SECTION 13.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either 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.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 2 ½ acre-feet per acre for each acre irrigated during the irrigation season of each year.

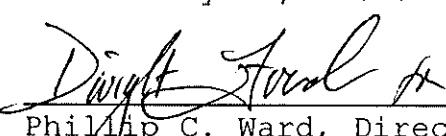
The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

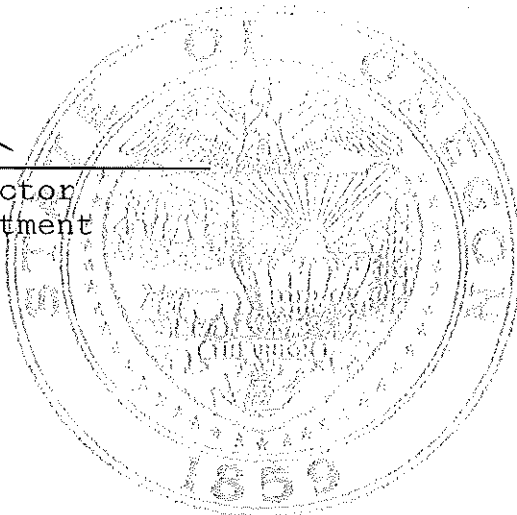
A description of the place of use to which this right is appurtenant is as follows:

NE 1/4 SE 1/4 2.1 ACRES
AS PROJECTED WITHIN DLC 49
LOT 5 (SW 1/4 SE 1/4) 7.1 ACRES
LOT 6 (SE 1/4 SE 1/4) 0.9 ACRE AND DOMESTIC
SECTION 13
TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued May 12, 2005.


Phillip C. Ward, Director
Water Resources Department



Recorded in State Record of Water Right Certificates Number 81416.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

November 7, 2007

STANLEY E. TENOLD
PO BOX 751
BODEGA BAY CA 94923

Reference: Transfer 10312

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

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

An extension of the time limit can be allowed only upon a showing that diligent effort has been made to complete the actual change within the time allowed.

You have the requirement to hire a Certified Water Right 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 completed the change or within one year of the completion date authorized in the transfer, whichever occurs first.

Sincerely,

Sarah Henderson

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #15
William Ruppert, CWRE

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10312, Douglas County	)	CHANGE IN POINT OF DIVERSION,
	)	PLACE OF USE AND CHARACTER OF
	)	USE

Authority

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

Applicant

Stanley E. Tenold
P.O. Box 751
Bodega Bay, California 94923

Findings of Fact

Background

1. On February 5, 2007, Stanley E. Tenold filed an application to change the place of use, the character of use and add two additional points of diversion under a portion of Certificate 81416. The Department assigned the application number T-10312.
2. On June 21, 2007, Stanley E. Tenold amended the application by providing additional and corrected information:
 - a) Confirming the transfer of 0.8 acre, use of water year-round at a rate not to exceed 0.003 cfs per each of two domestic households on a non-continuous basis, and installation of a flow restrictor for each domestic use;
 - b) Describing how to prevent irrigation on lands withdrawn from irrigation for purposes of the transfer to domestic uses; and,
 - c) Updating the application map to show the correct coordinates of the proposed points of diversion from North Myrtle Creek.
3. On August 24, 2007, Stanley E. Tenold further amended the application by providing a map to clarify and confirm the information cited in Finding of Fact No. 2, above.

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

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

Certificate: 81416 in the name of Stanley E. Tenold (perfected under Permit S-47919)

Use: IRRIGATION of 2.1 ACRES

Priority Date: JULY 13, 1983

Rate: 0.026 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: NORTH MYRTLE CREEK, tributary to MYRTLE CREEK

Authorized Point of Diversion:

POD #	Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
*3	29 S	5 W	WM	13	SW SE	5	2160 FEET SOUTH AND 1715 FEET WEST FROM E1/4 CORNER OF SECTION 13

*This existing, authorized POD will be referred to as POD No. 3 for the remainder of this document.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
29 S	5 W	WM	13	SW SE	5	2.1

5. Application T-10312 proposes two additional points of diversion approximately 0.10 mile (POD No. 2) and 0.13 mile (POD No. 1) downstream from the authorized irrigation point of diversion (POD No. 3). The proposed additional points of diversion are located as follows:

POD No.	Twp	Rng	Mer	Sec	Q-Q	GLot	Tax Lot	Survey Coordinates
1	29 S	5 W	WM	13	SW SE	5	201	200 FEET NORTH AND 2380 FEET WEST FROM THE SE CORNER OF SECTION 13
2	29 S	5 W	WM	13	SW SE	5	202	300 FEET NORTH AND 2180 FEET WEST FROM THE SE CORNER OF SECTION 13

6. Application T-10312 proposes to change the character of use of 0.8 acre of irrigation use to Domestic Use for two households on Tax Lots 201 and 202.
7. Application T-10312 also proposes to change the season of use from the irrigation season to year round use for the two proposed domestic uses. To prevent enlargement of the right or injury to other water rights due to extension of the season of use, the applicant proposes to reduce the maximum rate of diversion and install flow restrictors at each point of diversion, as stated in Finding of Fact No. 2(a).

8. Application T-10312 also proposes to change the place of use of the right to:

DOMESTIC							
POD No.	Tax Lot	Twp	Rng	Mer	Sec	Q-Q	GLot
1	201	29 S	5 W	WM	13	SW SE	5
2	202	29 S	5 W	WM	13	SW SE	5

IRRIGATION								
POD No.	Tax Lot	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 and 3	201	29 S	5 W	WM	13	SW SE	5	1.0
2 and 3	202	29 S	5 W	WM	13	SW SE	5	0.3

9. Notice of the application for transfer was published on February 13, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
10. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new points of diversion to prevent fish from entering the diversions and/or safely transport fish back to the body of water from which the fish were diverted and that the diversions are not currently equipped with an appropriate fish screening and/or by-pass device. The diversions may be eligible for screening cost share funds.
11. On July 17, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10312 to the applicant. The draft Preliminary Determination set forth a deadline of August 17, 2007, for the applicant to respond. On July 31, 2007, the applicant requested that the Department revise the document, consistent with the revised map as noted in Finding of Fact No. 3, before proceeding with issuance of a Preliminary Determination. On August 6, 2007, Mr. Tenold provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
12. On August 31, 2007 a revised draft Preliminary Determination was emailed to the applicant for review. Stan Tenold responded September 3, 2007, requesting the date for completion of the changes to be changed, to allow 3 to 5 years for development since the two lots are to be sold, and the new buyers will have responsibility for installing the equipment and putting the water to beneficial use. The Department considers the request reasonable and has extended the date for completion, as stated later in this document.
13. On September 17, 2007, the Department issued a Preliminary Determination proposing to approve Transfer T-10312 and mailed a copy to the applicant. Additionally, notice of the Preliminary Determination for the transfer application was published on the Department's weekly notice on September 25, 2007, and in The Douglas County Mail newspaper on September 27 and October 4 and 11, 2007, pursuant to ORS 540.520 and OAR 690-380-4020. No protests were filed in response to the notice.

Transfer Review Criteria [OAR 690-380-4010(2)]

14. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.

15. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10312.
16. The proposed change, as conditioned, would not result in enlargement of the right.
17. The proposed change, as conditioned, would not result in injury to other water rights.

Conclusions of Law

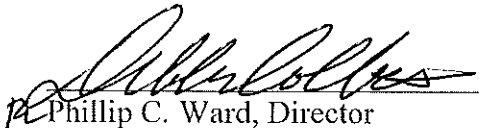
The changes in place of use, character of use and additional points of diversion proposed in application T-10312 are consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000.

Now, therefore, it is ORDERED:

1. The changes in place of use, character of use, and two additional points of diversion proposed in application T-10312 are approved.
2. Water right certificate 81416 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.
3. 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 81416 and any related decree.
4. The quantity of water diverted at the proposed additional points of diversion, together with that diverted at the original point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.
5. The former place of use of the transferred portion of the right shall no longer receive water under the right.
6. The quantity of water diverted at each of the additional points of diversion for domestic use may occur year-round at a rate not to exceed 0.003 cfs per household on a non-continuous basis. A flow restrictor shall be installed at each of the two additional points of diversion to ensure that the rate is not exceeded.
7. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass devices meet ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

8. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, 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.
9. The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2012**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.
10. When satisfactory proof of the completed changes is received, a new certificate confirming the portion of the right transferred will be issued.

Dated at Salem, Oregon this 31 day of October 2007.


Phillip C. Ward, Director

Mailing date: NOV 08 2007

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

Stanley E. Tenold
P.O. Box 751
Bodega Bay, California 94923

confirms the right to use the waters of NORTH MYRTLE CREEK, tributary to MYRTLE CREEK, for IRRIGATION OF 8.0 ACRES AND DOMESTIC USE FOR ONE FAMILY.

This right was perfected under Permit S-47919. The dates of priority are JULY 13, 1983 FOR 0.069 CUBIC FOOT PER SECOND (CFS) AND AUGUST 11, 1983 FOR 0.036 CFS. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 0.105 CUBIC FOOT PER SECOND (CFS), BEING 0.100 CFS FOR IRRIGATION AND 0.005 CFS FOR DOMESTIC USE FOR ONE FAMILY, or its equivalent in case of rotation, measured at the point of diversion.

The points of diversion are located as follows:

DOMESTIC USE FOR ONE FAMILY						
Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
29 S	5 W	WM	13	SE SE	6	2235 FEET SOUTH AND 1100 FEET WEST FROM THE E1/4 CORNER OF SECTION 13

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
29 S	5 W	WM	13	SW SE	5	2160 FEET SOUTH AND 1715 FEET WEST FROM THE E1/4 CORNER OF SECTION 13

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-EIGHTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 2½ acre-feet per acre for each acre irrigated during the irrigation season of each year.

The use 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:

IRRIGATION							
Twp	Rng	Mer	Sec	Q-Q	GLot	DLC	Acres
29 S	5 W	WM	13	NE SE		49	2.1
29 S	5 W	WM	13	SW SE	5		5.0
29 S	5 W	WM	13	SE SE	6		0.9

DOMESTIC USE FOR ONE FAMILY					
Twp	Rng	Mer	Sec	Q-Q	GLot
29 S	5 W	WM	13	SE SE	6

This certificate describes that portion of the water right confirmed by Certificate 81416, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered October 31, 2007 approving Transfer Application T-10312.

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. The confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed October 31, 2007.


Phillip C. Ward, Director

Water Right Transfer Checklist

Transfer T-10312

Transfer Specialist: RA-DIP

Transfer Type: Regular

Applicant Name/Address: Stanley E. Tenold, PO Box 751, Bodega Bay CA 94923

Agent Name/Address: Todd Theiss, village@pioneer-net.com

CWRE Name/Number: William J. Ruppert, #115

Rec Landowner Name/Address: NA

Irr. District Name/Address: NA

Affected Gov'ts Name/Address: Douglas County Planning Dept., Room 106 Justice Bldg., Roseburg, OR 97470

Commentors: Name/Address: NA

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☐	☐	S-65296	S-47919	81416	☒ Yes ☐ No	83550
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: 2/5/07	Proposed Action(s): APOD USE & extend season for domestic use	
Fees Pd: 700	WM District: 15	ODFW District: _____
Initial Notice: 2/13/07	WM Review sent: 2/13/07	ODFW Review sent: 2/13/07
Acknowledgement Letter Sent ☒		GW Review sent: NA

Processing Dates & Actions

Deficiency Contacts: 6/4/07

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: 7/17/07

Affid of Pub Rec'd: _____

☐ ODFW contact sheet sent with DPD, or ☐ N/A

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☒ Electronic Files uploaded

☒ Preliminary Determination

☐ PD Cover letter

☐ Fee Refund Due

☐ PD Notice

☒ Remaining Rights

☐ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: PK5	Reviewer: <u>PK5</u>
Date: _____	Date: 9/14/07	Date: 10-29-07
Coordinator: _____	Coordinator: <u>DDP</u>	Coordinator: <u>DDP</u>
Date: _____	Date: 9/14/07	Date: 10/29/07

Comments/Special Issues: This has been expedited through Reimbursement Authority. Part of the irrigation right is being converted to domestic use from two new PODs, and part of the irrigation will remain in place, but have use of additional PODs. The season for the new domestic use is being changed to year round (from the irrigation season as currently authorized for the irrigation use that is being converted.) Note: This right may be regulated for 2 15WRs (see WM review). Reduction in rate + use of flow restriction has been added to mitigate.

Special Order Volume: Vol 73 Pages 589

Final Order Signature Date: _____

Notice of FO email'd to processors Dorothy

10-31-07

Email also PD + Notice to

Review Checklist**T-10312****Processor: RA-DIP****Application**

- ☐ The type of change is clearly indicated.
- ☐ The application is appropriately signed.
- ☐ Appropriate fees were paid. ☐ If overpayment, Refund Request to be sent with FO
- ☐ Land use form matches affected tax lots and is signed by proper official. (*from ALL affected Govt's*)
- ☐ Ditch company, district and/or BOR, sent a copy of the application and map, if appropriate.
- ☐ All required attachments received.

Water right subject to transfer

- ☐ Certificated right or Proof accepted "to the satisfaction...."
- ☐ The right been exercised according to terms & conditions of certificate.
- ☐ Delivery system has the capacity to fully divert the rate/duty of the right.
- ☐ No information in record that suggests forfeiture.
- ☐ No conflicts identified on the plat cards and plat card reports printed.
- ☐ Affidavits prepared for rights that need to be canceled or diminished.

Application Map

- ☐ The map has an original CWRE signature.
- ☐ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- ☐ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- ☐ Metes and bounds for the POD's/POA's are properly described on the map.
- ☐ The POD/POA dimensions & ¼ ¼ on map match the transfer application and certificate descriptions.
- ☐ Map acres match the tabulation on the certificate.
- ☐ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
- ☐ Have necessary aerial photos.

Determining the "From" and "To" Lands (*make working copy of application and certificates to mark on*)

- ☐ Only the authorized POD's/POA's and POU's to be transferred are listed.
- ☐ Application & certificate tabulations match. (*Mark on appl. and cert. copies and note corrections needed*)
- ☐ Marked on certificate the acreage being transferred, cancelled and remaining by ¼ ¼.

Ownership

- ☐ The deed/ROLI matches the "**from**" lands. (Don't need to check "to" lands.)
- ☐ Have current tax lot map. (*If transfer application is several years old, contact assessor's office*)
- ☐ The applicant is the owner of the "from" lands.
- ☐ All owners on the deed/ROLI have signed the application.
- ☐ If necessary, there is a notarized, signed statement of consent from landowners other than applicant.
- ☐ If necessary, there is a copy of written notification to each lien holder identified on ROLI.
- ☐ Agent has authorization to make decisions.

Evaluation (materials needed for peer reviewer in bold)

- | | | | | |
|---|--------------------------------------|------------------------------------|--|--|
| ☐ application complete | ☐ map | ☐ FPS | ☐ evidence of use | ☐ land-use form |
| ☐ deed/ROLI | ☐ certificate | ☐ fees paid | ☐ well logs | ☐ plat card |
| ☐ audit | ☐ dpd | | | |

Reviews/comments/conditions received?

☐ Watermaster☐ ODFW☐ GW

Headgate

☐ When in the judgment☐ Prior to diverting☐ Existing and maintain

Measuring Devices

☐ When in the judgment☐ Prior to diverting☐ Existing and maintainFish Screen Devices ☐

Injury: Y N

Enlargement: Y N

Conditions to avoid enlargement/injury –



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

September 17, 2007

Stanley E. Tenold
P.O. Box 751
Bodega Bay, CA 94923

SUBJECT: Transfer Application T-10312

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10312. 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 30-day 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.

Because the transfer includes a change in character of use, the applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared (the notice for you (enclosed)). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place.

After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Please have the newspaper prepare and mail an original *affidavit of publication* to the Department, to me at the address above **by November 2, 2007.**

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.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: David S. Williams, District 15 Watermaster
Todd Theiss, via email

encs

RECEIVED

OCT 15 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

Legal Notices

NOTICE OF PRELIMINARY DETERMINATION FOR WATER RIGHT TRANSFER T-10312

T-10312 filed by Stanley E. Tenold, P.O. Box 751, Bodega Bay, California, 94923, proposes a change in point of diversion, place of use, and character of use under Certificate 81416. The right allows the use of 0.026 cfs (priority date July 13, 1983) from a diversion in Sec. 13, T 29 S, R 5 W, W.M. (North Myrtle Creek Basin) for irrigation in Sec. 13. The applicant proposes to add two points of diversion approximately 0.10 and 0.13 mile west (Sec. 13, T 29 S, R 5 W, W.M.); and to change the place of use within Sec. 13, T 29 S, R 5 W, W.M.; and to change the uses. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is (Date Of Last Publication). If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Published Thursday, September 27, October 4 and 11, 2007, in The Douglas County Mail.

AFFIDAVIT OF PUBLICATION

STATE OF OREGON

SS.

COUNTY OF DOUGLAS

We, Karrie G. Felix or Robert L. Chaney, Sr., being duly sworn, say that we are the owners of The Douglas County Mail.

That said The Douglas County Mail is a weekly newspaper published and issued weekly and regularly at Myrtle Creek, Douglas County, State of Oregon, and is of general circulation in said county and state; that said The Douglas County Mail is made up of four pages or more, of six columns each and with matter of a depth of twenty one and one-half inches, and has more than 200 bona fide subscribers living within Douglas County, Oregon; that said The Douglas County Mail has been established and regularly and uninterruptedly published in Douglas County, Oregon, at least once a week during a period of more than twelve consecutive months immediately preceding the first publication of the

Water Right Transfer

hereinafter referred to, a printed copy of which is hereto affixed, was published in the entire issue of said newspaper for 1 successive and consecutive weeks in the following issues:

September 27, 2007

That the said Notice was published in the regular and entire issue of said newspaper during the period and times of publication, and was published in the newspaper and not a supplement.

That the fee actually charged by such newspaper for such publication is \$ 45.50.

Karrie G. Felix or Robert L. Chaney, Sr.

SUBSCRIBED AND SWORN TO before me this 5th day of Oct, 2007.

Colleen A Betza

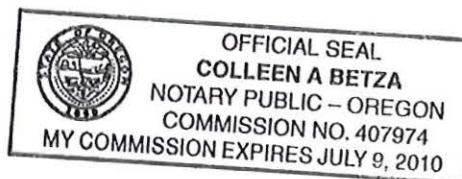
Notary Public for Oregon

My Commission Expires July 9 2010

RECEIVED

OCT 15 2007

WATER RESOURCES DEPT
SALEM, OREGON





Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

September 17, 2007

Stanley E. Tenold
P.O. Box 751
Bodega Bay, CA 94923

SUBJECT: Transfer Application T-10312

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After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Please have the newspaper prepare and mail an original *affidavit of publication* to the Department, to me at the address above **by November 2, 2007**.

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.

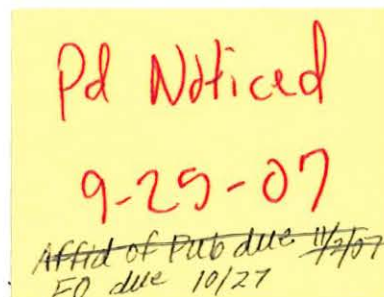
If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial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

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: David S. Williams, District 15 Watermaster
Todd Theiss, via email

encs



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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-10312, Douglas County	)	PROPOSING APPROVAL OF A
	)	CHANGE IN POINT OF DIVERSION,
	)	PLACE OF USE, AND CHARACTER
	)	OF USE

Authority

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Applicant

Stanley E. Tenold
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 - b) Describing how to prevent irrigation on lands withdrawn from irrigation for purposes of the transfer to domestic uses; and,
 - c) Updating the application map to show the correct coordinates of the proposed points of diversion from North Myrtle Creek.
3. On August 24, 2007, Stanley E. Tenold further amended the application by providing a map to clarify and confirm the information cited in Finding of Fact No. 2, above.

