

1-10340

T-10340

TEMPORARY

Name Lane Pollock Pollock & Sons, Inc

By \_\_\_\_\_

Address 78691 Agnew RdHermiston, OR 97838541-567-8659 541-314-0295-0163Change in POUDate filed 3-15-07

Date of hearing \_\_\_\_\_

Place of hearing \_\_\_\_\_

Date of order 4/13/2007 Vol. 21, page 541

Date for application of water \_\_\_\_\_

Proof mailed \_\_\_\_\_

Proof received \_\_\_\_\_

Certificate issued \_\_\_\_\_ Vol. \_\_\_\_\_, page \_\_\_\_\_

## DESCRIPTION OF WATER RIGHT

Name of stream WellTrib. of Umatilla R. County of UmatillaUse IR

Quantity of water \_\_\_\_\_ No. of acres \_\_\_\_\_

Name of ditch \_\_\_\_\_

Date of priority 3/01/1972In name of Lane/Lane Pollock

\_\_\_\_\_ Adjudication, Vol. \_\_\_\_\_, page \_\_\_\_\_

App. No. 65738 Per. No. 64972 Cert. No. 46930

Certificate cancelled \_\_\_\_\_

Notation made on record by \_\_\_\_\_

## FEES PAID

Date	Amount	Receipt No.
<u>3/15/07</u>	<u>185-</u>	<u>86651</u>
TOTAL . . .		
	Cert. Fee	

## FEES REFUNDED

Date	Amount	Check No.

## REMARKS

ID: Westland Irrigation DistrictUmatilla CountyRID: Kristine McCullough P.O. Box 1051 Hermiston, OR 97838NO CURE



**STATE OF OREGON  
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A  
SALEM, OR 97301-4172  
(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **86651**

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

RECEIVED FROM: Pollock and Son, Inc

BY: \_\_\_\_\_

APPLICATION	
PERMIT	
TRANSFER	<u>T-10340</u>

CASH: ☐ CHECK: # 4961 OTHER: (IDENTIFY) ☐ \_\_\_\_\_

TOTAL REC'D \$ 185.00

**1083 TREASURY 4170 WRD MISC CASH ACCT**

0407 COPIES \$ \_\_\_\_\_  
OTHER: (IDENTIFY) \$ \_\_\_\_\_

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

**4270 WRD OPERATING ACCT**

**MISCELLANEOUS**

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

**WATER RIGHTS:**

0201 SURFACE WATER	\$ _____	0202	\$ _____
0203 GROUND WATER	\$ _____	0204	\$ _____
0205 TRANSFER	\$ <u>185.00</u>		

**WELL CONSTRUCTION**

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

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

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

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

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

**0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER**

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

**TREASURY OTHER / RDX**

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

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

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

RECEIPT: **86651**

DATED: 3-15-07 BY: Ken R. DeBay

STATE OF OREGON  
COUNTY OF                      UMATILLA

## CERTIFICATE OF WATER RIGHT

**This Is to Certify, That**                      LEE & LANE POLLOCK

of Rt. 1, Box 1672, Hermiston                      , State of Oregon, 97838                      , has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of Well No. 1

a tributary of Umatilla River                      for the purpose of irrigation of 80.0 acres

under Permit No. G-4972                      and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 1, 1972

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.0 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW $\frac{1}{4}$  NW $\frac{1}{4}$ , Section 20, T. 4 N., R. 28 E., W. M., 1260 feet South and 60 feet East from the NW Corner, Section 20

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to one-eightieth of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3 acre feet per acre for each acre irrigated during the irrigation season of each year; and shall be further limited to appropriation of water only to the extent that it does not impair or substantially interfere with existing surface water rights of others,

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

A description of the place of use under the right hereby confirmed, and to which such right is appurtenant, is as follows:

40.0 acres NW $\frac{1}{4}$  NW $\frac{1}{4}$   
40.0 acres SW $\frac{1}{4}$  NW $\frac{1}{4}$   
Section 20  
T. 4 N., R. 28 E., W. M.

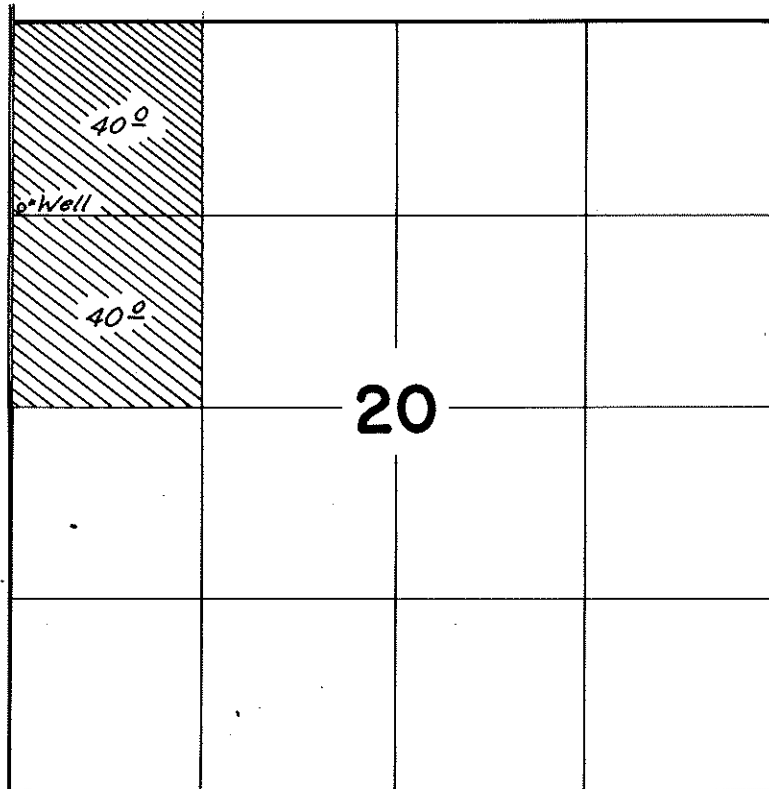
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed