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 notice of this preliminary determination.
--

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

Certificate: 81416 in the name of Stanley E. Tenold (perfected under Permit S-47919)

Use: IRRIGATION of 2.1 ACRES

Priority Date: JULY 13, 1983

Rate: 0.026 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: NORTH MYRTLE CREEK, tributary to MYRTLE CREEK

Authorized Point of Diversion:

POD #	Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
*3	29 S	5 W	WM	13	SW SE	5	2160 FEET SOUTH AND 1715 FEET WEST FROM E1/4 CORNER OF SECTION 13

*This existing, authorized POD will be referred to as POD No. 3 for the remainder of this document.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
29 S	5 W	WM	13	SW SE	5	2.1

5. Application T-10312 proposes two additional points of diversion approximately 0.10 mile (POD No. 2) and 0.13 mile (POD No. 1) downstream from the authorized irrigation point of diversion (POD No. 3). The proposed additional points of diversion are located:

POD No.	Twp	Rng	Mer	Sec	Q-Q	GLot	Tax Lot	Survey Coordinates
1	29 S	5 W	WM	13	SW SE	5	201	200 FEET NORTH AND 2380 FEET WEST FROM THE SE CORNER OF SECTION 13
2	29 S	5 W	WM	13	SW SE	5	202	300 FEET NORTH AND 2180 FEET WEST FROM THE SE CORNER OF SECTION 13

6. Application T-10312 proposes to change the character of use of 0.8 acre of irrigation use to Domestic Use for two households on Tax Lots 201 and 202.
7. Application T-10312 also proposes to change the season of use from the irrigation season to year round use for the two proposed domestic uses. To prevent enlargement of the right or injury to other water rights due to extension of the season of use, the applicant proposes to reduce the maximum rate of diversion and install flow restrictors at each point of diversion, as stated in Finding of Fact No. 2(a).
8. Application T-10312 also proposes to change the place of use of the right to:

DOMESTIC							
POD No.	Tax Lot	Twp	Rng	Mer	Sec	Q-Q	GLot
1	201	29 S	5 W	WM	13	SW SE	5
2	202	29 S	5 W	WM	13	SW SE	5

IRRIGATION								
POD No.	Tax Lot	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 and 3	201	29 S	5 W	WM	13	SW SE	5	1.0
2 and 3	202	29 S	5 W	WM	13	SW SE	5	0.3

9. Notice of the application for transfer was published on February 13, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
10. On July 17, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10312 to the applicant. The draft Preliminary Determination set forth a deadline of August 17, 2007, for the applicant to respond. On July 31, 2007, the applicant requested that the Department revise the document, consistent with the revised map as noted in Finding of Fact No. 3, before proceeding with issuance of a Preliminary Determination. On August 6, 2007, Mr. Tenold provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
11. On August 31, 2007 a revised draft Preliminary Determination was emailed to the applicant for review. Stan Tenold responded September 3, 2007, requesting the date for completion of the changes to be changed, to allow 3 to 5 years for development since the two lots are to be sold, and the new buyers will have responsibility for installing the equipment and putting the water to beneficial use. The Department considers the request reasonable and has extended the date for completion, as stated later in this document.
12. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new points of diversion to prevent fish from entering the diversions and/or safely transport fish back to the body of water from which the fish were diverted and that the diversions are not currently equipped with an appropriate fish screening and/or by-pass device. The diversions may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-4010(2)]

13. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
14. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10312.
15. The proposed change would not result in enlargement of the right.
16. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

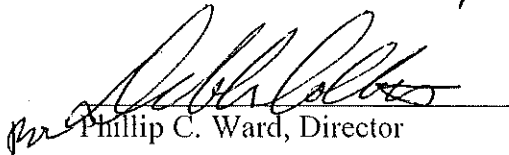
The changes in place of use, character of use, and additional points of diversion proposed in application T-10312 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If application T-10312 is approved, the final order will include the following:

- 1. The changes in place of use, character of use, and two additional points of diversion proposed in application T-10312 are approved.*
- 2. Water right certificate 81416 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
- 3. 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 81416 and any related decree.*
- 4. The quantity of water diverted at the proposed additional points of diversion, together with that diverted at the original point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.*
- 5. The former place of use of the transferred portion of the right shall no longer receive water under the right.*
- 6. The quantity of water diverted at each of the additional points of diversion for domestic use may occur year-round at a rate not to exceed 0.003 cfs per household on a non-continuous basis. A flow restrictor shall be installed at each of the two additional points of diversion to ensure that the rate is not exceeded.*
- 7. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass devices meet ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*
- 8. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, 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.*

9. *The approved changes shall be completed and full beneficial use of the water shall be made on or before **October 1, 2012**. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
10. *When satisfactory proof of the completed changes is received, a new certificate confirming the portion of the right transferred will be issued.*

Dated at Salem, Oregon this 17th day of September 2007.


Phillip C. Ward, Director

This Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrdd.state.or.us.

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

**Notice of Preliminary Determination for
Water Right Transfer T-10312**

T-10312 filed by Stanley E. Tenold, P.O. Box 751, Bodega Bay, California, 94923, proposes a change in point of diversion, place of use, and character of use under Certificate 81416. The right allows the use of 0.026 cfs (priority date July 13, 1983) from a diversion in Sec. 13, T 29 S, R 5 W, W.M. (North Myrtle Creek Basin) for irrigation in Sec. 13. The applicant proposes to add two points of diversion approximately 0.10 and 0.13 mile west (Sec. 13, T 29 S, R 5 W, W.M.); and to change the place of use within Sec. 13, T 29 S, R 5 W, W.M.; and to change the character of use for 0.8 acre of irrigation to two domestic uses. The Water Resources Department has concluded that the proposed transfer appears to be consistent with the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, with the Department a protest or standing statement within 30 days after the date of final publication of notice in the Department's weekly notice or of this newspaper notice, whichever is later. A protest form and additional information on filing protests may be obtained by calling (503) 986-0881. The last date of newspaper publication is [DATE OF LAST PUBLICATION]. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

September 17, 2007

Stanley E. Tenold
P.O. Box 751
Bodega Bay, CA 94923

SUBJECT: Transfer Application T-10312

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-10312. 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 30-day 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.

Because the transfer includes a change in character of use, the applicant is responsible for giving public notice of the transfer changes in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We have prepared the notice for you (enclosed). The deadline for individuals to file protests or standing statements is 30 days after the date of last publication. Please have the newspaper insert the date of last publication in the proper place.

After publication, the Department needs to receive an affidavit specifying the dates the notice was published. Please have the newspaper prepare and mail an original *affidavit of publication* to the Department, to me at the address above by **November 2, 2007**.

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.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: David S. Williams, District 15 Watermaster
Todd Theiss, via email

encs

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-10312, Douglas County	)	PROPOSING APPROVAL OF A
	)	CHANGE IN POINT OF DIVERSION,
	)	PLACE OF USE, AND CHARACTER
	)	OF USE

Authority

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

Applicant

Stanley E. Tenold
P.O. Box 751
Bodega Bay, California 94923

Findings of Fact

Background

1. On February 5, 2007, Stanley E. Tenold filed an application to change the place of use, the character of use, and add two additional points of diversion under a portion of Certificate 81416. The Department assigned the application number T-10312.
2. On June 21, 2007, Stanley E. Tenold amended the application by providing additional and corrected information:
 - a) Confirming the transfer of 0.8 acre, use of water year-round at a rate not to exceed 0.003 cfs per each of two domestic households on a non-continuous basis, and installation of a flow restrictor for each domestic use;
 - b) Describing how to prevent irrigation on lands withdrawn from irrigation for purposes of the transfer to domestic uses; and,
 - c) Updating the application map to show the correct coordinates of the proposed points of diversion from North Myrtle Creek.
3. On August 24, 2007, Stanley E. Tenold further amended the application by providing a map to clarify and confirm the information cited in Finding of Fact No. 2, above.

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 notice of this preliminary determination.
--

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

Certificate: 81416 in the name of Stanley E. Tenold (perfected under Permit S-47919)

Use: IRRIGATION of 2.1 ACRES

Priority Date: JULY 13, 1983

Rate: 0.026 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: NORTH MYRTLE CREEK, tributary to MYRTLE CREEK

Authorized Point of Diversion:

POD #	Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
*3	29 S	5 W	WM	13	SW SE	5	2160 FEET SOUTH AND 1715 FEET WEST FROM E1/4 CORNER OF SECTION 13

*This existing, authorized POD will be referred to as POD No. 3 for the remainder of this document.

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
29 S	5 W	WM	13	SW SE	5	2.1

5. Application T-10312 proposes two additional points of diversion approximately 0.10 mile (POD No. 2) and 0.13 mile (POD No. 1) downstream from the authorized irrigation point of diversion (POD No. 3). The proposed additional points of diversion are located:

POD No.	Twp	Rng	Mer	Sec	Q-Q	GLot	Tax Lot	Survey Coordinates
1	29 S	5 W	WM	13	SW SE	5	201	200 FEET NORTH AND 2380 FEET WEST FROM THE SE CORNER OF SECTION 13
2	29 S	5 W	WM	13	SW SE	5	202	300 FEET NORTH AND 2180 FEET WEST FROM THE SE CORNER OF SECTION 13

6. Application T-10312 proposes to change the character of use of 0.8 acre of irrigation use to Domestic Use for two households on Tax Lots 201 and 202.
7. Application T-10312 also proposes to change the season of use from the irrigation season to year round use for the two proposed domestic uses. To prevent enlargement of the right or injury to other water rights due to extension of the season of use, the applicant proposes to reduce the maximum rate of diversion and install flow restrictors at each point of diversion, as stated in Finding of Fact No. 2(a).
8. Application T-10312 also proposes to change the place of use of the right to:

DOMESTIC							
POD No.	Tax Lot	Twp	Rng	Mer	Sec	Q-Q	GLot
1	201	29 S	5 W	WM	13	SW SE	5
2	202	29 S	5 W	WM	13	SW SE	5

IRRIGATION								
POD No.	Tax Lot	Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
1 and 3	201	29 S	5 W	WM	13	SW SE	5	1.0
2 and 3	202	29 S	5 W	WM	13	SW SE	5	0.3

9. Notice of the application for transfer was published on February 13, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
10. On July 17, 2007, the Department mailed a copy of the draft Preliminary Determination proposing to approve Transfer Application T-10312 to the applicant. The draft Preliminary Determination set forth a deadline of August 17, 2007, for the applicant to respond. On July 31, 2007, the applicant requested that the Department revise the document, consistent with the revised map as noted in Finding of Fact No. 3, before proceeding with issuance of a Preliminary Determination. On August 6, 2007, Mr. Tenold provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
11. On August 31, 2007 a revised draft Preliminary Determination was emailed to the applicant for review. Stan Tenold responded September 3, 2007, requesting the date for completion of the changes to be changed, to allow 3 to 5 years for development since the two lots are to be sold, and the new buyers will have responsibility for installing the equipment and putting the water to beneficial use. The Department considers the request reasonable and has extended the date for completion, as stated later in this document.
12. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new points of diversion to prevent fish from entering the diversions and/or safely transport fish back to the body of water from which the fish were diverted and that the diversions are not currently equipped with an appropriate fish screening and/or by-pass device. The diversions may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-4010(2)]

13. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
14. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10312.
15. The proposed change would not result in enlargement of the right.
16. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

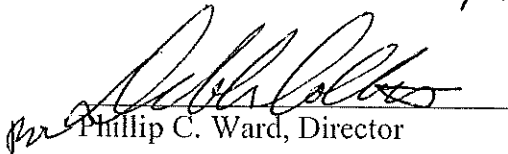
The changes in place of use, character of use, and additional points of diversion proposed in application T-10312 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If application T-10312 is approved, the final order will include the following:

- 1. The changes in place of use, character of use, and two additional points of diversion proposed in application T-10312 are approved.*
- 2. Water right certificate 81416 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
- 3. 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 81416 and any related decree.*
- 4. The quantity of water diverted at the proposed additional points of diversion, together with that diverted at the original point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.*
- 5. The former place of use of the transferred portion of the right shall no longer receive water under the right.*
- 6. The quantity of water diverted at each of the additional points of diversion for domestic use may occur year-round at a rate not to exceed 0.003 cfs per household on a non-continuous basis. A flow restrictor shall be installed at each of the two additional points of diversion to ensure that the rate is not exceeded.*
- 7. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass devices meet ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*
- 8. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, 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.*

9. *The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2012. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
10. *When satisfactory proof of the completed changes is received, a new certificate confirming the portion of the right transferred will be issued.*

Dated at Salem, Oregon this 17th day of September 2007.


Phillip C. Ward, Director

This Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.L.Pedersen@wrdd.state.or.us.

Protests should be addressed to the attention of Field Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

RECEIVED
AUG 11 1983
WATER RESOURCES DEPT
SALEM, OREGON

22654 Oak Crest Court
Cupertino, CA 95014
August 8, 1983

Chris L. Hughes
Senior Water Rights Examiner
Water Resources Department
555 13th Street N.E.
Salem, OR 97310

Reference: File Number 65296

Dear Mr. Hughes:

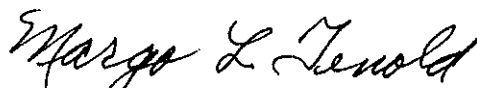
We have returned our original map, your xerox illustrating the area in conflict with existing rights, a new map with the section lines drawn correctly and a corrected application. This should rectify any conflicts concerning the property to be irrigated.

Also, we have decided to file for rights on another small pasture on our land. We have included the map of this new parcel on the corrected map of the original 7.34 acres. We hope this is permissible.

Since the new parcel will bring our total to more than 10 acres we have enclosed a check for \$1.00 for the extra acre. If any additional fees are in order, please notify us.

If there is anything else we must do to retain our priority date or to complete this application please let us know at once.

Sincerely,


Margo L. Tenold

Application No. 65296
Permit No.

RECEIVED

AUG 11 1983

WATER RESOURCES DEPT.
SALEM, OREGON

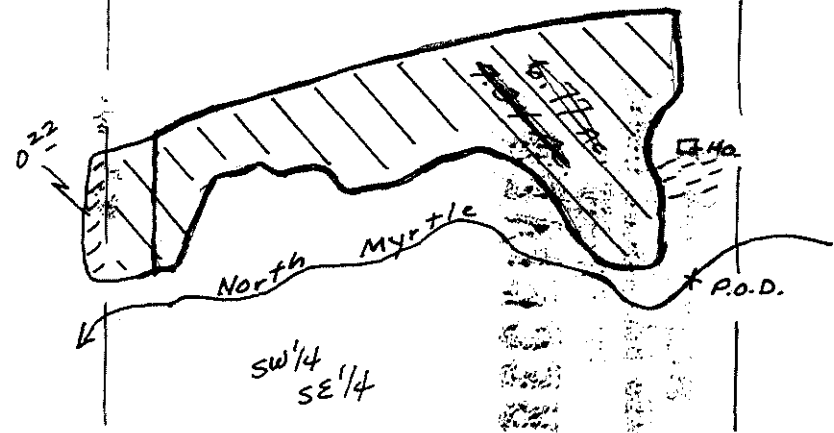
RECEIVED

JUL 18 1983

WATER RESOURCES DEPT.
SALEM, OREGON

Superseded
8/11/83

SE 1/4 SW 1/4



T. 29 S. R. 5 W. S. 13

P.O.D. 370' N. E.
3870' E. from
SW Cor. S. 13

13
24

Application No. 65296Permit No. RECEIVED

STATE OF OREGON WATER RESOURCES DEPARTMENT JUL 19 1983

Application for Permit to Appropriate Surface Water WATER RESOURCES DEPARTMENT
SALEM, OREGON

We, STANLEY E. TENOLD AND MARGO L. TENOLD
(Name of Applicant)
of 22654 OAK CREST CT., CUPERTINO
(Mailing Address) (City)
State of CALIFORNIA, 95014 Phone No. 415/962-8199
(Zip Code) do hereby

make application for a permit to appropriate the following described waters of the State of Oregon:

1. The source of the proposed appropriation is NORTH MYRTLE, a tributary of MYRTLE CREEK2. The point of diversion is to be located 370 ft. N and 3870 ft. E
(N. or S.) (E. or W.)from the SW corner of S. 13
(Public Land Survey Corner)2. The points of diversion are to be located ① 350 ft. N. and
(If there is more than one point of diversion, each must be described)
1200 ft. W. from the SE corner of S. 13 and ② 425 ft. N. and
600 ft. W. from the SE corner of S. 13,both being within the SE $\frac{1}{4}$ of the SE $\frac{1}{4}$ of
Sec. 13 Tp. 29 S. R. 5 W., W. M., in the county of DOUGLAS
(N. or S.) (E. or W.)

3. Location of area to be irrigated, or place of use if other than irrigation.

Township	Range	Section	List $\frac{1}{4}$ $\frac{1}{4}$ of Section	List use and/or number of acres to be irrigated
<u>29 S.</u>	<u>5 W</u>	<u>13</u>	<u>SW $\frac{1}{4}$ SE $\frac{1}{4}$</u>	<u>7.34 ac. + dom.</u>
			<u>SE $\frac{1}{4}$ SW $\frac{1}{4}$</u>	<u>0.22 ac</u>
<u>29 S.</u>	<u>5 W</u>	<u>13</u>	<u>SW $\frac{1}{4}$ SE $\frac{1}{4}$</u>	<u>6.77 ac. + dom</u>
<u>29 S.</u>	<u>5 W</u>	<u>13</u>	<u>SW $\frac{1}{4}$ SE $\frac{1}{4}$</u>	<u>7.34 ac. + dom.</u>
<u>29 S.</u>	<u>5 W</u>	<u>13</u>	<u>SE $\frac{1}{4}$ SE $\frac{1}{4}$</u>	<u>DOMESTIC</u>
<u>29 S.</u>	<u>5 W</u>	<u>13</u>	<u>NE $\frac{1}{4}$ SE $\frac{1}{4}$</u>	<u>3.61 ac.</u>

94926

DEPT.

This added at 8/11/07 priority

2/13/83 priority

COUNTY ROAD 15

7.34 Ac.

□ H.O.

② P.O.D. 425' N. & 600' W.
from SE corner S.13

NORTH ~~MYRTLE~~

①

MOVED

① P.O.D.

~~P.O.D.~~
②

T. 29 S. R. 5 W. S. 13

① P.O.D. 350' N. & 1200' W.
from SE Corner S. 13

RECEIVED
SEP 30 1985
WATER RESOURCES DEPT
SALEM, OREGON

Dorothy Pedersen

From: Stan Tenold [stantenold@yahoo.com]
Sent: Tuesday, August 14, 2007 10:39 AM
To: Dorothy Pedersen
Subject: Water Rights Transfer T-10312

*Revision to
application
statement*

Dorothy,

I was able to speak with Bill Ruppert today, he will be home tomorrow and will look at my email request that I sent him.

Below is a statement to confirm what I want to want to achieve with the transfer.

1. The portion of the right that is included in the transfer is appurtenant to Tax Lot 201 and Tax Lot 202, in Lot 5 (SW SE) of Section 13, T29S, R5W.
2. Tax Lot 201 will use POD #1 for one domestic use, and both POD #1 and POD #3 for the portion of irrigation within the tax lot.
3. Tax Lot 202 will use POD #2 for one domestic use, and both POD #2 and POD #3 for the portion of irrigation within the tax lot.
4. The acreage within each of these tax lots will be quantified on the map, so that the map will show (with acreage labels and hatchuring patterns):
 - a. The acreage in each of the two tax lots that is being converted from irrigation to domestic;
 - b. The acreage in each of the two tax lots that is remaining as irrigation, but that will now be accessing additional PODs;
 - c. The remaining acreage in each quarter-quarter that is NOT included in the transfer.
5. The remaining portion, being _____ acres of irrigation and one domestic use from the original PODs on Certificate 81416, will have no changes, and will be included in a remaining right certificate.

Bill Ruppert will modify the map to make the necessary changes.

Thank you,

Stan Tenold

8/14/2007

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Tuesday, September 04, 2007 2:01 PM
To: 'Stan Tenold'
Cc: 'village@pioneer-net.com'
Subject: RE: Water Rights Transfer T-10312 - Tenold

Stan,

We can issue the final order with a completion date of October 1, 2012.

The final order will authorize development of the change and will require the water to be put to beneficial use under the terms of the order by the completion date. Then, the transfer applicant (or person to whom the transfer has been assigned) will be responsible for hiring a Certified Water Right Examiner (CWRE) to prepare a Claim of Beneficial Use and map within one year after the completion date. You may want to do a "partial assignment" of the transfer application to each of the new landowners, if they are to be responsible for developing and "proving up" on the portion of the transfer that is on the property they purchased. The assignment could be done at whatever time you want to hand over responsibility for development to the new person.

The final order will cancel the existing certificate and a "remaining right certificate" will be issued for the portion of the right NOT involved in the transfer. The transferred portion of the right will not have a certificate until the use has been developed (on the two tax lots) and the Claim of Beneficial Use has been reviewed and approved by the Department. The new certificate for the transferred portion will include both of the new properties. The new landowners can work together to hire the CWRE to prepare the map and the Claim of Beneficial Use, or they can each hire their own CWRE to prepare a Claim and map for only the portion on their property. The Department would wait until both parcels have been developed before reviewing the Claim(s).

We will email the notice to Todd and cc: you when the Preliminary Determination is issued.

Have a good trip!

Dorothy

Dorothy Pedersen
(503) 986-0890

-----Original Message-----

From: Stan Tenold [mailto:stantenold@yahoo.com]
Sent: Monday, September 03, 2007 9:27 AM
To: Dorothy Pedersen
Cc: Todd Theiss
Subject: Re: Water Rights Transfer T-10312 - Tenold

Dorothy,

Thank you for your email.

Yes, the completion date is much shorter than I would like. Since the two lots are to be available for sale with domestic water rights it is then upto the buyer to install the equipment. It is important to have the rights in place prior to being able to close escrow, I previously had a sale pending which fell through because of concerns about the approval process. Because of this and the time to sell, design, and build a home I would like to have a minimum of three years but as much as five.

I believe the draft preliminary determination reflects my desires. When I sell each of the lots is there a separate certificate that is generated or is there a separate certificate at the time of this transfer?

I have copied Todd Theiss on this email. He is willing to have the notice published in

the local paper when it is available. Please email the notice to him and copy me. Please indicate what is required and the necessary timing.

I will be leaving today for Greece and will have email available, I will return Oct 3.

Thank you,

Stan Tenold

On Aug 31, 2007, at 9:23 AM, Dorothy Pedersen wrote:

> Stan,
>
> I received the revised draft preliminary determination from the
> contractor (attached). Please review it and let me know if it
> correctly reflects the changes you are proposing.
>
> Also, please note the date for completion of the changes and
> application of the domestic and irrigation water to beneficial use on
> the new tax lots. If you anticipate that you need more time for
> development, please send us a request for a different date, with an
> explanation of the reason more time will be needed.
>
> Once I receive your reply, I will proceed to finalize the preliminary
> determination and have it signed and issued with the cover letter and
> notice for the newspaper.
>
> Thank you,
> Dorothy
>
>
> Dorothy Pedersen
> (503) 986-0890
> -----Original Message-----
> From: Stan Tenold [mailto:stantenold@yahoo.com]
> Sent: Thursday, August 30, 2007 5:22 PM
> To: Dorothy Pedersen
> Subject: Re: Water Rights Transfer T-10312
>
>
> Dorothy,
>
> Just checking on the status of the preliminary determination?
>
> Thanks,
>
> Stan
>
>
>
> <10312-dpd(revised).doc>

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Friday, August 31, 2007 9:23 AM
To: 'Stan Tenold'
Subject: RE: Water Rights Transfer T-10312

Attachments: 10312-dpd(revised).doc



10312-dpd(revised)
.doc (102 KB...

Stan,

I received the revised draft preliminary determination from the contractor (attached). Please review it and let me know if it correctly reflects the changes you are proposing.

Also, please note the date for completion of the changes and application of the domestic and irrigation water to beneficial use on the new tax lots. If you anticipate that you need more time for development, please send us a request for a different date, with an explanation of the reason more time will be needed.

Once I receive your reply, I will proceed to finalize the preliminary determination and have it signed and issued with the cover letter and notice for the newspaper.

Thank you,
Dorothy

Dorothy Pedersen
(503) 986-0890
-----Original Message-----
From: Stan Tenold [mailto:stantenold@yahoo.com]
Sent: Thursday, August 30, 2007 5:22 PM
To: Dorothy Pedersen
Subject: Re: Water Rights Transfer T-10312

Dorothy,

Just checking on the status of the preliminary determination?

Thanks,

Stan



Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271
(503) 986-0900
www.wrd.state.or.us

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10312

Review Due Date: 3/14/07

Applicant Name: Stanley E. Tenold

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

Reviewer(s): David S. Williams

Date of Review: Feb. 23, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
North Myrtle Creek is regulated frequently (perhaps 8 out of every 10 years) for a 1974 ISWR and less frequently (perhaps 5 out of every 10 years) for a 1958 ISWR.
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. 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: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☐ No ☒ N/A If "Yes", explain: _____
8. For POU or USE changes, 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: _____

RECEIVED

FEB 27 2007

9. Are there other issues not identified through the above questions? ☒ Yes ☐ No If "Yes", explain: 1) The certificate subject to transfer is an irrigation right limited to the irrigation season. How will the applicant obtain domestic water outside the irrigation season? In the past, department practice was to restrict type of use transfers for irrigation rights to the irrigation season. If this policy has changed, it may be appropriate to mitigate for an extended period of use. 2) The "from" acres (0.8 acres) are identified as strips of land along lot lines and North Myrtle Road. It will likely be difficult for new landowners to discontinue irrigating these narrow strips using sprinklers which apply water in circular patterns. 3) The coordinates listed for POD #1 & 2 on the transfer application map are west (not east) from the SE corner of section 13.
10. What alternatives may be available for addressing any issues identified above: 1) In order to mitigate for any expanded period of use, the rate for the resulting domestic rights may need to be reduced. 2) Reconfigure the "from" acres to form a single rectangular block. 3) Correct the coordinates for POD #1 & 2 to read west and not east from the SE corner of section 13.
11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

Measurement Devices	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☒ May be required in the future.
Headgates	☐ Present and should be maintained.	☐ Should be required prior to diverting water.	☒ May be required in the future.

RECEIVED

FEB 27 2007

WATER RESOURCES DEPT
SALEM, OREGON

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Tuesday, July 31, 2007 1:01 PM
To: 'Stan Tenold'
Subject: RE: Tenold Water Rights Transfer T-10312

Stan,

Water rights that have been proved up on (have a certificate) automatically go with the property when it is sold to new owners, unless a "water right conveyance" agreement of sort states otherwise. Water rights that are in a state of development (such as a transfer that has not yet been proved up on) would need to be assigned to new owners through the "request for assignment" process.

I see from your questions and from looking again at the map, that we may have misinterpreted your intended changes, and therefore may need to modify the statement of what is proposed.

Unless the draft preliminary determination is modified, this is what will result from the transfer:

A remaining right certificate will be issued for 0.116 cfs for irrigation and 0.005 cfs for domestic use from POD #3 (the original POD) for 9.3 acres of irrigation and one domestic: 2.1 ac in NE SE, 6.3 ac in Lot 5 (SW SE), and 0.9 ac and domestic use for one family in Lot 6 (SE S).

You would need to prove up on two domestic uses that would be included in a future certificate:

--0.003 cfs year round from POD #1, POD #2 and POD #3 for one domestic in Parcel 2 of the land partition in Lot 5 (Tax Lot 201), and
 --0.003 cfs year round from POD #1, POD #2 and POD #3 for one domestic in Parcel 3 of the land partition in Lot 5 (Tax Lot 202).

If the above description does not reflect what you wish to accomplish, please indicate which of the following options does reflect your wishes, or send a more specific statement of your intent:

1. The remaining right certificate will include 0.116 cfs for irrigation and 0.005 cfs for domestic use from POD #3 (the original POD) for 9.3 acres of irrigation and one domestic: 2.1 ac in NE SE, 6.3 ac in Lot 5 (SW SE), and 0.9 ac and domestic use for one family in Lot 6 (SE SE). You would need to prove up on two domestic uses that would be included in a future certificate:
 --0.003 cfs year round from POD #1, for one domestic in Tax Lot 201 and
 --0.003 cfs year round from POD #2 for one domestic in Tax Lot 202
2. Only the original domestic use will take water from POD #3 exclusively. The remaining right certificate will be only for the original domestic use. All remaining 9.3 acres of irrigation, regardless of tax lot, will have access to all three PODs, and will remain on one certificate, which will also allow 0.003 cfs for each of the two new domestics. You will need to prove up on use of all three PODs for the two new domestic uses, as well as 9.3 acres of irrigation.
3. POD #3 will be used exclusively for the original domestic use, as well as for all the irrigation (in all tax lots) and will be on the remaining right certificate. Only the two new domestics will be on the future certificate, each using an assigned POD. You will need to prove up on the domestic use in Tax Lot 201 from POD #1 and the domestic use in Tax Lot 202 from POD #2.
4. POD #3 will be used exclusively for the original domestic use, as well as for the irrigation that is NOT in Tax Lots 201 and 202. That will constitute the remaining

7/31/2007

right certificate. You will need to quantify the portion of the irrigation use in Tax Lots 201 and 202. You will need to prove up on the irrigation and domestic use in Tax Lot 201 from POD #1, and the irrigation and domestic use in Tax Lot 202 from POD #2.

It is likely that the above is confusing, so feel free to call me at the number below. We may be able to talk things out and come to a common understanding through discussion.

Sincerely,

Dorothy

Dorothy Pedersen
(503) 986-0890

-----Original Message-----

From: Stan Tenold [mailto:stantenold@yahoo.com]
Sent: Tuesday, July 31, 2007 9:20 AM
To: Dorothy Pedersen
Subject: Re: Tenold Water Rights Transfer T-10312

Dorothy,

I did receive the mail copy on Saturday.

I have reviewed the document. Since I plan to sell the individual lots will the domestic water rights be individually numbered so they can be transferred with the lot or how is that accomplished? Also the irrigation water rights which are in my name and include the larger areas, how should they be handled?

I have the title company reports regarding lien and ownership info, should I sent a copy to you?

Thank you,

Stan Tenold

On Jul 25, 2007, at 12:45 PM, Dorothy Pedersen wrote:

> Stan,
>
> Something must be holding up the document in the mail system. We
> mailed
> out the draft preliminary determination and cover letter to you July
> 17th. I have attached it, so you will have the scanned version
> while the
> paper copy is working its way to you in the mail.
>
> Thank you for following up on this. If you have further questions,
> don't
> hesitate to call or email me.
>
> Have a good day,
> Dorothy
>
>
> Dorothy Pedersen
> (503) 986-0890
> -----Original Message-----
> From: Stan Tenold [mailto:stantenold@yahoo.com]
> Sent: Wednesday, July 25, 2007 11:50 AM
> To: Dorothy Pedersen

7/31/2007

> Subject: Tenold Water Rights Transfer T-10312
>
> Dorothy,
>
> Following up on your phone message of 7/12/07. I have not yet
> received the preliminary determination regarding the transfer. Is
> there something holding up the document?
>
> You had also mentioned I will need a Title Company report regarding
> the property. If you can specify what is needed I will request the
> report in anticipation of the need.
>
> Thank you,
>
> Stan Tenold
>
>
>
> <10312-dpd.pdf>

7/31/2007



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

July 17, 2007

Stanley E. Tenold
PO Box 751
Bodega Bay CA 94923

SUBJECT: Application T-10312

Enclosed find a draft of our Preliminary Determination regarding transfer application T-10312. The draft Preliminary Determination reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. This draft is intended to provide you with an opportunity to comment on our findings and conclusions should you wish to do so. Please review the draft carefully to evaluate whether the document is consistent with your intent in seeking the transfer, and whether you agree with the proposed action.

The application indicates that the domestic uses will have access to the current point of diversion, as well as the two proposed points of diversion. If that is not your intention, please explain in writing, to clarify which point (or points) of diversion will be authorized for each of the proposed domestic uses.

Because of the change in character of use, the applicant is responsible for publishing notice of the transfer in a local newspaper having a general circulation in the area of the water right. The notice must be published at least once a week for three consecutive weeks. We will provide a copy of the required notice to you on issuance of the Preliminary Determination.

At this time, you must submit a report of ownership and lien information prepared by a title company within the last three months, as required by OAR 690-380-4010(5). If there are additional lienholders identified in the report that have not previously been notified of the transfer, you must send notice of the transfer to them, and submit copies of each such notice to the Department to document that each lienholder has been informed of the transfer.

Issuance of the Preliminary Determination will occur shortly after we receive both your response to the draft and the report of ownership and lien information. Please submit the information by August 17, 2007. You may provide your response in writing or via e-mail.

Please do not hesitate to contact me at 503-986-0890 or Dorothy.I.Pedersen@wr.d.state.or.us if you have any questions.

Sincerely,

Dorothy I. Pedersen
Field Services Division

cc: David S. Williams, District 15 Watermaster

enc

Stan called 8/14/07. He has not yet been able to get a response yet from CWRE, so he may need more time.

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

In the Matter of Transfer Application
T-10312, Douglas County

)
)
)
)
)
)
)

D R A F T
PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF A
CHANGE IN POINT OF DIVERSION,
PLACE OF USE, AND CHARACTER
OF USE

Authority

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

Applicant

Stanley E. Tenold
PO Box 751
Bodega Bay CA 94923

Findings of Fact

Background

1. On February 5, 2007, Stanley E. Tenold filed an application to change the place of use, the character of use, and add two additional points of diversion under a portion of Certificate 81416. The Department assigned the application number T-10312.
2. On June 21, 2007, Stanley E. Tenold amended the application by providing additional and corrected information:
 - a) Confirming the transfer of 0.8 acre, use of water year-round at a rate not to exceed 0.003 cfs per each of two domestic households on a non-continuous basis, and installation of a flow restricter for each domestic use;
 - b) Describing how to prevent irrigation on lands withdrawn from irrigation for purposes of the transfer to domestic uses; and,
 - c) Updating the application map to show the correct coordinates of the proposed points of diversion from North Myrtle Creek.

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

Certificate: 81416 in the name of Stanley E. Tenold (perfected under Permit S-47919)

Use: IRRIGATION of 0.8 ACRE

Priority Date: JULY 13, 1983

Rate: 0.01 CUBIC FOOT PER SECOND

Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 2.5 acre-feet per acre per year

Source: NORTH MYRTLE CREEK, tributary to MYRTLE CREEK

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
29 S	5 W	WM	13	SW SE	5	2160 FEET SOUTH AND 1715 FEET WEST FROM E1/4 CORNER OF SECTION 13

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	GLot	Acres
29 S	5 W	WM	13	SW SE	5	7.10

4. Application T-10312 proposes to add two points of diversion approximately 0.10 mile and 0.13 mile downstream from the authorized irrigation point of diversion to:

POD #	Twp	Rng	Mer	Sec	Q-Q	GLot	Survey Coordinates
1	29 S	5 W	WM	13	SW SE	5	200 FEET NORTH AND 2380 FEET WEST FROM THE SE CORNER OF SECTION 13
2	29 S	5 W	WM	13	SW SE	5	300 FEET NORTH AND 2180 FEET WEST FROM THE SE CORNER OF SECTION 13

5. Application T-10312 also proposes to change the place of use of the right to:

DOMESTIC						
Household	Twp	Rng	Mer	Sec	Q-Q	GLot
1	29 S	5 W	WM	13	SW SE	5
2	29 S	5 W	WM	13	SW SE	5

6. Application T-10312 proposes to change the character of use to Domestic Use for two households.
7. Application T-10312 also proposes to change the season of use from the irrigation season to year round use. To prevent enlargement of the right or injury to other water rights due to extension of the season of use, the applicant proposes to reduce the maximum rate of diversion and install flow restrictors at each point of diversion, as stated in Finding of Fact #2(a).
8. Notice of the application for transfer was published on February 13, 2007, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

9. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.

Transfer Review Criteria [OAR 690-380-4010(2)]

10. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
11. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Application T-10312.
12. The proposed change would not result in enlargement of the right.
13. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The changes in place of use, the character of use, and add two additional points of diversion proposed in application T-10312 appear to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If application T-10312 is approved, the final order will include the following:

1. *The changes in place of use, the character of use, and add two additional points of diversion proposed in application T-10312 are approved.*
2. *Water right certificate 81416 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
3. *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 81416 and any related decree.*
4. *The quantity of water diverted at the additional points of diversion, together with that diverted at the original points of diversion, shall not exceed the quantity of water lawfully available at the original points of diversion.*
5. *The former place of use of the transferred rights shall no longer receive water under the rights.*
6. *The quantity of water diverted at each of the additional points of diversion may occur year-round at a rate not to exceed 0.003 cfs per household on a non-continuous basis. A flow*

restrictor shall be installed at each of the two additional points of diversion to ensure that the rate is not exceeded.

- 7. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. Prior to submitting a Claim of Beneficial Use, the water user must obtain written approval from ODFW that the required screening and/or by-pass device was installed to the state's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.*
- 8. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, 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.*
- 9. When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.*
- 10. The approved changes shall be completed and full beneficial use of the water shall be made on or before October 1, 2008. A Claim of Beneficial Use prepared by a Certified Water Rights Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the changes and full beneficial use of the water.*
- 11. When satisfactory proof of the completed changes is received, a new certificate confirming the portion of the right transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____ 2007.

D R A F T

Phillip C. Ward, Director

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor. If you have questions about the information in this document, you may reach Dorothy Pedersen at 503-986-0890 or Dorothy.I.Pedersen@wrdd.state.or.us.