this date.                      November 17, 1978

  
Water Resources Director

T.4N.,R.28E.,W.M.



Well Loc.: 1260 ft. S., & 60 ft. E., from NW Cor. Sec. 20

**FINAL PROOF SURVEY**  
UNDER

Application No. G-5738 Permit No. G-4972  
IN NAME OF

Lee & Lane Pollock

Surveyed Oct. 28, 1976, by L.H. Nunn

NZ-IMM-231 *LB*

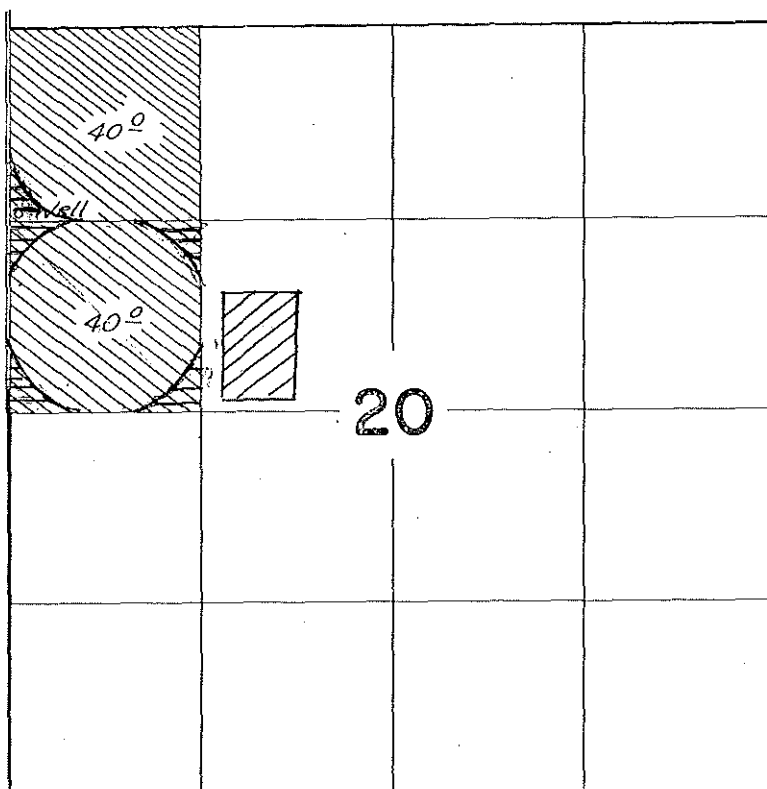


G 4972

46930



T. 4 N., R. 28 E., W. M.



Well Loc.: 1260 ft. S., &amp; 60 ft. E., from NW Cor. Sec. 20



From Lands 10 acres



To Lands 10 acres

FINAL PROOF SURVEY  
UNDERApplication No. G-5738 Permit No. G-4972  
IN NAME OFLee & Lane PollockSurveyed Oct. 28, 1976, by L. H. Nunn

RECEIVED

MAR 15 2007

WATER RESOURCES DEPT  
SALEM, OREGONNZ-IMM-231 *JB*

## Water Right Transfer Completion Checklist

T-10340

Transfer Specialist: Sue

### Water Rights Affected

App File No.	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
G5738	G4972	46930	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	temp

### Copies Needed

Watermaster District: 5

CWRE No.: NA-temp

Irrig Dist Name/Address: NA

Commentors Name/Address: NA

### Preliminary Determination

- |  |  |
|--|--|
| <input type="checkbox"/> Electronic Files uploaded | <input type="checkbox"/> File Folder updated       |
| <input type="checkbox"/> Preliminary Determination |  |
| <input type="checkbox"/> PD Cover letter           | <input type="checkbox"/> Fee Refund Due            |
| <input type="checkbox"/> Public Notice             | <input type="checkbox"/> Newspaper Notice required |
| <input type="checkbox"/> Remaining Rights          |  |

Comments/Special Issues:

<del>DPD Review (Optional)</del>	PD Review (Salem)	Final Order Review (Salem)
<del>Reviewer: _____ Date: _____</del>	Reviewer: _____ Date: _____	Reviewer: <u>[Signature]</u> Date: _____
<del>Coordinator: _____ Date: _____</del>	Coordinator: _____ Date: _____	Coordinator: <u>[Signature]</u> Date: <u>4/13/07</u>

Comments/Special Issues:

Special Order Volume: 71, Pages 541

Final Order Signature Date: 4/13/2007

☐ WRIS clone correction needed



# 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

April 16, 2007

Lee Pollock  
RT 1 BOX 1672  
HERMISTON OR 97838

Reference: Temporary Transfer 10340

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

The change shall be effective at the end of the 2007 irrigation season. The use shall revert to the authorized place of use at the end of the 2007 irrigation season.