Contacts for Application T-10312

Applicant:

Stanley E. Tenold
PO Box 751
Bodega Bay CA 94923
Phone 650-269-0034
E-mail stantenold@yahoo.com

Agent: - None

Receiving Landowner:

Stanley E. Tenold
PO Box 751
Bodega Bay CA 94923
Phone 650-269-0034
E-mail stantenold@yahoo.com

CWRE:

William J. Ruppert – CWRE #115
P.O. Box 1564
Myrtle Creek, OR 97457

District #15 Watermaster – David S. Williams

Local and Tribal Governments:

Douglas County Planning Department
Room 106, Justice Building
Roseburg, OR 97470

Commenters: None

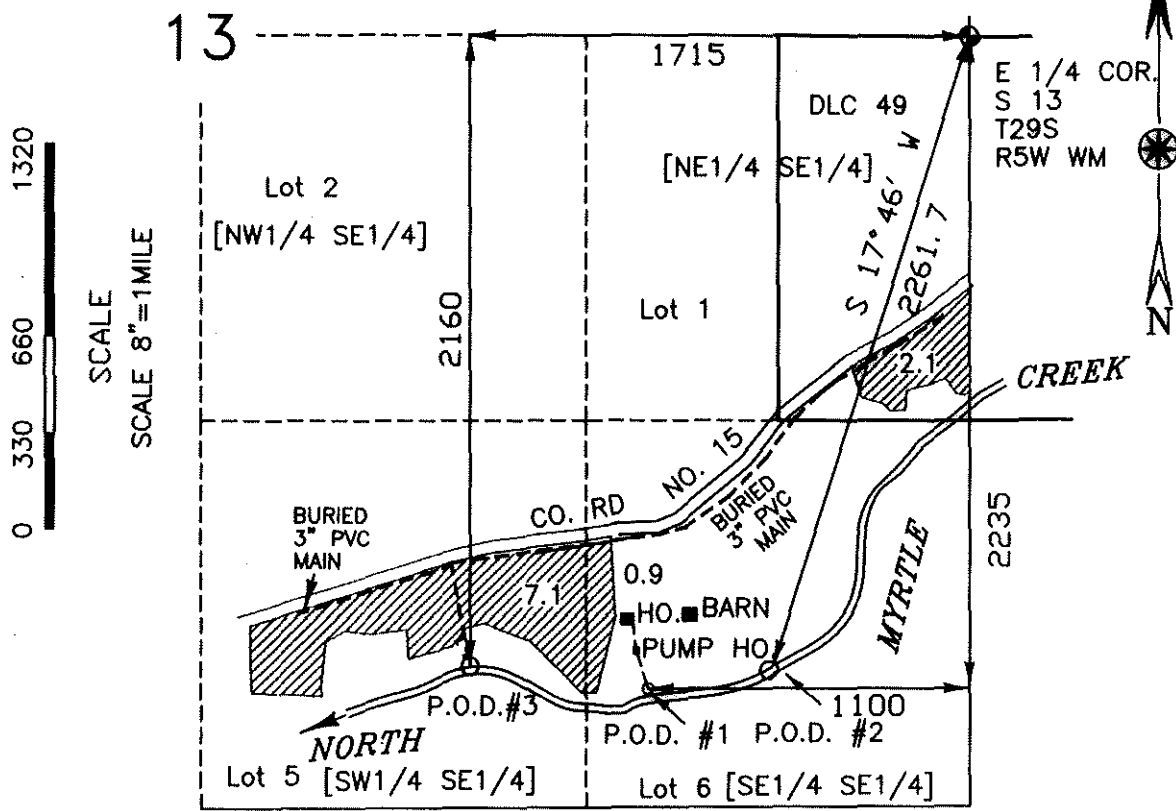
Irrigation Districts: None

RECEIVED

JUL 12 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

SE 1/4 SECTION 13, T29S, R5W, WM



BURIED PIPE: 1.5" PVC PIPE POD #1 TO PUMP
0.75" PVC PIPE FROM PUMP TO HOUSE

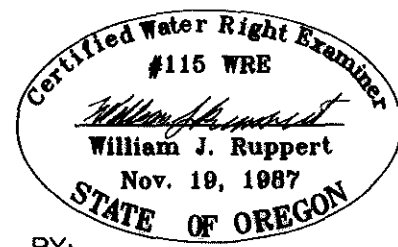
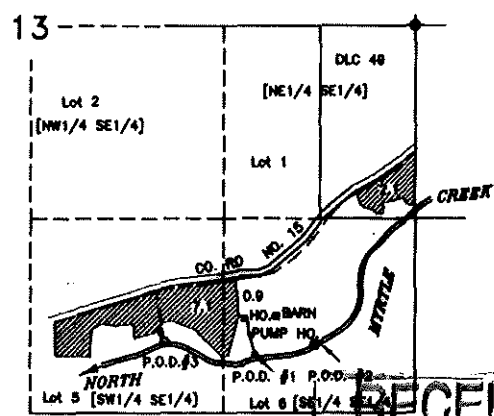
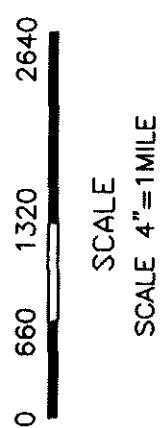
SURVEY BASED ON
AERIAL PHOTO

THIS MAP IS TO BE USED FOR WATER RIGHT PURPOSES ONLY

MAP TO ACCOMPANY CLAIM OF BENEFICIAL USE FOR WATER PERMIT 47919, APPL. 65296

ASSESSOR PAGE 29 05 13
TAX LOT 200

IN NAME OF
Stanley E. Tenold



BY:
WILLIAM J. RUPPERT
P.O. BOX 1564
MYRTLE CREEK, OR 97457

RECEIVED

FEB. 5, 2005

FEB 24 2005

WATER RESOURCES DEPT
SALEM, OREGON

10312



Oregon

Theodore R. Kulongoski, Governor

June 4, 2007

Stanley E. Tenold
PO Box 751
Bodega Bay CA 94923

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

REFERENCE: Transfer T-10312

While examining your water right transfer application, we found some problems that need to be resolved before we can continue processing.

1. That 0.8 acre portion of Certificate 81416 proposed to be transferred to domestic use is currently limited to a maximum diversion rate of 0.01 cfs, further limited to no more than 2.5 acre-feet per acre (2.0 acre-feet for 0.8 acre) during an irrigation season. It appears that you want year-round water for your two proposed Domestic uses. To ensure that the change to year round domestic would not result in enlargement of the right or injury to other water rights, the use will require some conditioning. A constant (24/7/365 days per year) diversion rate of 0.005 cfs per domestic use would exceed the annual duty of the right. To avoid injury or enlargement, please select one of the following options:
 - a. Transfer 0.8 acre as proposed; use water year-round at a rate not to exceed 0.003 cfs per domestic customer on a non-continuous basis, and install a flow restricter for each domestic to ensure that the rate is not exceeded.
 - b. Amend the application to propose transfer of 1.3 acres so that each domestic use may be allowed not to exceed 0.005 cfs on a year-round non-continuous basis and install a flow restricter for each domestic.
 - c. Suggest another method of assuring the Department that the domestic use will not exceed the original rate and duty of the irrigation use.
2. Your application identifies 0.8 acre to eliminate from irrigation in order to enable the two additional Domestic uses. The practical reality is that it will be difficult for the domestic users to discontinue irrigating these narrow strips of land shown in the application map, especially if sprinklers are used. Please describe how you will prevent irrigation of these strips of land. One approach would be to reconfigure the lands to be "dried up" into a rectangular block, and submit an amended map showing the new geometry.
3. The map dated January 26, 2007, accompanying the transfer application describes the coordinates of the proposed POD #1 and #2 as "... 'EAST' FROM THE SE CORNER SECTION 13." It appears that the location should be 'WEST.' Please submit a revised map to reflect the correct POD coordinates.
4. Note: The original S-65296 water right application and map suggest that the lands proposed for transfer are part of the portion of the place of use that has a priority date of July 13, 1983.

Please submit the above information **by July 5, 2007** to Dorothy Pedersen, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you have any questions, please call me at 503-986-0890.

Sincerely,

Dorothy I. Pedersen
Water Rights Transfer Specialist

cc: David S. Williams, Watermaster, District 15
William J. Ruppert, CWRE

MEMO

Date: June 1, 2007

To: File T-10312

From: Dorothy Pedersen

RE: Request to extend season of use to year round

A letter dated March 8, 2007 from Anita Huffman to Stanley Tenold is in the T-10312 file, suggesting that Mr. Tenold may wish to modify the T-10312 transfer application to request year round use.

The Watermaster Review by Dave Williams, received February 27, 2007, raises the question of how the Department may require mitigation if allowing a conversion from an irrigation season use to year round use.

I spoke with Dave Williams by phone on June 1, 2007 regarding this issue. He indicated that extending the season could be allowed without injury, provided the rate of diversion was proportionally reduced. A realistic method of avoiding enlargement of the right and ensuring compliance with the reduced rate would be to require installation of a flow restrictor.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 02/13/2007

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice.

County: DOUGLAS
Transfer: 10312
Water Right: CERT 81416
Priority Date: 1983
Name: STANLEY E TENOLD
Address: PO BOX 757; BODEGA BAY CA 94923
Change: USE/APOD
Source: NORTH MYRTLE CREEK
Authorized APOD: T29S R5W 13
Proposed APOD: T29S R5W 13
Authorized USE: IRRIGATION
Proposed USE: DOMESTIC

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice. Comments should be sent to the Transfers Section at the Department's Salem office.

T 10312

File delivered to Data Center on MAR 21 2007

Please deliver file back to Sarah by MAR 30 2007

Comments

thank you!



Oregon

Theodore R. Kulongoski, Governor

Dorothy Pedersen

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1271
503-986-0900
FAX 503-986-0904

March 8, 2007

STANLEY TENOLD
PO BOX 751
BODEGA BAY, CA, 94923

REFERENCE FILE: S-86427

Dear Mr. Tenold:

I am following up our telephone conversation of yesterday, March 7, 2007. I want to clarify the current status of your application to use surface water (S-86427) and your pending transfer (T10132).

T-10312

The Department issued a proposed final order on January 10, 2006 for application S-86427, proposing to issue a permit for Domestic Use for two households, limited to human consumption April 1 through December 31 of each year. Upon further review, in August, 2006, the Department determined that water is not available for any use at all during the month of August of each year, and you were given the opportunity to place your application on administrative hold while pursuing a transfer of water rights from an existing certificate on another property. The transfer would allow the use of water during August.

I have spoken with Dorothy Pedersen of the Transfer Section of our Department and she has indicated that you may wish to make modifications to your transfer application to cover year round domestic use from your irrigation use that is certificated currently. If you chose this option, then you could withdraw application S-86427 all together.

At this time, the opportunity for refund of examination fees for application S-86427 has passed. You paid \$500 in examination fees for this application. In addition, you paid \$250 toward permit recording fees. The permit recording fees will be refunded if you withdraw application S-86427. You may request the Director refund \$450 in examination fees for the application, since the proposed final order was in error and you did not have an opportunity to protest the error. I can't say if the examination fees will be refunded, but you may certainly request that.

Dorothy has informed me that your transfer application will not be processed for quite some time. She would be happy to speak to you about options for using the reimbursement authority program if you would like to expedite processing of the transfer. I suggest you contact Dorothy about options for using water year round under the transfer.

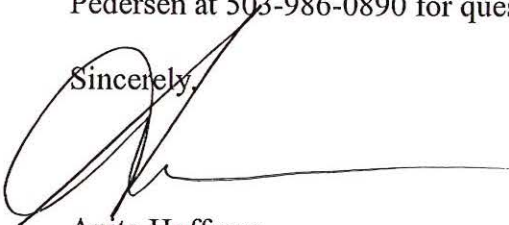
At this time, you have an administrative hold for application S-86427 that expired February 7, 2007. If you would like to continue the administrative hold, you must indicate what action you propose to take in regard to this application. You have the following options:

1. Request to continue the administrative hold while you pursue transfer T-10132 for a partial season transfer to cover the months when water is not available for domestic use under application S-86427. Once the transfer is approved, the Department can issue a final order and permit for application S-86427. No fees would be refunded, nor would any additional fees be required for this application.
2. Modify transfer T-10132 to cover full year human consumption use for the property requested under S-86427; and withdraw application S-86427. Withdrawal of S-86427 will result in a refund of \$250 in permit recording fees. You may also request a refund of examination fees from the Director.
3. Do nothing, which will cause the Department to issue a final order to deny application S-86427. You will receive a refund of \$250 permit recording fees.

I hope this clarifies your options and answers your question about what monies may be due you.

Please feel free to call me at 503-986-0815 with questions about application S-86427, or Dorothy Pedersen at 503-986-0890 for questions about the transfer T-10132.

Sincerely,



Anita Huffman
Water Rights Caseworker
Water Rights Division

cc: Watermaster District 16
Dorothy Pedersen, WRD
File



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

February 13, 2007

STANLEY E TENOLD
PO BOX 751
BODEGA BAY CA 94923

Reference: Transfer 10312

On February 5, 2007 we received your water right transfer application requesting use, and an additional point of diversion change for use of water from NORTH MYRTLE CREEK, tributary to MYRTLE CREEK. The application was accompanied by \$700. Our receipt 86111 is enclosed.

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

Your application will be examined to determine if additional information is needed. You will be contacted following this examination. A number of other transfer applications are also awaiting review. As a result, it may be some time before we are able to process your application. If you wish to have your application processed more quickly, you may want to consider use of the Department's reimbursement authority. Under this authority an applicant may receive expedited review by paying the full cost for a pre-qualified contractor to process the applications. For more information on the Reimbursement Authority program, see our website at http://www.wrd.state.or.us/OWRD/mgmt_reimbursement.shtml or call the transfer section.

Except as provided under ORS 540.510(3) for municipalities, you may not use water for the new use, in the new place of use or from the new point of diversion until the transfer application has been approved. 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 transfer is approved, the buyer's consent to the transfer will be required unless a recorded deed or other legal document clearly established that the water right was not conveyed in the sale.

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0883.

cc: Watermaster #15
William Ruppert, CWRE #115
Sam Moyer, ODFW

enclosure

TRANSFER CHECK OFF LIST

TRANSFER FILE #

T-10312

DATE RECEIVED

2-5-07

DATE MONEY SLIPPED

2-5-07

DATE RECEIPTED

2-5-07

VALID WATER RIGHT?

☒ Yes ☐ No

TEMP ALT AC

IRR DIST

PERM AMEND

DIV 15 P

TEMP Div 15

ISWR

LETTER FROM ATTORNEY YES (PUT INFO ON FRONT COVER)

☒ NO

FOLDER FILLED OUT*

yes

ENTERED IN DB

yes

CONTENTS MARKED

yes

COLOR CODED

☒ Yes

4 COPIES MADE & STAMPED

yes

CERTIFICATE MARKED

yes

CERTIFICATE COPIED

yes

PULL APPLICATIONS

yes

APP FOLDER MARKED

yes

FINAL PROOF MAP COPIED

yes

PERMIT MARKED

no

PERMIT COPIED

|

PERMIT MAP COPIED

|

DECRB MARKED

|

DECRB COPIED

|

ADJUDICATION MAP COPIED

|

ENTRIES CHECKED

CHECKED BY INIT FOLDER

PUBLIC NOTICE DATE

2-13-07

(PREPARED & COPIED) yes

LETTER SENT

yes

Irrigation District no (copy of app & map)

COPY TO WM

yes

BLUE FORM TO WM

yes

Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his

COPY TO GW

no

POA, APOA, or [SW TO GW ONLY(as POD)]

BLUE FORM TO GW

no

Orange Perm Amend/Yellow Temp/Grn Dist/Lav Alt Acr/pink his

COPY TO CWRE

yes

LETTER TO ODFW

yes

ALL Surface water POU/USE (POD and APOD FISH SCREENS)

TRANSFER SENT TO:

SW drawer

SW --- NCR --- SCR --- ER

SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER

**June 18,2007
PO Box 751
Bodega Bay, CA 94923**

**Dorothy Pedersen
Water Rights Transfer Specialist
Water Resources Dept
725 Summer Street NE, Suite A
Salem, OR 97301-1266**

Re: Transfer T-10312, letter June 4,2007

Dear Dorothy;

Thank you for the letter of June 4,2007.

I wish to select option 1. a.

Regarding point 2, on the North side of each of the parcels an access road will be constructed that will not require irrigation. On the West side of the parcels the narrow strips will not be irrigated per the restriction of the water rights.

Regarding point 3, William Ruppert, CWRE will submit a revised map.

If there are questions I can be reached at 707 875 9453.

Sincerely,



Stan Tenold

Cc: William Ruppert, CWRE

RECEIVED
JUN 21 2007
WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

June 4, 2007

Stanley E. Tenold
PO Box 751
Bodega Bay CA 94923

Water Resources Department
North Mall Office Building
725 Summer Street NE, Suite A
Salem, OR 97301-1266
503-986-0900
FAX 503-986-0904

REFERENCE: Transfer T-10312

While examining your water right transfer application, we found some problems that need to be resolved before we can continue processing.

1. That 0.8 acre portion of Certificate 81416 proposed to be transferred to domestic use is currently limited to a maximum diversion rate of 0.01 cfs, further limited to no more than 2.5 acre-feet per acre (2.0 acre-feet for 0.8 acre) during an irrigation season. It appears that you want year-round water for your two proposed Domestic uses. To ensure that the change to year round domestic would not result in enlargement of the right or injury to other water rights, the use will require some conditioning. A constant (24/7/365 days per year) diversion rate of 0.005 cfs per domestic use would exceed the annual duty of the right. To avoid injury or enlargement, please select one of the following options:
 - a. Transfer 0.8 acre as proposed; use water year-round at a rate not to exceed 0.003 cfs per domestic customer on a non-continuous basis, and install a flow restricter for each domestic to ensure that the rate is not exceeded.
 - b. Amend the application to propose transfer of 1.3 acres so that each domestic use may be allowed not to exceed 0.005 cfs on a year-round non-continuous basis and install a flow restricter for each domestic.
 - c. Suggest another method of assuring the Department that the domestic use will not exceed the original rate and duty of the irrigation use.
2. Your application identifies 0.8 acre to eliminate from irrigation in order to enable the two additional Domestic uses. The practical reality is that it will be difficult for the domestic users to discontinue irrigating these narrow strips of land shown in the application map, especially if sprinklers are used. Please describe how you will prevent irrigation of these strips of land. One approach would be to reconfigure the lands to be "dried up" into a rectangular block, and submit an amended map showing the new geometry.
3. The map dated January 26, 2007, accompanying the transfer application describes the coordinates of the proposed POD #1 and #2 as "... 'EAST' FROM THE SE CORNER SECTION 13." It appears that the location should be 'WEST.' Please submit a revised map to reflect the correct POD coordinates.
4. Note: The original S-65296 water right application and map suggest that the lands proposed for transfer are part of the portion of the place of use that has a priority date of July 13, 1983.

Please submit the above information by **July 5, 2007** to Dorothy Pedersen, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you have any questions, please call me at 503-986-0890.