Sincerely,

for Doug Parrow  
Natural Resource Specialist

DP:sh

cc: Tony Justus, Watermaster #5

Enclosure



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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10340, Umatilla County	)	TEMPORARY CHANGE IN PLACE OF
	)	USE

**Authority**

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of appropriation 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**

POLLOCK AND SON, INC.  
LANE POLLOCK  
78691 AGNEW ROAD  
HERMISTON OR 97838

**Findings of Fact**

**Background**

1. On March 15, 2007, Lee Pollock on behalf of POLLOCK AND SON, INC., filed an application to temporarily change the place of use under Certificate 46930 for a period of one year. The Department assigned the application number T-10340.
2. Amendments to the application and transfer map were received on April 12, 2007, that clarified the authorized place of use proposed for transfer.
3. The portion of the right to be transferred is as follows:

**Certificate:** 46930 in the name of Lee Pollock (perfected under Permit G-4972)

**Use:** IRRIGATION of 10.0000 ACRES

**Priority Date:** MARCH 1, 1972

**Rate:** 0.125 CUBIC FEET PER SECOND

**Limit/Duty:** ONE-EIGHTIETH cfs per acre, not to exceed 3.0 acre-feet per acre per year

**Source:** A WELL in the UMATILLA RIVER BASIN

**NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW**

This is an order in other than a contested case. This order is subject to judicial review under ORS 183.484. 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.

**Authorized Point of Appropriation:**

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
4 N	28 E	WM	20	NW NW	1260 FEET SOUTH AND 60 FEET EAST FROM NW CORNER OF SECTION 20

**Authorized Place of Use:**

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	28 E	WM	20	NW NW	2.0
4 N	28 E	WM	20	SW NW	8.0

4. Application T-10340 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
4 N	28 E	WM	20	SE NW	10.0

5. Notice of the application for temporary transfer was published pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
6. Certificate 42339 (perfected under Permit G-4067) exists on the lands which Transfer Application T-10340 proposes to change the place of use *to*, being the SENW,T4N R28E, Section 29.
7. The applicant agrees that the use of irrigation under Certificate 42339 will not occur during the 2007 irrigation season.
8. Water has been used within the last five years according to the terms and conditions of the right, and no evidence is available that would demonstrate that the right is subject to forfeiture under ORS 540.610.
9. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right are present.
10. The proposed change would not result in enlargement of the right.
11. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water right.

**Conclusions of Law**

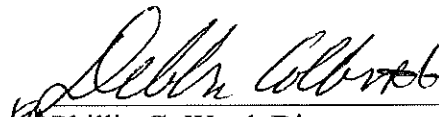
The temporary changes in proposed in application T-10340 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

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

12. The change in place of use proposed in application T-10340 is approved.

13. The former place of use **shall not** be irrigated as part of this water right during the 2007 irrigation seasons.
14. The use shall revert to the authorized place of use at the end of the 2007 irrigation season.
15. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
16. A subsequent application for permanent transfer of Certificate 46930 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
17. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificate 46930.
18. The use of water under Certificate 42339 shall **not** occur during the 2007 irrigation season.
19. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
20. When required by the Department, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. 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. or  
Prior to diverting of water at the new point of diversion, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. 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
21. The use of the remaining water right described by Certificate 46930 shall continue to be in accordance with the terms and conditions of Certificate 46930.

Dated at Salem, Oregon this 13<sup>th</sup> day of April 2007.

  
Phillip C. Ward, Director

Mailing Date: 4/17/2007



# Transfer Processing Log (Div 380)

Reviewer's Name: Sue

Date: 4/5/07

Transfer #:	<u>10340</u>	Type of Change:	<u>SPON</u>		
Originating Certificate:	<u>46930</u>	(Appl #:	<u>95738</u>	Permit #:	<u>94972</u>
Date filed:	<u>3-15-07</u>	County:	<u>UMAT</u>	WM District:	<u>#5</u>
Applicant's Name & Mailing Address: <u>Pollock &amp; Sons Inc.</u> <u>Lane Pollock</u> <u>78691 Agnew Rd</u> <u>Hermiston OR 97838</u>					
CWRE:	<u>na</u>				

## Transfer Workflow Maintenance:

Has file been assigned to me? Y ☒ N ☐

(If No, Update Transfer Workflow.)

## Check Application

- ☒ Type of change indicated clearly?
- ☒ Signed by applicants?
- ☒ Are fees due or to be refunded? OK ☐ If to be refunded, generate Request for Refund to be sent to WRD with Final Order.
- ☒ Does the land use form match affected tax lots and is it signed by proper official?
- ☒ If a ditch company or district is involved, send them a copy of the application and map.
- ☒ If a POD is moving to a ditch owned by a company or organization, applicant may need to show permission from the ditch owner.