Sincerely,

Dorothy I. Pedersen
Water Rights Transfer Specialist

cc: David S. Williams, Watermaster, District 15
William J. Ruppert, CWRE

REVISED

MAP ENCLOSED

RECEIVED

JUN 27 2007

WATER RESOURCES DEPT
SALEM OREGON

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **86111**

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

INVOICE # _____

RECEIVED FROM: <u>Stan Tenold</u>		APPLICATION	
BY: _____		PERMIT	
CASH: ☐	CHECK: # <u>X 18418</u>	TRANSFER	<u>T-10312</u>
OTHER: (IDENTIFY) ☐		TOTAL REC'D \$ <u>700.00</u>	

1083 TREASURY 4170 WRD MISC CASH ACCT

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

4270 WRD OPERATING ACCT

MISCELLANEOUS			
0407 COPY & TAPE FEES		\$	
0410 RESEARCH FEES		\$	
0408 MISC REVENUE: (IDENTIFY) _____		\$	
TC162 DEPOSIT LIAB. (IDENTIFY) _____		\$	
0240 EXTENSION OF TIME		\$	
WATER RIGHTS:		EXAM FEE	RECORD FEE
0201 SURFACE WATER		\$	0202 \$
0203 GROUND WATER		\$	0204 \$
0205 TRANSFER		\$ <u>700</u>	
WELL CONSTRUCTION		EXAM FEE	LICENSE FEE
0218 WELL DRILL CONSTRUCTOR		\$	0219 \$
LANDOWNER'S PERMIT			0220 \$
OTHER (IDENTIFY) _____			

0536 TREASURY 0437 WELL CONST. START FEE

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

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

0233 POWER LICENSE FEE (FWWRD)		\$
0231 HYDRO LICENSE FEE (FWWRD)		\$
HYDRO APPLICATION		\$

TREASURY OTHER / RDX

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

RECEIPT: **86111**

DATED: 2-5-07

BY: Andrew Hill



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

Application for Water Right Transfer

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

1. TYPE OF TRANSFER APPLICATION

Please check one	
☒ Permanent Transfer	☐ Instream Transfer
☐ Temporary Transfer	☐ Permanent
• total number of years: _____	☐ Time-Limited
(begin year: _____)	☐ Drought Transfer
(end year: _____)	☐ Other

2. APPLICANT INFORMATION

Stanley E. Tenold

First

Last

PO Box 751

Bodega Bay

CA

94923

City

State

Zip

650-269-0034

Home

Work

Other

Fax: _____ E-Mail address: stantenold@yahoo.com _____

3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: NA

First

Last

Address: _____

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FEB 05 2007

City

State

Zip

Phone: _____

Home

Work

Other

WATER RESOURCES DEPT
SALEM, OREGON

Fax: _____ E-Mail address: _____

- If an agent is listed above, please check one of the following:

- ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; or
- ☐ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.		47919	81416
2.			
3.			
4.			
5.			
6.			

- Check **all** proposed change(s) included in this transfer application:

- ☐ Place of Use ☐ Point of Diversion ☒ Additional Point of Diversion
☒ Character of Use ☐ Point of Appropriation ☐ Additional Point of Appropriation
☐ Instream Transfer ☐ Surface Water source to Ground Water source

- Reason(s) for change(s): To convert 0.8 acres from irrigation to domestic use. 2 houses _____

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5. WATER DELIVERY SYSTEM

WATER RESOURCES DEPT
SALEM, OREGON

- Describe the **current** water delivery system or the system that **was in place** at some time within the last 5 years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

Pump information

Brand	Model	Serial Number	Type	Intake size	Discharge size	Impeller
Paco	130-150 gpm	Cat #12209- 03-0001- 1741-	Centrifugal	2"	1.5"	6.15

Motor information

Brand	Model	Horsepower	Max RPM	Voltage
Baldor		7.5	3450	? 3 Phase

- system capacity: 0.272 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

See Claim of Beneficial Use for pipe and sprinklers

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has **not** been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

NA

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

Douglas County Planning Dept.

Room 106, Justice Building

Roseburg, OR 97470

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**WATER RESOURCES DEPT
SALEM, OREGON**

8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): NA _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☒ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): NA _____
First Last

Address: _____

City State Zip

- Check one of the following:

- ☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
- ☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.
- ☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

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SALEM, OREGON

9. ATTACHMENTS

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

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☒ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- ☒ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☐ *Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☒ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

- ☒ Enclosed; *or*
- ☐ Not Required if all of the following are met:
- ❶ In EFU zone or irrigation district,
 - ❷ Change in place of use only,
 - ❸ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ❹ Irrigation only.

Fees:

- ☒ Amount enclosed: \$ _____
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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WATER RESOURCES DEPT
SALEM, OREGON

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

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

10. SIGNATURES

- Check one of the following, as appropriate, and sign the application in the signature box below:

☒ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a notarized statement consenting to the transfer (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

☐ I (we) affirm that 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. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is NOT required to provide the above described report of ownership and lien information.

☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is NOT required to provide the above described report of ownership and lien information. (NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.)

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

 applicant signature	STANLEY E. TENOLD name (print)	2/1/07 date
 applicant signature	 name (print)	 date

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FEB 05 2007

T 10312

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

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

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

▪ Certificate Number or other identifying number: 81416 _____

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
☐ Change (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) ☒ Additional (Both the old <u>and</u> new points of diversion or appropriation will be used for the portion of the water right affected by the transfer.) ☐ Historic Point of Diversion or Appropriation Change (Unauthorized point of diversion or appropriation used for more than 10 years.) ☐ Surface Water to Ground Water (A new point of appropriation will be used <u>instead of</u> the old point of diversion. The old point of diversion will <u>not</u> be used.) ☐ Point of Diversion Change due to Government Action (The old point of diversion or appropriation can no longer be used due to government action.) ☐ Exchange (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	☐ All of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.) ☐ Only a <u>portion</u> of the right will be exercised at a different location than currently authorized (Use of water at the current location will be discontinued.)	Proposed new use: ☐ Irrigation ☐ Municipal ☐ Quasi-municipal ☐ Commercial ☐ Industrial ☐ Instream (complete and attach <i>Supplemental Form C</i>) ☒ Domestic (indicate number of households) <u> 2 </u> ☐ Other _____ ☐ Substitution (A supplemental ground water right will be substituted for a primary surface water right.) ☐ Supplemental Use to Primary Use (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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FEB 05 2007

WATER RESOURCES DEPT
SALEM, OREGON

1 10312

2. CURRENT WATER RIGHT INFORMATION

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

☐ Certificated Right	81416 Certificate Number	47919 Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right	 Name of Decree	 Page Number
☐ Permit for which Proof has been Approved	 Permit Number	 Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed	 Previous Transfer Number	 Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Stanley E. Tenold _____
- County: Douglas _____
- Authorized Use(s) to be Affected by Transfer: Irrigation _____
- Priority Date(s): _____ July 13, 1983 & August 11, 1983
*If there are **multiple Priority Dates** identified on the water right, any information provided on pages 3 through 6 of this form **must identify** which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.*
- Source(s) of Water to be Affected by Transfer: North Myrtle Creek _____

Tributary to: Myrtle Creek

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

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

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

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

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

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

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SALEM, OREGON

T 10312

■ Certificate Number or other identifying number: Cert. 81416 _____

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

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

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

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

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
	NA							

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

☐ Yes ☒ No (Surface water source only.)

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

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

or

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

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

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

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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SALEM, OREGON

Source and Priority Date	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)

▪ Certificate Number or other identifying number: Cert. 81416 _____

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

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

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

☐ N/A – Instream Water Right Transfer

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

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
North Myrtle Creek, July 13,1983	29S	5W	W M	13	SW SE	Lot 5	200' North & 2380' West from SE corner of Section 13, T29S, R5W. WM.
North Myrtle Creek, July 13,1983							300' North & 2180' West from SE corner of Section 13, T29S, R5W. WM.

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☒ N/A - No proposed well(s) listed above.

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

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

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SALEM, OREGON

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

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

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

▪ Certificate Number or other identifying number: Cert. 81416 _____

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

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

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Source	Township	Range	Mer	Sec	$\frac{1}{4}$ $\frac{1}{4}$ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)

Remarks: _____

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WATER RESOURCES DEPT
SALEM, OREGON

Dorothy Pedersen

From: Stan Tenold [stantenold@yahoo.com]
Sent: Tuesday, August 14, 2007 10:39 AM
To: Dorothy Pedersen
Subject: Water Rights Transfer T-10312

*Revision to
application
statement*

Dorothy,

I was able to speak with Bill Ruppert today, he will be home tomorrow and will look at my email request that I sent him.

Below is a statement to confirm what I want to want to achieve with the transfer.

1. The portion of the right that is included in the transfer is appurtenant to Tax Lot 201 and Tax Lot 202, in Lot 5 (SW SE) of Section 13, T29S, R5W.
2. Tax Lot 201 will use POD #1 for one domestic use, and both POD #1 and POD #3 for the portion of irrigation within the tax lot.
3. Tax Lot 202 will use POD #2 for one domestic use, and both POD #2 and POD #3 for the portion of irrigation within the tax lot.
4. The acreage within each of these tax lots will be quantified on the map, so that the map will show (with acreage labels and hatchuring patterns):
 - a. The acreage in each of the two tax lots that is being converted from irrigation to domestic;
 - b. The acreage in each of the two tax lots that is remaining as irrigation, but that will now be accessing additional PODs;
 - c. The remaining acreage in each quarter-quarter that is NOT included in the transfer.
5. The remaining portion, being _____ acres of irrigation and one domestic use from the original PODs on Certificate 81416, will have no changes, and will be included in a remaining right certificate.

Bill Ruppert will modify the map to make the necessary changes.

Thank you,

Stan Tenold

8/14/2007

Water Right Transfer Supplemental Form B
AFFIDAVIT ATTESTING TO THE USE OF WATER

State of ~~Oregon~~ California)
) ss
 County of Sonoma)

I, Stanley E. Tenold, in my capacity as owner,
 mailing address PO Box 251, Bodega Bay, CA
 telephone number (707) 825 9453, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; **or**
- ☒ The water right was leased instream at some time within the last five years. The instream lease number is as follows: L-652; **or**
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

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

☐ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township		Range		Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
29	S	5	W	WM	13	SW SE	Lot 5	7.1
					13	SE SE	Lot 6	0.9
					13	NE SE	DLC 49	2.1

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SALEM, OREGON**

(continues on reverse side)

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

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

4. The water right was exercised for the authorized purpose described below (e.g., crops grown):
Pasture _____

5. The water delivery system used to apply water as authorized by the right is described below:

Pump information

Brand	Model	Serial Number	Type	Intake size	Discharge size	Impeller
Paco	130-150 gpm	Cat #12209- 03-0001- 1741-	Centrifugal	2"	1.5"	6.15

Motor information

Brand	Model	Horsepower	Max RPM	Voltage
Baldor		7.5	3450	? 3 Phase

Pipe lines and sprinklers as listed on Claim of Beneficial use.

6. One or more of the following documentation supporting the above statements is attached:

- ☒ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☐ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☒ Instream lease number L-652,
- ☐ Other: _____

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**WATER RESOURCES DEPT
SALEM, OREGON**

Stanley C. T. T. T.
Signature of Affiant

2/2/07
Date

Signed and sworn to (or affirmed) before me this 2ND day of FEBRUARY, 2007.



[Signature]
Notary Public for Oregon

My Commission Expires: 01-30-2009

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

STATE OF OREGON

COUNTY OF DOUGLAS

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

STANLEY E. TENOLD
P.O. BOX 751
BODEGA BAY, CALIFORNIA 94923

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WATER RESOURCES DEPT
SALEM, OREGON

confirms the right to use the waters of NORTH MYRTLE CREEK, a tributary of MYRTLE CREEK, for DOMESTIC USE FOR ONE FAMILY AND IRRIGATION OF 10.1 ACRES.

This right was perfected under Permit 47919. The date of priority is JULY 13, 1983 FOR 0.095 CUBIC FOOT PER SECOND (CFS) AND AUGUST 11, 1983 FOR 0.036 CFS. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 0.131 CUBIC FOOT PER SECOND; BEING 0.005 CFS FOR DOMESTIC AND 0.126 FOR IRRIGATION, or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

DOMESTIC - LOT 6 (SE 1/4 SE 1/4), SECTION 13, TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.; 2235 FEET SOUTH AND 1100 FEET WEST FROM THE E 1/4 CORNER OF SECTION 13; AND

IRRIGATION - LOT 5 (SW 1/4 SE 1/4), SECTION 13, TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.; 2160 FEET SOUTH AND 1715 FEET WEST FROM THE E 1/4 CORNER OF SECTION 13.

This is a final order in other than a contested case. This order is subject to judicial review under ORS 183.484. Any petition for judicial review must be filed within the 60 day time period specified by ORS 183.484(2). Pursuant to ORS 536.075 and OAR 137-004-0080 you may either 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.

In addition, under ORS 537.260 any person with an application, permit or water right certificate subsequent in priority may jointly or severally contest the issuance of the certificate at any time before it has issued, and after the time has expired for the completion of the appropriation under the permit, or within three months after issuance of the certificate.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is 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 2 ½ acre-feet per acre for each acre irrigated during the irrigation season of each year.

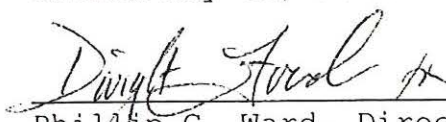
The use shall conform to such reasonable rotation system as may be ordered by the proper state officer.

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

NE 1/4 SE 1/4 2.1 ACRES
AS PROJECTED WITHIN DLC 49
LOT 5 (SW 1/4 SE 1/4) 7.1 ACRES
LOT 6 (SE 1/4 SE 1/4) 0.9 ACRE AND DOMESTIC
SECTION 13
TOWNSHIP 29 SOUTH, RANGE 5 WEST, W.M.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

Issued May 12, 2005.


Phillip C. Ward, Director
Water Resources Department

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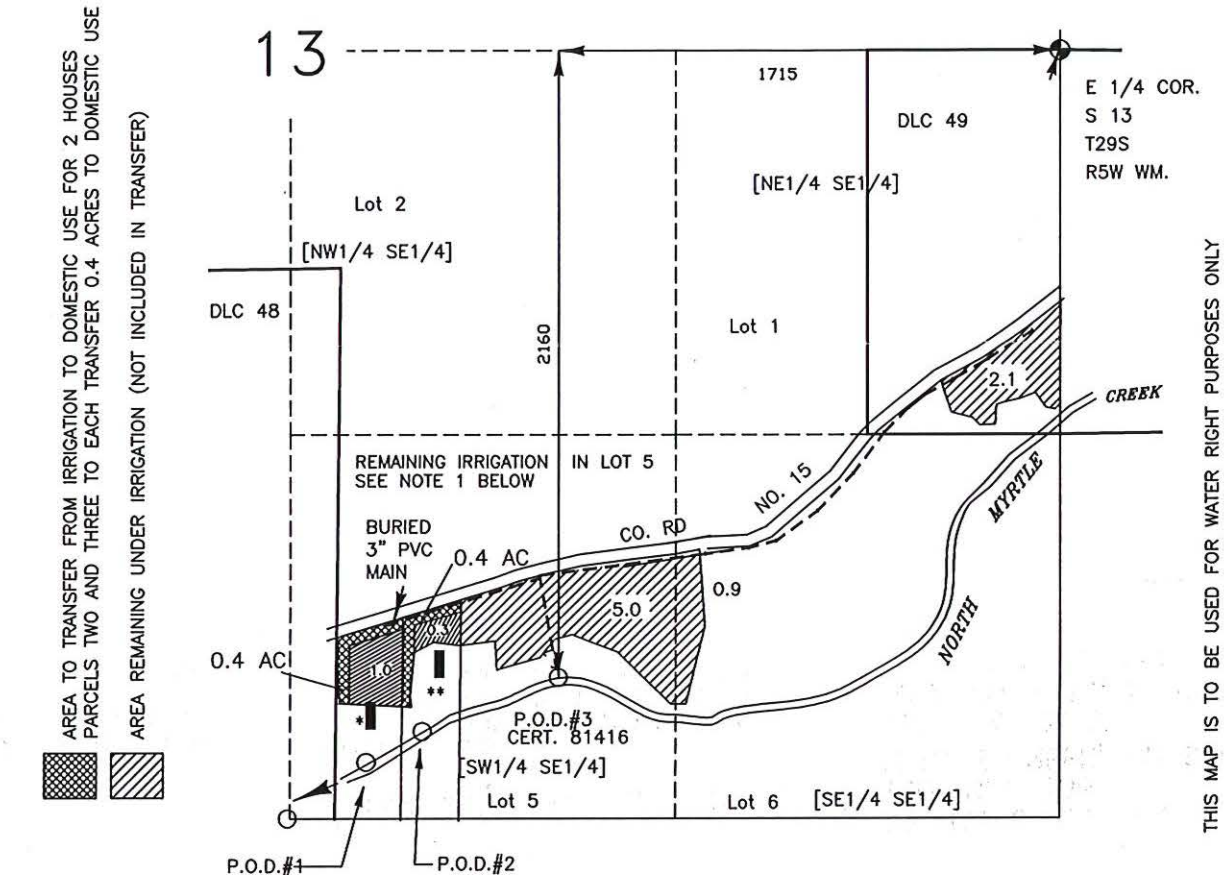
WATER RESOURCES DEPT
SALEM, OREGON

Recorded in State Record of Water Right Certificates Number 81416.

65296.SB

1 10312

SE 1/4 SECTION 13, T29S, R5W, WM



- POD #1 200' NORTH & 2380' WEST FROM THE SE CORNER SECTION 13
POD #2 300' NORTH & 2180' WEST FROM THE SE CORNER SECTION 13.
- * PARCEL 2 OF LAND PARTITION 2006-24, TAX LOT 201
ASSESSOR PAGE 29 05 13 (1.0 ACRES IRRIGATION REMAINING)
- ** PARCEL 3 OF LAND PARTITION 2006-24, TAX LOT 202
ASSESSOR PAGE 29 05 13 (0.3 ACRES IRRIGATION REMAINING)

POD 1 AND 2 ARE FOR DOMESTIC USE AND ADDITIONAL PODs
FOR IRRIGATION.

HOUSES ARE NOT CONSTRUCTED AS OF APPLICATION DATE.
HOUSES MAY BE LOCATED ANYWHERE ON EACH PARCEL.

MAP TO ACCOMPANY TRANSFER APPLICATION
PERMIT NO. 47919, CERTIFICATE NO. 81416

IN NAME OF

Stanley E. Tenold

BY: WILLIAM J. RUPPERT
P.O. BOX 1564
MYRTLE CREEK, OR 97457
JAN. 26, 2007
REV. JUNE 18, 2007
REV. AUG. 16, 2007

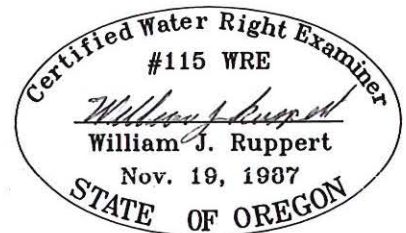
NOTE 1
1.0 ACRES IN TAXLOT 201
0.3 ACRES IN TAXLOT 202
5.0 ACRES NOT IN TRANSFER
6.3 ACRES IN GOV. LOT 5



0 330 660 1320

SCALE

SCALE 8"=1MILE



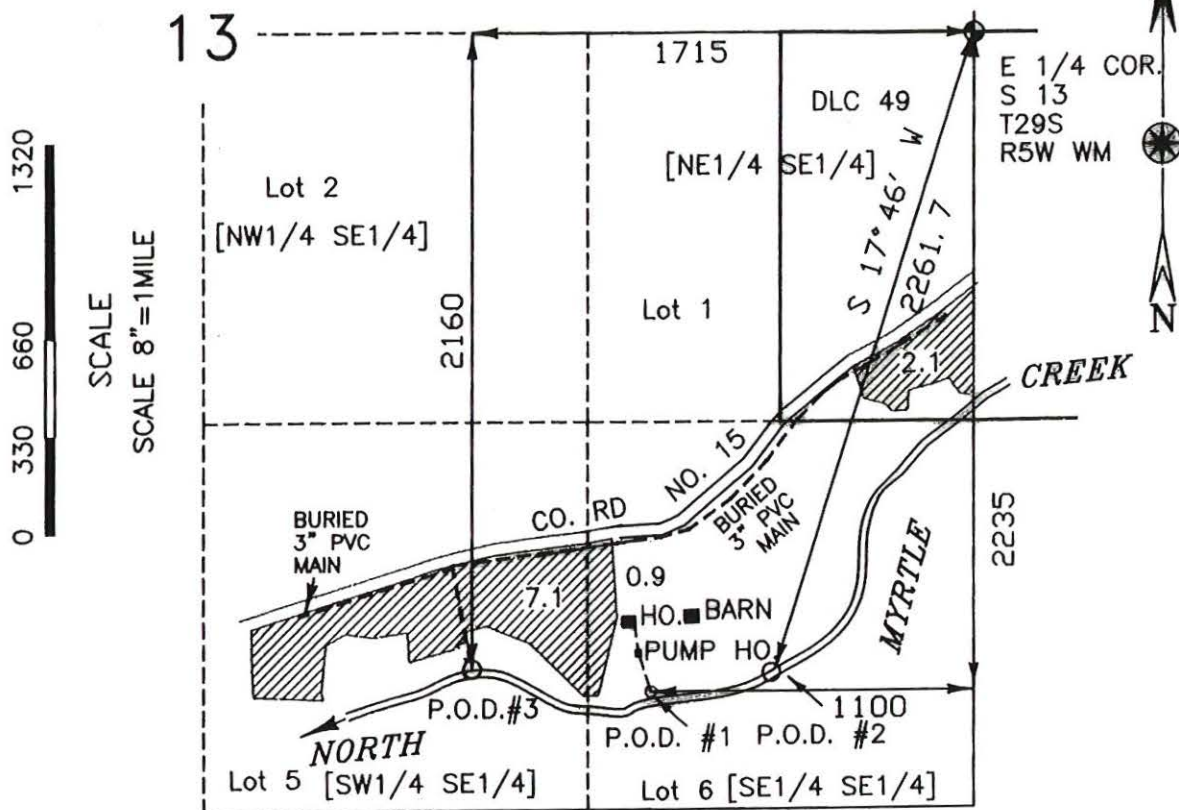
EXPIRES 12/64/08

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AUG 24 2007

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SALEM, OREGON

SE 1/4 SECTION 13, T29S, R5W, WM



BURIED PIPE: 1.5" PVC PIPE POD #1 TO PUMP
0.75" PVC PIPE FROM PUMP TO HOUSE

SURVEY BASED ON
AERIAL PHOTO

THIS MAP IS TO BE USED FOR WATER RIGHT PURPOSES ONLY

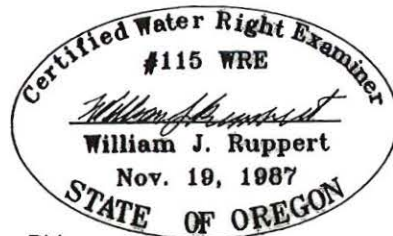
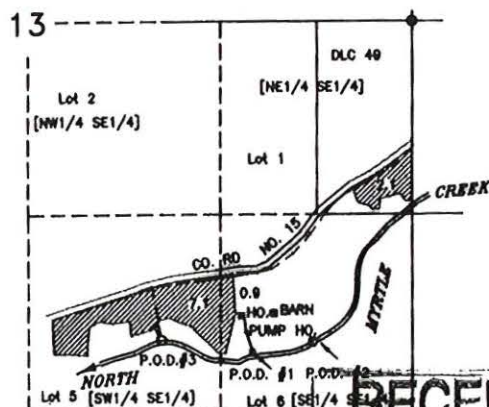
MAP TO ACCOMPANY CLAIM OF BENEFICIAL USE FOR WATER PERMIT 47919, APPL. 65296

ASSESSOR PAGE 29 05 13
TAX LOT 200

IN NAME OF

Stanley E. Tenold

SCALE
SCALE 4"=1MILE



BY:

WILLIAM J. RUPPERT
P.O. BOX 1564
MYRTLE CREEK, OR 97457

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FEB. 5, 2005

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FEB 24 2005

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SALEM, OREGON

FEB 05 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10312

Planning and Sanitation Pre-Application Worksheet No. 2007-111

Planning approval shall be valid for one (1) year from the date of approval.

OTHER ACTION

APPLICANT INFORMATION

Applicant: WILLIAM RUPPERT
P.O. BOX 1564

MYRTLE CREEK, OR 97457

Phone: 863-4855

Owner: TENOLD, STANLEY E TRS OF THE
STANLEY E TENOLD REV TRUST
PO BOX 751
BODEGA BAY, CA 94923

Phone:

Site Address: 0 NORTH MYRTLE RD, MYRTLE CREEK

Acct. No.: R128921

Size: 6.98

MTL: 29-05W-13-00202

Improvement: LUCS FOR TRANSFER OF WATER RIGHT

Use: LUC - LUC

Existing Structures (Number & Type): VACANT

Distance of Building Site from River, Creek or Stream Bank:

Directions: I-5 SOUTH, EXIT MYRTLE CREEK, 3RD STREET TO DIVISION, GO RIGHT TO NORTH MYRTLE, TURN LEFT, PROPERTY ON THE RIGHT.

As, for, or on behalf of, all property owners:

Applicant Signature: William Rupert Date: 1-26-07

PLANNING DEPARTMENT INFORMATION LOR:

Zoning:

Overlays:

Setbacks from Front Property Line of Public Right of Way :		
Rear Line :		Ext Side Line :
Side Line :		Special Setback:
		Sign Code:
		SC.NA
Riparian Setback in Feet:		Building Height:

Parking Spaces Required: N/A

Floodplain: N

Floor Height Above Ground:

Conditions of Approval: LUCS TO CONVERT EXISTING IRRIGATION WATER-RIGHTS TO DOMESTIC WATER USE FOR PARCEL 2 (TL.201) AND PARCEL 3 (TL.202) OF P/D FILE 05-026. NO STRUCTURAL DEVELOP. AUTHORIZED.

Sanitation: : 99 N/A Water: Private Public

Access:

Report Codes: WATER

Approval By: SDM Receipt#: W2007.20307

Date: 01/26/2007

Amount: \$20.00

Refer To:

SANITATION INFORMATION

SE# STP# Existing System System: Approved Denied

Remarks:

By: Date: CSC Date:

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WATER RESOURCES DEPT
SALEM, OREGON

1 10312



Oregon Water Resources Department Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Stanley E. Tenold
Mailing Address: PO Box 751
City: Bodega Bay State: OR Zip: 94923 Day Phone: 650-269-0034

This application is related to a Measure 37 claim. ☐ Yes ☐ No

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
29S	5W	13	SW SE	201 & 202	FC FT	☒ Diverted ☒ Conveyed ☒ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. Douglas County

B. Description of Proposed Use

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

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

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

Estimated quantity of water needed: 0.01 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

Intended use of water: ☐ Irrigation ☐ Commercial ☐ Industrial ☒ Domestic for 2 household(s)
☐ Municipal ☐ Quasi-municipal ☐ Instream ☐ Other _____

Briefly describe: 0.8 acres are to be converted to domestic use for 2 households

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

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

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WATER RESOURCES DEPT
SALEM, OREGON

T 10312

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

☐ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): _____.

☒ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.)

If approvals have been obtained but all appeal periods have not ended, check "Being pursued".

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
	P/D File 05-026	☐ 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

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

DOUGLAS COUNTY PLANNING DEPARTMENT

ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470

Name: _____ Title: Planner

Signature: Stephanie Morgan Phone: 440-4289 Date: 1-26-07

Government Entity: _____

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

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Receipt for Request for Land Use Information

Applicant name: _____

**WATER RESOURCES DEPT
SALEM, OREGON**

City or County: _____ Staff contact: _____

Signature: _____ Phone: _____ Date: _____

Dorothy Pedersen

From: Stan Tenold [stantenold@yahoo.com]
Sent: Friday, December 29, 2006 10:12 AM
To: Dorothy Pedersen
Cc: Anita.M.HUFFMAN@wrд.state.or.us
Subject: Re: Tenold Water Rights Application

I just wanted to let you know that I have contracted with Mr. Bill Ruppert of Myrtle Creek to file for the water rights change to use a portion of my irrigation rights for the domestic use during the summer months.

In a letter dated 8/8/2006 Anita had placed the transfer on Administrative hold until 2/5/07. I believe Mr. Ruppert will complete the application prior to that date. If you have any questions please contact myself 707 875 9453, or Mr. Ruppert 541 863 4855.

Thank you,

Stan Tenold

On Jul 28, 2006, at 3:52 PM, Dorothy Pedersen wrote:

> Stan,
>
> Your lease L-652 involves putting the irrigation water from
> Certificate
> 81416 instream and expires October 31, 2009. The domestic portion of
> the Certificate 81416 right is still in use on the land.
>
> Certificate 81479 is for irrigation of 11.3 acres on adjacent
> property.
>
> You could apply to convert 0.4 acre of irrigation under the
> Certificate
> 81479 right from to 0.005 domestic use during the irrigation season.
> This would involve filing a transfer application for a change in
> character of use and place of use. You could also add a change in
> point of diversion if you wish.
>
> Another possibility would be to terminate the lease prematurely and
> transfer a portion of the water under Certificate 81416 from
> irrigation to domestic without increasing the total rate or volume of
> water allowed under the right. You could convert 0.4 acre of
> irrigation to domestic use, and keep the amount of water per acre
> constant.
>
> All transfer applications are subject to a review to determine whether
> the change would cause injury to other water rights. There is a
> backlog in transfer processing, so that a new application may not be
> processed for a couple years, however, through the Reimbursement
> Authority program you have the option to pay extra for the Department
> to contract the project out to an outside consultant. Expedited
> transfers through this program can be processed in about 4-6 months.
> You can learn about this program from www.wrd.state.or.us by selecting
> "forms", then clicking on the gray shaded "Reimbursement Authority"
> box in the lower right corner.
>
> You can reach me by email or (503) 986-0890 if you have further
> questions.
>
> Dorothy
>

>
> Dorothy Pedersen
> (503) 986-0890
> -----Original Message-----
> From: Stan Tenold [mailto:stantenold@yahoo.com]
> Sent: Sunday, July 23, 2006 8:49 PM
> To: Dorothy Pedersen
> Subject: Tenold Water Rights Application
>
> Dorothy,
>
> Thank you for speaking with me on Friday.
>
> The instream lease # is L-652
>
> The certificate numbers for my water rights are: 47919 is the property
> which contains the two lots that I applied for the domestic Water
> Rights, and 24813 is the water right for adjacent property.
>
> Please contact me via email or phone 707 875 9453 after you have
> reviewed the situation.
>
> Thank you,
>
> Stan Tenold
>

Dorothy Pedersen
(503) 986-0890
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1266

Dear Dorothy Pederson,

Attached are the documents for the Water Rights Transfer for the domestic use applications that have previously been filed and are currently on administrative hold (referenced in the attached emails).

I have attached a payment of \$700, which is the amount that my CWRE has computed. I will contact you regarding prior payments to clarify the amounts.

Please call 707 875 9453 if there are any questions.

Thank you,



Stan Tenold

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FEB 05 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10312

On Jul 28, 2006, at 3:52 PM, Dorothy Pedersen wrote:

Stan,

Your lease L-652 involves putting the irrigation water from Certificate 81416 instream and expires October 31, 2009. The domestic portion of the Certificate 81416 right is still in use on the land.

Certificate 81479 is for irrigation of 11.3 acres on adjacent property.

You could apply to convert 0.4 acre of irrigation under the Certificate 81479 right from to 0.005 domestic use during the irrigation season. This would involve filing a transfer application for a change in character of use and place of use. You could also add a change in point of diversion if you wish.

Another possibility would be to terminate the lease prematurely and transfer a portion of the water under Certificate 81416 from irrigation to domestic without increasing the total rate or volume of water allowed under the right. You could convert 0.4 acre of irrigation to domestic use, and keep the amount of water per acre constant.

All transfer applications are subject to a review to determine whether the change would cause injury to other water rights. There is a backlog in transfer processing, so that a new application may not be processed for a couple years, however, through the Reimbursement Authority program you have the option to pay extra for the Department to contract the project out to an outside consultant. Expedited transfers through this program can be processed in about 4-6 months. You can learn about this program from www.wrd.state.or.us by selecting "forms", then clicking on the gray

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WATER RESOURCES DEPT
SALEM, OREGON

shaded

"Reimbursement Authority" box in the lower right corner.

You can reach me by email or (503) 986-0890 if you have further questions.

Dorothy

Dorothy Pedersen

(503) 986-0890

-----Original Message-----

From: Stan Tenold [mailto:stantenold@yahoo.com]

Sent: Sunday, July 23, 2006 8:49 PM

To: Dorothy Pedersen

Subject: Tenold Water Rights Application

Dorothy,

Thank you for speaking with me on Friday.

The instream lease # is L-652

The certificate numbers for my water rights are: 47919 is the property which contains the two lots that I applied for the domestic Water Rights, and 24813 is the water right for adjacent property.

Please contact me via email or phone 707 875 9453 after you have reviewed the situation.

Thank you,

Stan Tenold

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FEB 05 2007

WATER RESOURCES DEPT
SALEM, OREGON

T 10312

August 1, 2007

Water Resources Dept
Attn: Dorothy Pedersen
North Mall Office Building
725 Summer St. NE, Suite A
Salem, OR 97301-1266

Re: T-10312

Dear Ms. Pedersen

Attached are the Title Company Reports regarding ownership of the property involved in T-10312.

There are no liens involved on these properties. If you have further questions please contact me (707 875 9453) or Janice Blohm at Amerititle.

Thank you,

Stan Tenold

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AUG 06 2007

**WATER RESOURCES DEPT
SALEM, OREG**

Dorothy Pedersen

From: Stan Tenold [stantenold@yahoo.com]
Sent: Tuesday, August 14, 2007 9:46 AM
To: Dorothy Pedersen
Subject: Water Rights Transfer T-10312, Title Company Lien Statement

Attachments: Amertitle Lien Statement.pdf



Amertitle Lien
Statement.pdf (...)

Attached is the Title Company statement regarding liens on the property.

Thank you,

Stan Tenold



Janice Blohm, Title Examiner

541 672 6651 • Fax: 541 672 5793
1495 NW Garden Valley Blvd • Roseburg, Oregon 97470
e-mail: janiceb@ameri-title.com • website: www.ameri-title.com
Part Of The JELD-WEN Family

August 7, 2007

Stan Tenold
P.O. Box 751
Bodega Bay, CA 94923

Dear Stan,

Per your request, I have completed a search for encumbrances against Parcels 1, 2, and 3 of Land Partition 2006-24 owned by Stanley E. Trenold, trustee of the Stanley E. Trenold Revocable Trust.

As of this date: August 7, 2007 there are none.

Respectfully,

Janice Blohm
Title Examiner



July 27, 2007

Stan Tenold
P.O. Box 751
Bodega Bay CA 94923

Re: Order #69717

Dear Stan:

Please find enclosed per your request, documentation as to your ownership of parcels 1, 2, and 3 of land partitions 2006-24 and 2007-77.

Sincerely,

Janice Blohm
Title Examiner

Encls

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AUG 06 2007
WATER RESOURCES DEPT
SALEM, OREGON

AUDREY SHARP

_____, hereinafter called grantor, convey(s) to
STANLEY E. TENOLD and MARGO L. TENOLD, husband and wife
 of Douglas, State of Oregon, described as:

A parcel of land located in Sections 13 and 24, Township 29 South, Range 5 West, Willamette Meridian, Douglas County, Oregon, being more particularly described as follows:

The West one-half of the Northeast one-quarter of Section 13, Township 29 South, Range 5 West, Willamette Meridian, Douglas County, Oregon.

Also, the Southeast fractional quarter (being Lots 1, 2, 5 and 6 and all that portion of the Donation Land Claim of Henry Wiley, being Notification No. 149 and Claim No. 49, situated in said quarter) of Section 13, Township 29 South, Range 5 West, Willamette Meridian.

Also, Lot 7 and the Northeast quarter of the Northeast quarter of Section 24, Township 29 South, Range 5 West, Willamette Meridian.

and covenant(s) that grantor is the owner of the above described property free of all encumbrances except _____
rights of the public, easement and forest land tax

and will warrant and defend the same against all persons who may lawfully claim the same, except as shown above.

The true and actual consideration for this transfer is \$ 200,000.00.

Dated this 23 day of March, 19 83.

Lynn W. Ullam, attorney in fact
 Lynn W. Ullam, attorney in fact for
 Audrey Sharp *for Audrey Sharp*

STATE OF OREGON, County of Douglas) ss.

March 23, 19 83 personally appeared the above named
Lynn W. Ullam, attorney for Audrey Sharp and acknowledged the foregoing
 instrument to be his voluntary act and deed.

Before me:

Michael D. Schindler
 Notary Public for Oregon
 My commission expires: 4-16-85

- * The dollar amount should include cash plus all encumbrances existing against the property to which the property remains subject or which the purchaser agrees to pay or assume.
- ** If consideration includes other property or value, add the following: "However, the actual consideration consists of or includes other property or value given or promised which is part of the/the whole consideration." (Indicate which)

WARRANTY DEED (INDIVIDUAL)

Audrey Sharp

TO

Stanley E. & Margo L. Tenold

After Recording Return to:

MAIL TAX STATEMENTS TO:
 22654 Oak Crest Court
 Cupertino, CA 95014

STATE OF OREGON,

STATE OF OREGON } ss.
 COUNTY OF DOUGLAS }

County of _____

I, DORIS L. WADSWORTH, COUNTY CLERK
 AND RECORDER OF CONVEYANCES, AM AND FOR
 SAID COUNTY, DO HEREBY CERTIFY THAT THE
 WITHIN INSTRUMENT WAS RECORDED THIS DAY.

I certify that the within instrument was recorded on the _____ day of _____

on the _____ day of _____

at _____ o'clock _____ M. and recorded in book _____ page _____

on page _____ Records of Deeds of said County.

Witness my hand and seal of County Clerk, DORIS L. WADSWORTH
 DOUGLAS COUNTY CLERK

BY _____

No. _____

By _____

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AUG 06 2007

ATER RESOURCES DE
 SALEM, OREGON

15/114 UMPQUA TITLE & ESCROW SERVICES

101

2002-18321

BOOK 1885 PAGE 765

STANLEY E. TENOLD and MARGO L. TENOLD, husband and wife

22051 RAKENET CT
Cupertino, CA 95014

Stanley E. Tenold a single man

714 Logan ST
Bodega Bay, CA 94923

All recording, return to fileno, Address, Zip:

Stanley E. Tenold

P.O. Box 251

Bodega Bay, CA 94923

All recording, return to fileno, Address, Zip:

Stanley E. Tenold

P.O. Box 251

Bodega Bay, CA 94923

STATE OF OREGON, County of DOUGLAS

DOYLE SHAWER JR., COUNTY CLERK AND
RECORDER OF CONVEYANCES, do hereby certify
that this instrument was recorded on

02 JUL - 2002 at o'clock M., and recorded in

BOOK No. on page
and/or as fee/file/instrument/microfilm/reception

for DOYLE SHAWER JR., Records of this County.

RECORDED AS COUNTY CLERK

Witness my hand and seal of County affixed.

IN THE OFFICIAL RECORDS OF DOUGLAS COUNTY

By Ann 163/21

TITLE

Deputy.

SPECIAL WARRANTY DEED

KNOW ALL BY THESE PRESENTS that

Stanley E. Tenold and Margo L. Tenold, husband and wife

hereinafter called grantor, for the consideration hereinafter stated, to grantor paid by Stanley E. Tenold a single man

hereinafter called grantee, does hereby grant, bargain, sell and convey unto the grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or in any way appertaining, situated in Douglas County, State of Oregon, described as follows, to-wit:

A parcel of land located in Sections 13 and 24, Township 29 South, Range 5 West, Willamette Meridian, Douglas County, Oregon, being more particularly described as follows:

The West one-half of the Northeast one-quarter of Section 13, Township 29 South, Range 5 West, Willamette Meridian, Douglas County, Oregon.