## Check Ownership

- ☒ Check that deed/lot book report matches the "from" lands. *need to link all the Pollocks to Pollocks & Sons Inc.*
- ☒ Get current tax lot map. (If transfer application is several years old, contact assessor's office for current landowner)
- ☒ Is the applicant the owner of the "from" lands? (Update mailing address of applicant/owner if needed)
- ☒ Have all owners on the deed/lot book report signed the application?
- ☒ Is there a notarized, signed statement of consent from any landowners other than applicant?
- ☒ Is there a copy of written notification of transfer to each lien holder identified on deed/lot book report?
- ☒ Verify agent authority if applicant has not specifically signed a statement giving authorization for agent to work on his behalf.

## Check Application Map

- ☒ Does it have an original CWRE signature?
- ☒ Is the size and scale accurate and appropriate as per OAR 690-380-3100(1)(b)(c)&(d)?
- ☒ Are all authorized and proposed POD's/POA's and POU's shown and clearly labeled?
- ☒ Do the metes and bounds for the POD's/POA's properly describe the location on the map?
- ☒ Do map acres match the tabulation on the certificate?
- ☒ Pull final proof maps for the rights. Does application map match certificate FPS maps?
- ☒ Pull aerial photos, if needed (and available).
- ☒ Do the POD/POA dimensions match the location on map?
- ☒ Do the POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions?

## Is Application complete?

- |  |   |   |   |
|--|---|---|---|
| <input checked="" type="checkbox"/> application form | <input checked="" type="checkbox"/> map         | <input checked="" type="checkbox"/> evidence of use | <input checked="" type="checkbox"/> land-use form |
| <input checked="" type="checkbox"/> deed             | <input checked="" type="checkbox"/> certificate | <input checked="" type="checkbox"/> fees paid       | <input checked="" type="checkbox"/> well logs     |

Reviews/comments received?

☒ Watermaster ☐ ODFW ☐ GW

*how many acres in UMAT + how many in SWNW map shows from in both.*

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

- ☐ Are *only* the authorized POD's/POA's and POU's to be transferred listed?
- ☐ Do application & certificate tabulations match? (check off on application and certificate copies and note corrections needed)
- ☐ Mark on certificate copy which acreage is being transferred and what will remain in each 1/4 1/4.

**Is right valid and subject to transfer by applicant?**

- ☐ Certificate \_\_\_\_\_ -or- Proof accepted "to the satisfaction...." \_\_\_\_\_
- ☐ Has the right been exercised according to terms & conditions of certificate?
- ☐ Compare delivery system capacity against with the rate/duty of the right.
- ☐ Print plat card report. Are there conflicting water rights? \_\_\_\_\_
- ☐ Is newspaper notice required? If so, generate a draft of the notice.
- ☐ Are there any rights that need to be canceled or diminished to supplemental? If so prepare an affidavit.

**Deficiencies to be resolved:**

- ☐
- ☐

**Injury Determination**

- |                                      |   |   |
|--------------------------------------|---|---|
| <input type="checkbox"/> Watermaster | Injury: Y <input type="checkbox"/> N <input type="checkbox"/> | Conditions: Y <input type="checkbox"/> N <input type="checkbox"/> |
| <input type="checkbox"/> ODFW        | Injury: Y <input type="checkbox"/> N <input type="checkbox"/> | Conditions: Y <input type="checkbox"/> N <input type="checkbox"/> |
| <input type="checkbox"/> GW          | Injury: Y <input type="checkbox"/> N <input type="checkbox"/> | Conditions: Y <input type="checkbox"/> N <input type="checkbox"/> |

- ☐ Will the "from" lands be able to be dried up? Yes ☐ No ☐
- ☐ Use Interactive Mapping to check for intervening PODs: No ☐ Yes ☐ \_\_\_\_\_
- ☐ Check relation to instream water rights: ☐ Moves into or within ISWR ☐ No problem
- ☐ Check movement related to reduction of flows to junior rights

- Determination: Enlargement? ☐ Yes ☐ No  
Injury? ☐ Yes ☐ No
- ☐ Approve -or- ☐ Reject

**Conditions requested:**

- Measurement devices: ☐ Required prior to use -or- ☐ "When in the judgment..."
- ☐ Fish screen (see ODFW comments)
- ☐ Other:

**Remarks:**

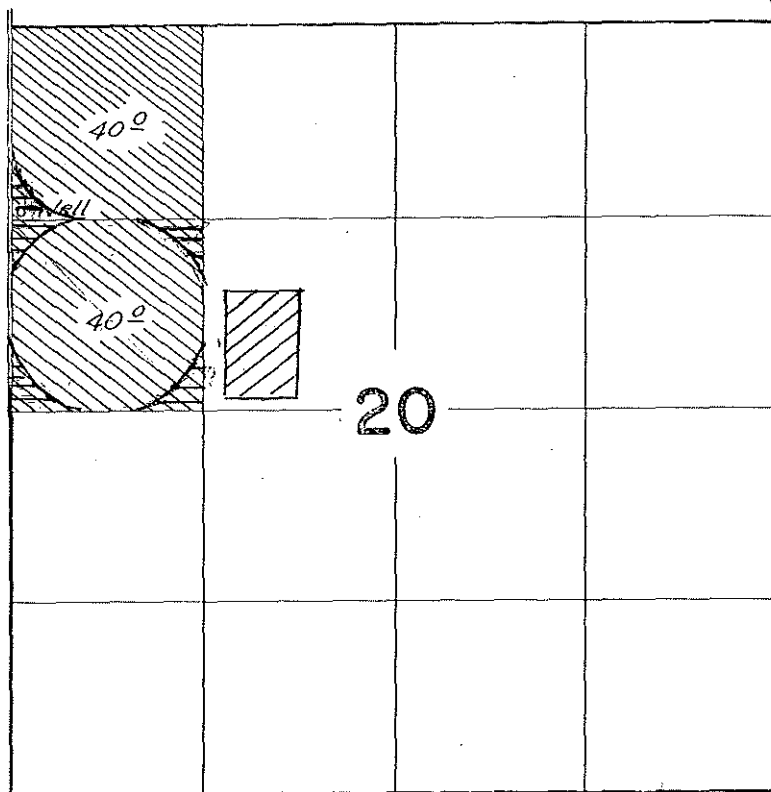
64972

46930

*superceded*



T.4N.,R.28E.,W.M.



Well Loc.: 1260 ft. S., & 60 ft. E., from NW Cor. Sec. 20



From Lands 10 acres



To Lands 10 acres

FINAL PROOF SURVEY

UNDER

Application No. G-5738 Permit No. G-4972  
IN NAME OF

Lee & Lane Pollock

Surveyed Oct. 28, 1976, by L.H. Nunn

RECEIVED

MAR 15 2007

WATER RESOURCES DEPT  
SALEM, OREGON

NZ-IMM-231 *LB*



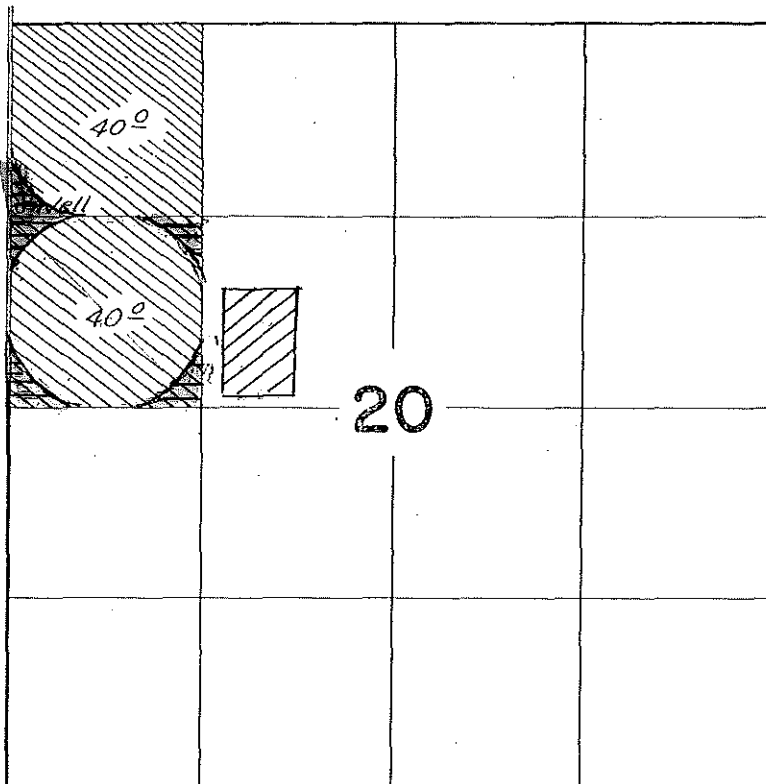
G 4972

46970

*amended map*



T. 4 N., R. 28 E., W.M.



Well Loc.: 1260 ft. S., & 60 ft. E., from NW Cor. Sec. 20



From Lands 10 acres



To Lands 10 acres

FINAL PROOF SURVEY  
UNDER

RECEIVED

APR 12 2007

WATER RESOURCES DEPT  
SALEM, OREGON

NW 1/4 2 *dp*  
SW 1/4 8

Application No. G-5738 Permit No. G-4972  
IN NAME OF

Lee & Lane Pollock

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RECEIVED

MAR 15 2007

WATER RESOURCES DEPT  
SALEM, OREGON

T. 10340

NZ-IMM-231 *dp*

46930

in the  
pages

amman  
map

**Location of Existing Authorized Place of Use to be Affected:**

[illegible]

APR 12 2007

WATER RESOURCES DEP  
SALEM, OREGON

T-10340



# 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

April 5, 2007

Pollock and Sons, Inc.  
Attn: Lane Pollock  
78691 Agnew Rd.  
Hermiston, OR 97838

REFERENCE: Temporary Transfer Application T-10340

We are examining your water right transfer application. There are some problems that need to be resolved before we can continue processing your application.