Also, the Southeast fractional quarter (being Lots 1, 2, 5 and 6 and all that portion of the Donation Land Claim of Henry Wiley, being Notification No. 149 and Claim No. 49, situated in said quarter) of Section 13, Township 29 South, Range 5 West, Willamette Meridian.

Also, Lot 7 and the Northeast quarter of the Northeast quarter of Section 24, Township 29 South, Range 5 West, Willamette Meridian.

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto grantee and grantee's heirs, successors and assigns forever.

And grantor hereby covenants to and with grantee and grantee's heirs, successors and assigns, that the real property is free from encumbrances created or suffered thereon by grantor and that grantor will warrant and defend the same and every part and parcel thereof against the lawful claims and demands of all persons claiming by, through, or under the grantor.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 500,000.00. However, the actual consideration consists of or includes other property or value given or promised which is ☐ the whole ☐ part of the (indicate which) consideration. (The sentence between the symbols ☐, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed, where the context so requires, the singular includes the plural, and all grammatical changes shall be made so that this deed shall apply equally to corporations and to individuals.

In witness whereof, the grantor has executed this instrument on June 26, 2002; if grantor is a corporation, it has caused its name to be signed and its seal, if any, affixed by an officer or other person duly authorized to do so by order of its board of directors.

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON ACQUIRING FEE TITLE TO THE PROPERTY SHOULD CHECK WITH THE APPROPRIATE CITY OR COUNTY PLANNING DEPARTMENT TO VERIFY APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWSUITS AGAINST FARMING OR FOREST PRACTICES AS DEFINED IN ORS 30.930.

California

STATE OF OREGON, County of Santa Clara

This instrument was acknowledged before me on June 26, 2002by Margo Lynn Tenold and Stanley Edward Tenold

This instrument was acknowledged before me on

2002-18321

by

as

of



Linda Hirschy

Notary Public for Oregon California

My commission expires March 14, 2004

RECEIVED

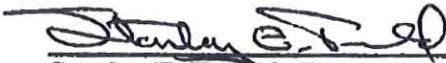
AUG 06 2007

WATER RESOURCES DEPT
SALEM, OREGON

**CONSENT AFFIDAVIT
LAND PARTITION PLAT 2005-**

DECLARATION:

Know all people by these present that Stanley E. Tenold, Trustee of the Stanley E. Tenold Revocable Trust, as grantee of that Grant Deed recorded as Instrument No. 2004-025901 of the Records of Douglas County, Oregon is the owner of the land represented on and more particularly described in the Surveyor's Certificate of Land Partition Plat 2005-0024 and in accordance with the provisions of Chapter 92, Oregon Revised Statutes has caused the same to be surveyed and partitioned as shown and described on said Land Partition Plat and also has caused the waterline easement shown thereon to be created.

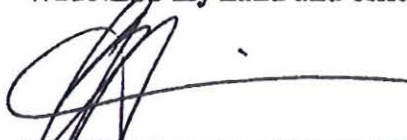

Stanley E. Tenold, Trustee

NOTARY ACKNOWLEDGEMENT

STATE OF CALIFORNIA)
 SONOMA) ss.
COUNTY OF ~~SANTA CLARA~~)

Before me, SHONA L. WEIR, the undersigned notary public, this 26th day of OCTOBER, 2005, personally appeared, Stanley E. Tenold, Trustee of the Stanley E. Tenold Revocable Trust, personally known to me (or proved to me on the basis of satisfactory evidence) to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on this instrument, the person or the entity and person upon behalf of which the person acted, executed this instrument.

WITNESS my hand and official seal.



NOTARY PUBLIC, STATE OF CALIFORNIA
My commission expires: 1-30-2009



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AUG 06 2007

WATER RESOURCES DE
SALEM, OREG

DOUGLAS COUNTY OFFICIAL RECORDS
BARBARA E. NIELSEN, COUNTY CLERK

2006-005828



NO FEE

END OF DOCUMENT

PLAT-CONS Cnt=1 Stn=1 RECEIPTCOUNTER
This is a no fee document

03/02/2006 02:19:57 PM



APPROVALS:
 2/28/06
 DATE
 COUNTY PLANNING DIRECTOR
 2/28/06
 DATE
 COUNTY SUPERVISOR

2006-006024
 FILED THE 28th DAY OF March, 2006
 BY *Debbie L. Smith*
 COUNTY CLERK

ZONING & UTILITIES:
 ZONING: PLANNING USE-GRADING (PUG) &
 FOREST (F)
 COAR. PLAN: AGRICULTURAL & FOREST TRANSITIONAL
 WATER: WELL
 SEWER: SEWER
 DOUGLAS COUNTY PLANNING DEPARTMENT FILE NO. 05-026

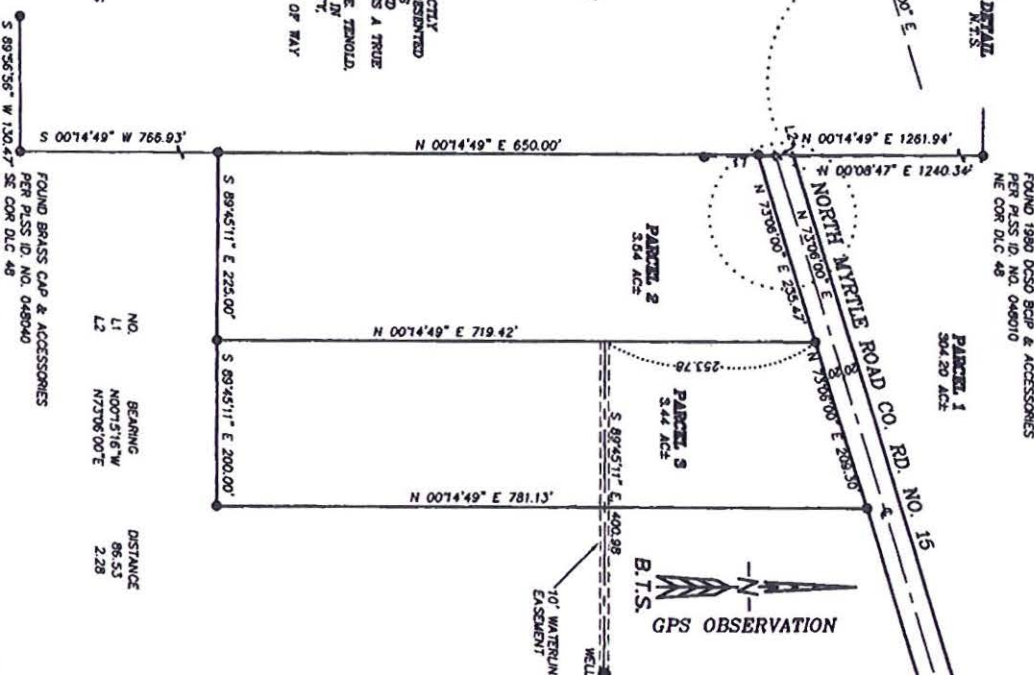
TAX COLLECTOR'S CERTIFICATE:
 I HEREBY CERTIFY THAT ALL TAXES AND SPECIAL ASSESSMENTS OR
 OTHER CHARGES REQUIRED BY LAW HAVE BEEN PAID.
Heidi K. Chubb
 DOUGLAS COUNTY TAX COLLECTOR
 DATE 3/16/06

SURVEYOR'S CERTIFICATE:
 I, KRISTIAN O. DEGROOT, HEREBY CERTIFY THAT I HAVE CORRECTLY
 SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS REPRESENTED
 AS PARCELS 1, 2, 3 AND 4 AND THAT I HAVE CORRECTLY DESCRIBED
 PARCELS OF THIS LAND PARTITION PLAT OF WHICH THE FOLLOWING IS A TRUE
 AND CORRECT DESCRIPTION:
 THOSE PARCELS OF LAND DESCRIBED IN A DEED TO STANLEY E. TENOLD,
 TRUSTEE OF THE STANLEY E. TENOLD TRUST, DATED AND RECORDED IN
 INSTRUMENT NO. 2004-063604 OF THE RECORDS OF DOUGLAS COUNTY,
 OREGON.
 LESS AND EXCEPTING THAT PORTION LYING WITHIN THE RIGHT OF WAY
 OF NORTH MYRTLE ROAD NO. 15.

LEGEND:
 • SET 5/8" 30" IRON ROD W/PLASTIC CAP "BTS ENG-SURV"
 • FOUND BRASS CAP AS NOTED
 • FOUND 5/8" IRON ROD PER M. 129-11
 • FOUND 1" IRON PIPE (OLD) PER 1920 COUNTY ROAD NO. 15 PLANS

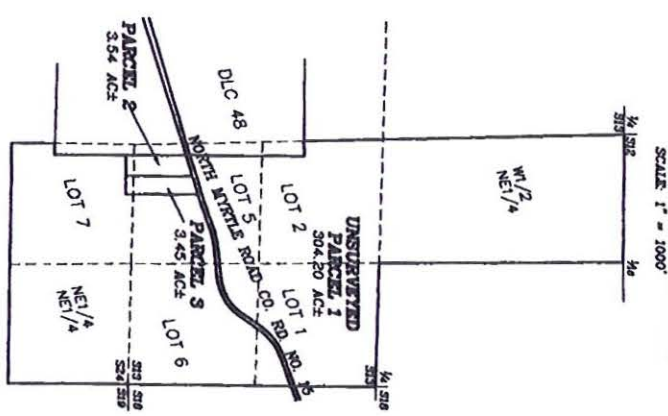
DECLARATION:
 I, KRISTIAN O. DEGROOT, HEREBY CERTIFY THAT I HAVE CORRECTLY
 SURVEYED AND MARKED WITH PROPER MONUMENTS THE LANDS REPRESENTED
 AS PARCELS 1, 2, 3 AND 4 AND THAT I HAVE CORRECTLY DESCRIBED
 PARCELS OF THIS LAND PARTITION PLAT OF WHICH THE FOLLOWING IS A TRUE
 AND CORRECT DESCRIPTION:
 THOSE PARCELS OF LAND DESCRIBED IN A DEED TO STANLEY E. TENOLD,
 TRUSTEE OF THE STANLEY E. TENOLD TRUST, DATED AND RECORDED IN
 INSTRUMENT NO. 2004-063604 OF THE RECORDS OF DOUGLAS COUNTY,
 OREGON.
 LESS AND EXCEPTING THAT PORTION LYING WITHIN THE RIGHT OF WAY
 OF NORTH MYRTLE ROAD NO. 15.

ACKNOWLEDGMENT BY AFFIDAVIT:
 A CONSISTENT AFFIDAVIT FOR THIS LAND PARTITION PLAT SIGNED BY STANLEY
 E. TENOLD, TRUSTEE OF THE STANLEY E. TENOLD TRUST, IS RECORDED
 IN INSTRUMENT NO. 2006-063604 OF THE RECORDS OF DOUGLAS COUNTY,
 OREGON.
 FOUND 1980 DCSO BCIP & ACCESSORIES
 PER PLSS ID NO. 046010
 NE COR. D.C. 48



NARRATIVE:
 THE PURPOSE OF THIS SURVEY WAS TO PARTITION THE
 TRACT OF LAND REPRESENTED IN THE ACCOUNTING SURVEYOR'S CERTIFICATE AND IN
 PARTICULARLY DESCRIBED IN THE ACCOUNTING SURVEYOR'S CERTIFICATE AND IN
 ACCORDANCE WITH THE PROVISIONS OF CHAPTER 22, OREGON REVISED STATUTES
 HAS CAUSED THE SALE TO BE SURVEYED AND PARTITIONED AS SHOWN ON THE
 PLAT OF THIS LAND PARTITION PLAT AND HAS CAUSED THE 10' EASEMENT
 HEREIN TO BE GRANTED FOR THE BENEFIT OF PARCELS 2 AND PARCELS 3.

PARCEL SCHEMATIC



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 AUG 06 2007
 WATER RESOURCES DEPT
 SALEM, OREGON

DATE: AUGUST 15, 2005	REGISTERED PROFESSIONAL LAND SURVEYOR <i>Kristian O. Degroot</i> KRISTIAN O. DEGROOT RENEWAL DATE: 12-31-05	PARTITION PLAT LOCATED IN SECTION 13 & 24, T.29S., R.5W., W.M. DOUGLAS COUNTY, OREGON	BTS ENGINEERING & SURVEYING, INC. 431 S.E. MAIN ST., ROSEBURG, OR 97470 PHONE (541) 673-8966 FAX (541) 673-0105 OWNER: STANLEY TENOLD P.O. BOX 751 BODEGA BAY, CA. 94923
-----------------------	--	---	--

SURVEY NARRATIVE

PURPOSE:
THIS PLAT WAS MADE TO PARTITION PARCEL 1
OF LP 2006-0024 INTO TWO PARCELS.

BOUNDARY CONTROL:
POINT A AND HOUSE TIED TO LP 2006-0024.
DIVISION LINES ARE PER OWNER INSTRUCTIONS.
APPROXIMATE SEPTIC FIELD AERIAL PHOTO LOCATED
BY OWNER.

EXCEPT AS SHOWN, BOUNDARY LINES ARE UNSURVEYED.

SURVEY, CALCULATIONS AND DRAFTING:
WILLIAM J. RUPPERT.

INSTRUMENT:
NIXON DTM 430

SURVEYOR'S CERTIFICATE:

I, WILLIAM J. RUPPERT, HEREBY CERTIFY THAT I HAVE NOT
SURVEYED THE LANDS REPRESENTED AS PARCEL 1 AND 2
OF THIS PARTITION PLAT WHICH IS DESCRIBED AS FOLLOWS:

PARCEL 1 OF LAND PARTITION 2006-0024 OF THE
RECORDS OF DOUGLAS COUNTY OREGON.

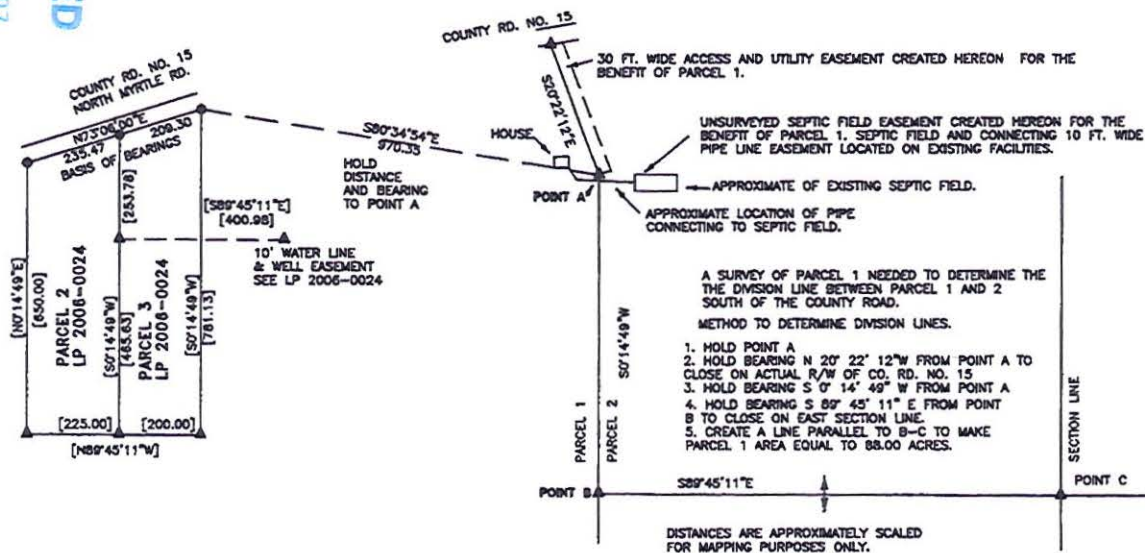
William J. Rupert
WILLIAM J. RUPPERT, P.L.S. NO. 866

LEGEND

[] RECORD AS NOTED

▲ CALCULATED POINT

● FND. 5/8"x30" IRON ROD WITH 1.5" PLASTIC CAP
"BTS ENG-SURV"



LAND PARTITION

OF PARCEL 1 OF LAND PARTITION 2006-0024

IN

E 1/2 SECTION 13, T. 29 S. R. 5 W., W.M.
NE 1/4 SECTION 24, T. 29 S. R. 5 W., W.M.

OWNER

Stanley E. Tenold, Trustee

STANLEY E. TENOLD REVOCABLE TRUST
PO BOX 751
BODEGA BAY, CA 94923

PLANNING DEPARTMENT FILE 06-084

REGISTERED
OREGON
LAND SURVEYOR

William J. Rupert
JULY 12, 1988
WILLIAM J. RUPPERT
866

MY REGISTRATION
EXPIRES 12/31/2008

PLAT BY

WILLIAM J. RUPPERT
P.O. BOX 1564
MYRTLE CREEK, OR 97457

SCALE 1"=200'

MAY 2007

SHEET 2 OF 2

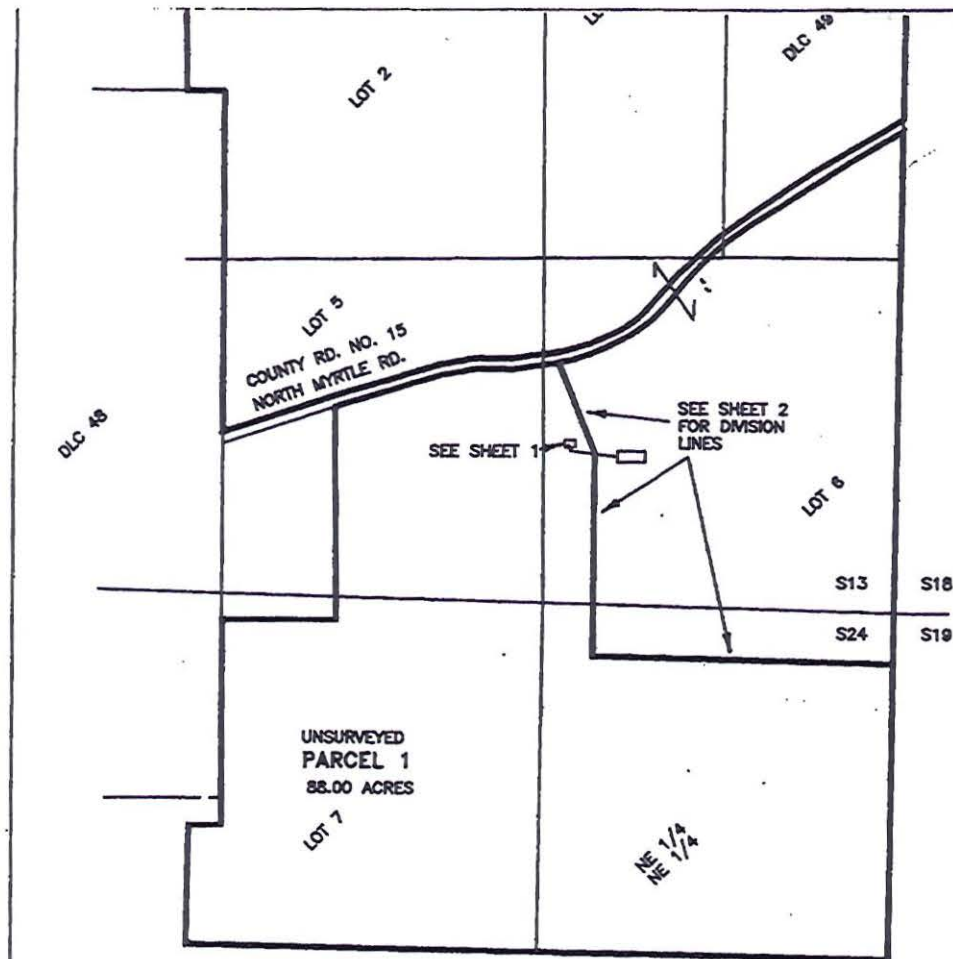
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AUG 06 2007

WATER RESOURCES DEPT

SALEM, OREGON

2007-0077 B



LAND PARTITION	
OF PARCEL 1 OF LAND PARTITION 2006-0024	
IN	
E 1/2 SECTION 13, T. 29 S. R. 5 W., W.M. NE 1/4 SECTION 24, T. 29 S. R. 5 W., W.M.	
OWNER Stanley E. Tenold, Trustee STANLEY E. TENOLD REVOCABLE TRUST PO BOX 751 BODEGA BAY, CA 94923	
PLANNING DEPARTMENT FILE 06-084	
REGISTERED OREGON LAND SURVEYOR <i>William J. Ruppert</i> JULY 12, 1968 WILLIAM J. RUPPERT 866 MY REGISTRATION EXPIRES 12/31/2008	PLAT BY WILLIAM J. RUPPERT P.O. BOX 1564 MYRTLE CREEK, OR 97457 SCALE 1"=400' MARCH 2007 SHEET 1 OF 2

2007-0077 A

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APR 06 2007

WATER RESOURCES DEPT
SALEM, OR

2007-0077 B

SURVEY NARRATIVE

PURPOSE:
THIS PLAT WAS MADE TO PARTITION PARCEL 1
OF LP 2006-0024 INTO TWO PARCELS.

BOUNDARY CONTROL:
POINT A AND HOUSE TIED TO LP 2006-0024.
DIVISION LINES ARE PER OWNER INSTRUCTIONS.
APPROXIMATE SEPTIC FIELD AERIAL PHOTO LOCATED
BY OWNER.

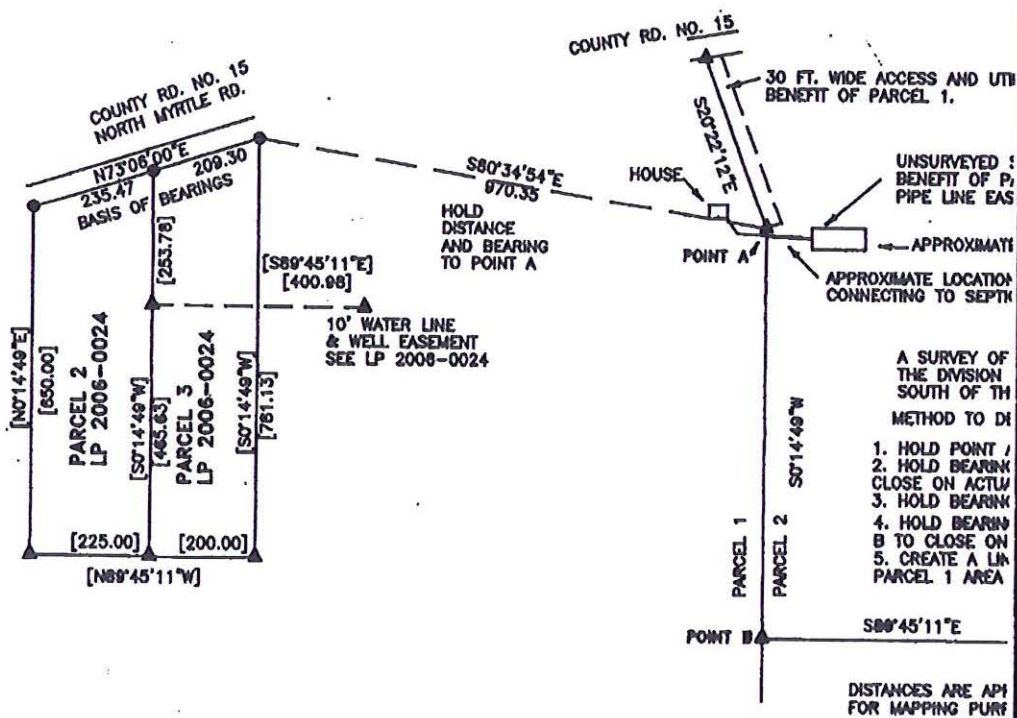
EXCEPT AS SHOWN, BOUNDARY LINES ARE UNSURVEYED.

SURVEY, CALCULATIONS AND DRAFTING:
WILLIAM J. RUPPERT.

INSTRUMENT:
NIKON DTM 430

LEGEND

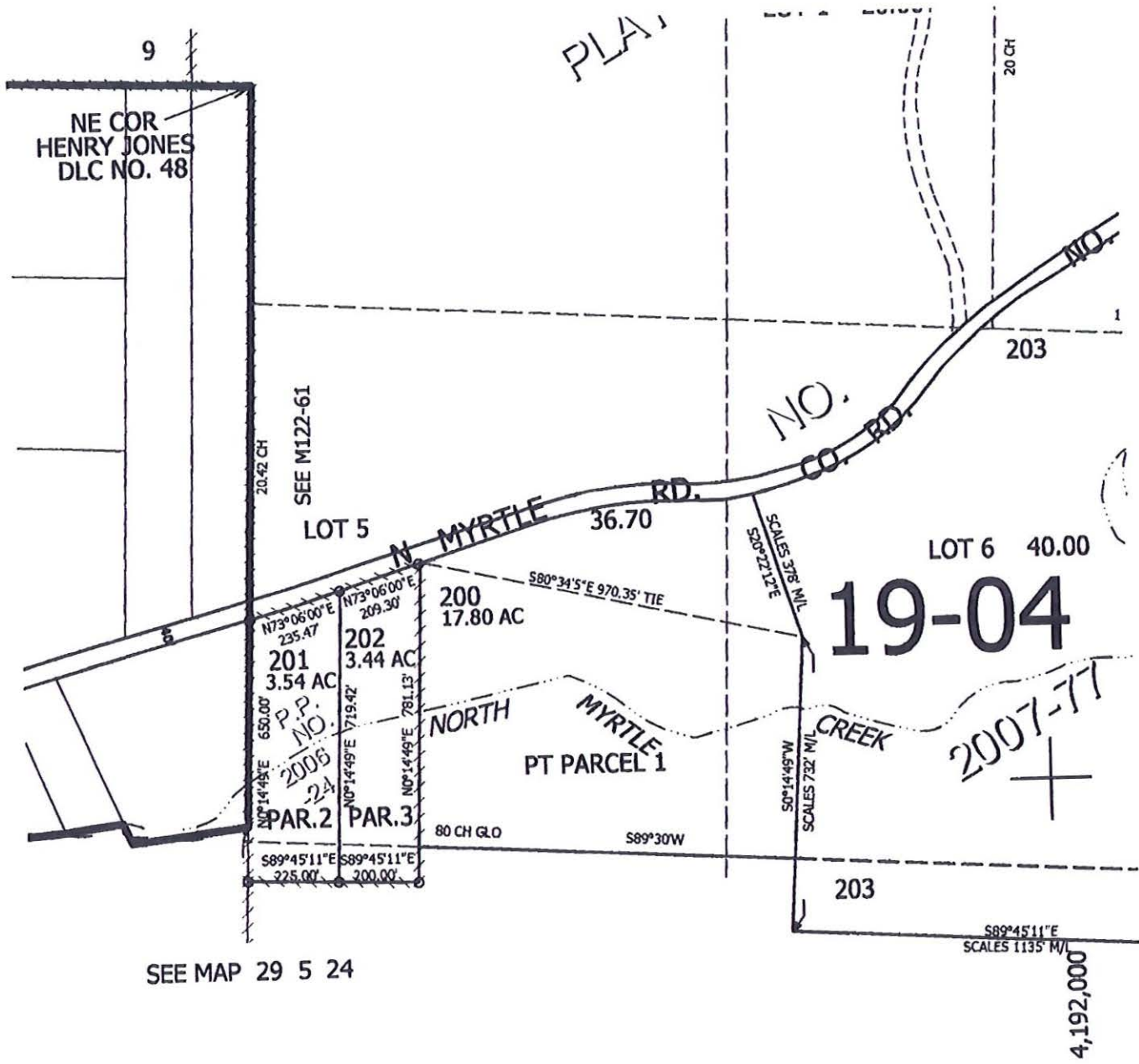
- [] RECORD AS NOTED
- ▲ CALCULATED POINT
- FND. 5/8"X30" IRON P
"BTS ENG-SURV"



RECEIVED

AUG 06 2007

WATER RESOURCES DEPT
SALEM, OR



COMPLIMENTS OF



This sketch is furnished
to assist in property
location and the company
does not guarantee
its accuracy.

RECEIVED

AUG 06 2007

WATER RESOURCES DEPT
SALEM, OREGON

Oregon Water Resources Department



FAXED
8/7/07
DPP



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900
<http://www.wrd.state.or.us>

FAX TRANSMITTAL

To: John Borden

Fax Number: (503) 723-4257

Date: 8/7/07

Pages: 13, including cover sheet

From: Dorothy Pedersen

Phone: 503-986-0 890

Comments:

Here is the ownership information for T-10312. I've asked Mr. Tenold for a statement from the title company regarding liens. We are waiting also for revisions to the application to quantify the irrigated area in each tax lot that is to be supplied by the new POD on that tax lot, plus the POD #3. When you have all the info, please

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

TECHNICAL SERVICES

- Dam Safety
- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

WATER RIGHTS *prepare a revision*

- Water Rights Information *DDP.*
- Adjudications *Let Salem know*
- Hydroelectric *if you need*
- Certificates / Final Proofs *to revise*
- Hearings / Contested Cases *the estimate*

Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904

From: Dorothy Pedersen
Sent: Monday, July 16, 2007 5:14 PM
To: 'John Borden'
Subject: DPD for T-10312 going out



Hi John,

The only substantive change was just that the portion of the right that is being changed is just the 0.8 acre of irrigation, at the rate associated with that seasonal irrigation use. Even though the rate will be reduced as the season is extended, the characterization of the portion of the water right of record that will be affected is still stated at the original rate.

Thanks,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrdd.state.or.us
503-986-0890

Oregon Water Resources Department



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900
<http://www.wrd.state.or.us>



FAX TRANSMITTAL

To: John Borden

Fax Number: (503) 723-4257

Date: 6/22/07

Pages: 2, including cover sheet

From: Dorothy Pedersen

Phone: 503-986-0 890

Comments:

Response to the T-10312 deficiency letter dated June 4, 2007.
Go ahead and prepare the initial deliverables (DPD, DPD cover letter
and contact list.). Thanks.

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

TECHNICAL SERVICES

- Dam Safety
- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

WATER RIGHTS

- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904

Dorothy Pedersen

From: Dorothy Pedersen
Sent: Tuesday, April 24, 2007 3:36 PM
To: 'John Borden'
Subject: T-10312 Templates

Attachments: supplemental-lang.doc; Contact List.doc; 10312-dpd-template.doc; RR_sw_permit.doc; DPD_cov_approve.doc; DPD_cov_reject.doc; PD_cov_fav_nni.doc; PD_cov_unfav_nni.doc; PD_notice.doc; DeficLet.doc



supplemental-lang.doc (162 KB)...



Contact List.doc (26 KB)



10312-dpd-template.doc (121 KB)...



RR_sw_permit.doc (30 KB)



DPD_cov_approve.doc (27 KB)



DPD_cov_reject.doc (28 KB)



PD_cov_fav_nni.doc (30 KB)



PD_cov_unfav_nni.doc (30 KB)



PD_notice.doc (29 KB)



DeficLet.doc (27 KB)

Hi John,

I've attached a fresh set of templates for T-10312 (Stanley Tenold). I think you should have everything you need to work on the project, provided you have a work order. Let me know if anything is missing or you have questions.

Thanks,
Dorothy

Dorothy I. Pedersen
Field Services Division
Oregon Water Resources Department
Dorothy.I.PEDERSEN@wrd.state.or.us
503-986-0890

**Reimbursement Authority Process
Itemized Estimate Sheet
for
Water Rights Transfer**

Application Number T-10312

Name of Applicant: Stanley E. Tenold

Proposed Timeline

2/13/07	Public Notice (start of 30-day comment period).
5/4/07	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
6/8/07	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 working days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

For purposes of water right transfers, all deliverables must be in Microsoft Word except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.

Estimate

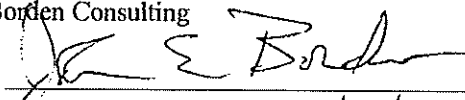
	Item	Time
1	Review of application for completeness.	1
2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	1
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	2½
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	2
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	2
Total Estimated Time:		8½

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: John Borden Consulting

Authorized Representative:


John E. Borden

Date: 4-9-2007

Revised 11/5/2004 DIP



Shipping Checklist for Reimbursement Authority File

File T- 10312 Applicant: Stan Tenold

Agent/Contact: _____

Ship to Contractor: John Borden

Items included:

- ☒ Copy of front of file folder
- ☒ Reimbursement Authority Estimate Application
- ☒ Transfer Application form
- ☒ Transfer map
- ☒ Evidence of use affidavit
- ☒ Supporting documentation for evidence of use
- ☒ Land-use Information form
- ☐ Lot book report (or deed if instream or temporary transfer, or application received before 7/1/03)
- ☒ Certificate or copy of decree for each right to be transferred
- ☒ Final Proof map or decree map for each right to be transferred
- ☒ Well logs (if change in POA, SW POD-to-GW POA change)
- ☒ Watermaster review (all transfers)
- ☒ ODFW review (if change in POD)
- ☒ GW review (if Δ POA, or POD-to-POA change)
- ☐ _____
- ☒ Final Deliverable cover sheet
- ☒ Itemized Estimate sheet for contractor

Additional things to check:

- ☒ All regular application processing fees paid
☒ Reimbursement Authority \$125 fee paid for preparing estimate
☒ Date of WRD initial Public Notice 2/13/07

Number of sheets copied 18

File contents copied by L. Paschke Date 3/29/07

Reimbursement Authority Process Itemized Estimate Sheet for Water Rights Transfer

Application Number T-10312

Name of Applicant: Stanley E. Tenold

Proposed Timeline

2/13/07	Public Notice (start of 30-day comment period).
5/4/07	Completion of draft preliminary determination--1 week after contracts signed and removal of deficiencies, but not before the end of the Public Notice comment period and receipt of all agency reviews (Watermaster, groundwater and ODFW as applicable).
6/8/07	Deadline for applicant review of draft preliminary determination--30 days or more after draft PD mailed to applicant, depending on issues to be resolved.
5 working days after DPD comments received	Completion of contract work: Submittal of PD cover letter, PD public notice (and remaining rights certificates if applicable)--within 5 business days after comments received from applicant that the draft is satisfactory, or after the end of the period for applicant to comment on draft PD and remedy deficiencies.

*For purposes of water right transfers, all deliverables must be in **Microsoft Word** except remaining right certificates for which electronic copies of the existing certificates are currently available in WordPerfect.*

Estimate

	Item	Time
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2	Review of "From" lands to confirm consistency with existing right(s) and ownership.	
3	Review of "To" lands for conflicts and preparation of draft deficiency letter (if necessary).	
4	Preparation of draft preliminary determination, DPD cover letter and contact list.	
5	Preparation of PD public notice, PD cover letter (and remaining right certificate(s) if necessary), and processing documentation.	
Total Estimated Time:		

(Indicate the estimated amount of time, in ½ hour increments, needed to complete each item listed.)

Prior to preparing an estimate, contact Department staff if work could not be performed consistent with the proposed timeline. In developing the estimate, review the transfer application, transfer map, existing certificate, and final proof map. Pay particular attention to the clarity of the existing rights and the complexity of the request.

Name of Consultant: John Borden Consulting

Authorized Representative: _____ Date: _____

Revised 11/5/2004 DIP

**Reimbursement Authority
Final Deliverables Cover Sheet
for
Transfers**

Transfer # T-10312

Applicant: Stanley E. Tenold

The following items have been submitted electronically*:

- ☐ Contact List
- ☐ Draft Preliminary Determination (DPD)
- ☐ DPD Cover Letter
- ☐ PD Notice
- ☐ PD Cover Letter
- ☐ Remaining Right Certificates (one for each right that is not entirely affected by the transfer)

***NOTE:** Transfer documents should be submitted in MS Word format preferably, or "rich text" format.

The following items are enclosed:

- ☐ Marked copy of transfer application
 - ☐ (for POU changes) Plat Card Report marked to indicate any other rights on the "From" lands
 - ☐ (for POU changes) Plat Card Report marked to indicate rights overlapping proposed POU
 - ☐ Notes or sketches, maps, etc. from evaluation of changes, injury evaluation, etc. that will help document what was considered in reaching the findings and determination in the Preliminary Determination.
 - ☐ Copies of each certificate that is only partially included in the transfer, marked as needed to show what portion of the right is being affected, and what remains unchanged.
- ☐ Signature of Contractor: _____ Date: _____

For WRD use only:

WRD approval by: _____ Date: _____

12/12/2005

RECEIVED

WATER RESOURCES DEPARTMENT
REIMBURSEMENT AUTHORITY ESTIMATE APPLICATION

MAR 29 2007

House Bill 2551(2003 Oregon Laws) authorizes the Oregon Water Resources Department to expedite or enhance regulatory processes voluntarily requested under the agreement. The voluntary agreement can be entered into with any person requesting services and agreeing to pay the Department's costs of providing the service.

The Department has established a pool of qualified contractors to perform expedited services for water right transfers, water right permits extensions, and water right certificates.

The purpose of this application is to obtain an estimate from the next qualified contractor in the appropriate pool. There is a non-refundable application fee of \$125.00 per request. The contractor will provide an estimate of the cost and of the time required to process and develop a recommendation on the request of a: (check one):

REQUEST	TYPE	FILE NUMBER
☒	Transfer Application	T-10132 T-10312
☐	Certificate Request	
☐	Extension of Time Request	

Applicant Information		Applicant's Representative/Contact
Name: (Please Print)	STAN TENOLD	
Address:	PO Box 751	
	Bodega Bay, CA 94923	
Phone:	707 875 9453	
Fax		
E-Mail Address:	STANTENOLD@yahoo.com	

I understand the following:

- There is a non-refundable application fee of \$125.00 per request.
- That upon receipt of my non-refundable application fee in the amount of \$ 125.00, OWRD will assign my request to the next contractor in the pool of contractors performing expedited services.
- That this fee covers the copying, the mailing cost, as well as the cost for the contractor to evaluate and provide the estimate for processing of the request.
- That OWRD will provide all pertinent information to the assigned contractor within three (3) business days.
- That OWRD will, within fourteen (14) days, notify me in writing of the estimates of costs and time frame for the expedited service.
- That upon receiving the estimates I may agree or decline to enter into a formal contract to pay the estimated cost in advance to initiate the expedited service.
- An incomplete or inaccurate application may delay the process and increase the cost to process my request.
- Expedited processing does not guarantee a favorable review of my request.
- Send completed Application and payment to:

OWRD – Reimbursement Authority Program
725 Summer St. NE, Suite A
Salem, OR 97301-1266.

I certify that I am the (check one) ☒ Applicant ☐ Applicant's Representative ☐ Other (Please specify) _____

Signature: Stan Tenold

Name: 3/26/07

OWRD USE ONLY

Contractor Assigned: <u>John Borden</u>	Total Amount Paid: \$ <u>125.00</u>
OWRD Approval:	