1. The deed indicates that the lands from which you propose to move water rights are also owned by Glenda L. Pollock, LeRue W. Pollock and Dorothy V. Pollock. You need to submit signed, notarized statements from all landowners indicating that they consent to the proposed changes to the water right or submit documentation that indicates Lane Pollock has authority to make changes on the other owners behalf.
2. The map you submitted indicates (based on the hachured markings) that you propose to move land from both the NWNW and the SWNW. However, the application indicates that 10 acres will be moved from only the SWNW. You will need to either revise the section of the application addressing the existing authorized place of use to be affected (Supplemental Form A, Page 4) or amend the map. If, in fact, acres are being moved from both quarter-quarters, you must identify the number of acres in each quarter-quarter. I have enclosed a copy of the relevant page of the application along with a copy of the map highlighting this issue. You may either cross out and change the figures on the application copy (and initial and date the changes), or submit a separate addendum to the application that spells out the changes.

Please submit the landowner statements of consent and amended application or revised map as soon as possible or **by May 5, 2007**, to Susan Douthit, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you have any questions, please call me at 503-986-0858.

Sincerely,

Susan M. Douthit  
Water Rights Transfer Specialist

cc: Tony Justus, Watermaster, District 5  
Molly Reid, Assistant. Watermaster, District 5

enclosures

RECEIVED

APR 10 2007

WATER RESOURCES DEPARTMENT  
Salem, Oregon



April 9, 2007

To Whom It May Concern:

Enclosed is a copy of Dorothy V. Pollock death certificate.

A handwritten signature in cursive script that reads "Lane Pollock". The ink is dark and the signature is fluid.

Lane Pollock

**RECEIVED**

**APR 12 2007**

**WATER RESOURCES DEPT  
SALEM, OREGON**

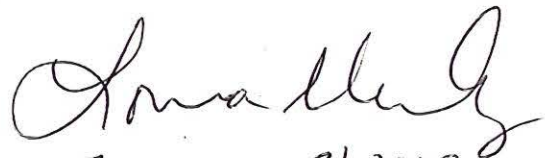
April 9, 2007

To Whom It May Concern:

I consent to the proposed changes to the water right for which Lane Pollock is applying.

  
Lane W. Pollock



  
January 31, 2009

**RECEIVED**

**APR 12 2007**

**WATER RESOURCES DEPT  
SALEM, OREGON**

April 9, 2007

To Whom It May Concern:

I consent to the proposed changes to the water right for which Lane Pollock is applying.

*Glenda Pollock*

Glenda Pollock



*Lane Pollock*  
January 31, 2009

RECEIVED

APR 12 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

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78691 Agnew Rd.  
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We are examining your water right transfer application. There are some problems that need to be resolved before we can continue processing your application.

1. The deed indicates that the lands from which you propose to move water rights are also owned by Glenda L. Pollock, LeRue W. Pollock and Dorothy V. Pollock. You need to submit signed, notarized statements from all landowners indicating that they consent to the proposed changes to the water right or submit documentation that indicates Lane Pollock has authority to make changes on the other owners behalf. ✓
2. The map you submitted indicates (based on the hachured markings) that you propose to move land from both the NWNW and the SWNW. However, the application indicates that 10 acres will be moved from only the SWNW. You will need to either revise the section of the application addressing the existing authorized place of use to be affected (Supplemental Form A, Page 4) or amend the map. If, in fact, acres are being moved from both quarter-quarters, you must identify the number of acres in each quarter-quarter. I have enclosed a copy of the relevant page of the application along with a copy of the map highlighting this issue. You may either cross out and change the figures on the application copy (and initial and date the changes), or submit a separate addendum to the application that spells out the changes. ✓

Please submit the landowner statements of consent and amended application or revised map as soon as possible or **by May 5, 2007**, to Susan Douthit, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1271. If you have any questions, please call me at 503-986-0858.

Sincerely,

Susan M. Douthit  
Water Rights Transfer Specialist

cc: Tony Justus, Watermaster, District 5  
Molly Reid, Assistant. Watermaster, District 5

enclosures

# Water Rights Platcard Report

Township: 4

North

Range: 28

East

Section: 20

Records per Page: 100

Search

Water Right	AKA	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Inchoate: T 6318 CF (REG) *	App: G11299 Permit: G10418		8/15/1984	MUNICIPAL USES																				*	
Select Decree:Vol:3 Page:127 [ Umatilla River ] *	Decree: UMATILLA RIVER	T9598, T9629, T8912, T8913, T9029, T9028, T9743	2/25/1904	IRRIGATION					25	20	15	20					3		4			7		*	
Select Decree:Vol:3 Page:127 [ Umatilla River ] *	Decree: UMATILLA RIVER	T9598, T9629, T8912, T8913, T9029, T9028, T9743	9/6/1905	IRRIGATION																				*	
Select Decree:Vol:3 Page:246 [ Umatilla River ] CN	Decree: UMATILLA RIVER		7/31/1907	IRRIGATION	CN								40	3			12								
Select Permit:S 43046 CN	App: S56497 Permit: S43046		8/25/1977	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN			7																	
Select Cert:38392 OR *	App: S45125 Permit: S33718 Cert: 38392		7/2/1968	DOMESTIC								*													
Select Cert:38392 OR *	App: S45125 Permit: S33718 Cert: 38392		7/2/1968	IRRIGATION								8.3													
Select Cert:46930 OR *	App: G5738 Permit: G4972 Cert: 46930	T10340	3/1/1972	IRRIGATION									4040												
Select Cert:54736 OR CN	App: G5947 Permit: G6785 Cert: 54736	T9311	11/29/1972	IRRIGATION	CN												27.9								
Select Cert:76669 OR *	App: S48966 Permit: S41512 Cert: 76669		1/31/1972	GROUND WATER RECHARGE								*	*				*	*							
Select Cert:76717 CF *	Cert: 76717	T10345, T10348, T10261, T9727, T10084, T9926	7/31/1907	IRRIGATION AND LIVESTOCK														32.3	20.6						
		T10345, T10346, T10347, T10348, T9926, T9653, T10261, T9845,																							



[illegible]

Susan



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-10340

Review Due Date: 4-25-07

Applicant Name: Lane Pollock, Pollock & Sons Inc.

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

Reviewer(s): Tony Justus

Date of Review: Apr. 3, 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: Aerial photo furnished with the application materials indicate the area is served by circl irrigation. How has water been used in the areas outside of the circle service areas? I do not intend to file cancellation affidavits as I do not have sufficient personal knowledge.
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:  
\_\_\_\_\_
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: NA
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: NA
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: NA
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: Don't know, don't think so.
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: \_\_\_\_\_
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: \_\_\_\_\_

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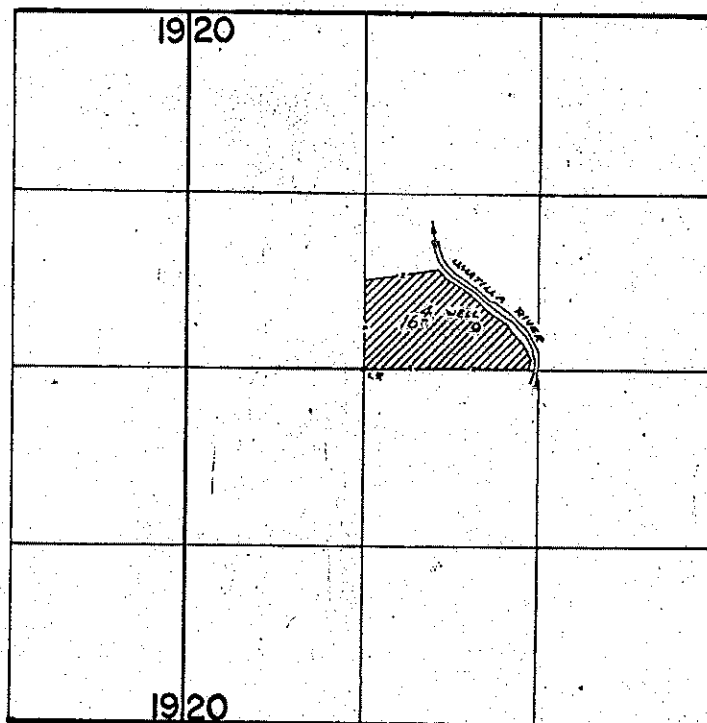
10. What alternatives may be available for addressing any issues identified above: \_\_\_\_\_
11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No
12. What water control and measurement conditions should be included in the transfer:

<b>Measurement Devices</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input checked="" type="checkbox"/> May be required in the future.
<b>Headgates</b>	<input type="checkbox"/> Present and should be maintained.	<input type="checkbox"/> Should be required prior to diverting water.	<input type="checkbox"/> May be required in the future.

G-4067

42339

T.4N., R.28E., W.M.



WELL LOCATED: 310' N &amp; 850' E FROM SW COR. SE 1/4 SEC 20.

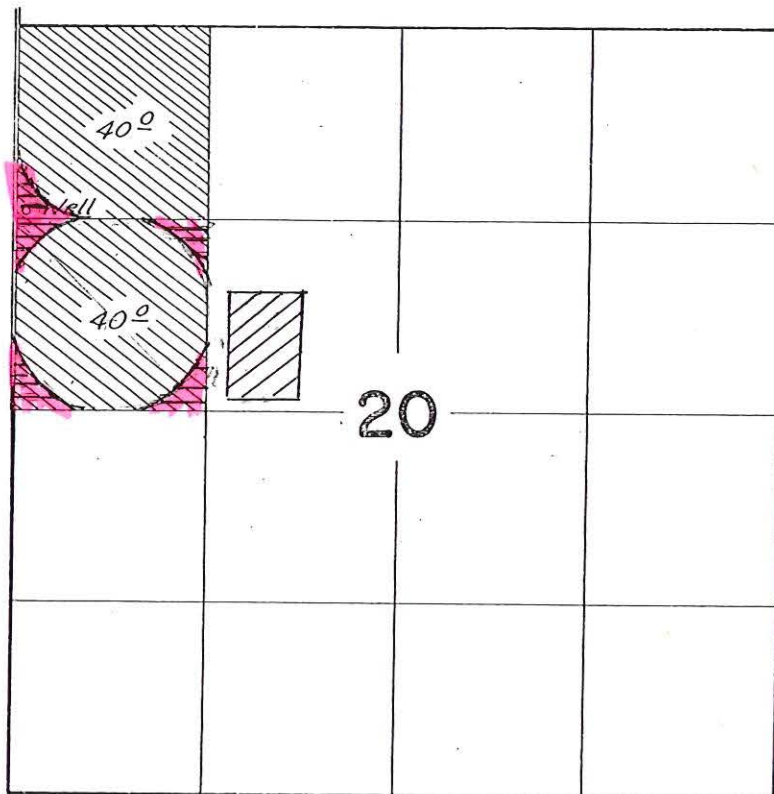
**FINAL PROOF SURVEY**  
UNDERApplication No. G-4306 Permit No. G-4067  
IN NAME OFESTATE OF TOM QUICKSurveyed April 10 1974 by A. Dorby



G 4972  
46930



T.4N.,R.28E.,W.M.



Well Loc.: 1260 ft. S., & 60 ft. E., from NW Cor. Sec. 20



From Lands 10 acres



To Lands 10 acres

FINAL PROOF SURVEY  
UNDER

NWNW 2 *dp*  
SWNW 8

Application No. G-5738 Permit No. G-4972  
IN NAME OF

Lee & Lane Pollock

Surveyed Oct. 28, 1976, by L.H. Nunn

T. 10340

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NZ-IMM-231 *dp*



▪ Certificate Number or other identifying number: 46930

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

*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 Place of Use to be Affected:**

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

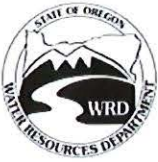
[illegible]

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WATER RESOURCES DEPT  
SALEM, OREGON

T-10340



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](http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml).

## 1. TYPE OF TRANSFER APPLICATION

Please check one	
<input type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input checked="" type="checkbox"/> Temporary Transfer	<input type="checkbox"/> Permanent
• total number of years: _____	<input type="checkbox"/> Time-Limited
(begin year: <u>2007</u> )	<input type="checkbox"/> Drought Transfer
(end year: <u>2007</u> )	<input type="checkbox"/> Other

## 2. APPLICANT INFORMATION

Name: Lane Pollock Pollock & Son, Inc  
First Last  
Address: 78691 Agnew Rd  
Hermiston Or 97838  
City State Zip  
Phone: 541-567-8659 same 541-314-0295  
Home Work Other  
Fax: 541-567-8659 E-Mail address: glpollock40@earthnet.net

## 3. AGENT INFORMATION

(The agent listed is authorized to represent the applicant in all matters relating to this transfer application.)

Name: N/A  
First Last  
Address: \_\_\_\_\_  
\_\_\_\_\_  
City State Zip  
Phone: \_\_\_\_\_  
Home Work Other  
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.	G-5738	G-4972	46930
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (Description of Proposed Change(s) to a Water Right) for **each** water right listed above.
- 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): Trying new melon ground for one  
Season.

#### 5. WATER DELIVERY SYSTEM

- 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.*

60 HP pump      circle sprinkled or sometimes  
drip irrigated

- System capacity: 1.0 cfs cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

N/A

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7-10340



## 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:*

Westland Irrigation District

- 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).

Umatilla County

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## 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): N/A  
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): KRISTINE Mc CULLOUGH  
First Last

Address: P.O. Box 1051

HERMISTON OR 97838  
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.)



## 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:
- ① In EFU zone or irrigation district,
  - ② Change in place of use only,
  - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
  - ④ Irrigation only.

### Fees:

- ☒ Amount enclosed: \$ 185<sup>00</sup>  
See the Department's Fee Schedule at [www.wrd.state.or.us](http://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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**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	<u>Lane Pollock</u> name (print)	<u>3-14-07</u> date
 applicant signature	 name (print)	 date

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## 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: 46930

### 1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

Point of Diversion or Appropriation	Place of Use	Character of Use
<input type="checkbox"/> <b>Change</b> (The old point of diversion or appropriation will <u>not</u> be used for the portion of the water right affected by the transfer.) <input type="checkbox"/> <b>Additional</b> (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.) <input type="checkbox"/> <b>Historic Point of Diversion or Appropriation Change</b> (Unauthorized point of diversion or appropriation used for more than 10 years.) <input type="checkbox"/> <b>Surface Water to Ground Water</b> (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.) <input type="checkbox"/> <b>Point of Diversion Change due to Government Action</b> (The old point of diversion or appropriation can no longer be used due to government action.) <input type="checkbox"/> <b>Exchange</b> (Water from another source will be used in exchange for supplying an equal amount of replacement water to that source.)	<input type="checkbox"/> <b>All of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.) <input checked="" type="checkbox"/> <b>Only a portion of the right will be exercised at a different location than currently authorized</b> (Use of water at the current location will be discontinued.)	Proposed new use: <input type="checkbox"/> <b>Irrigation</b> <input type="checkbox"/> <b>Municipal</b> <input type="checkbox"/> <b>Quasi-municipal</b> <input type="checkbox"/> <b>Commercial</b> <input type="checkbox"/> <b>Industrial</b> <input type="checkbox"/> <b>Instream</b> (complete and attach <i>Supplemental Form C</i> ) <input type="checkbox"/> <b>Domestic</b> (indicate number of households) _____ <input type="checkbox"/> <b>Other</b> _____  <input type="checkbox"/> <b>Substitution</b> (A supplemental ground water right will be substituted for a primary surface water right.) <input type="checkbox"/> <b>Supplemental Use to Primary Use</b> (Primary water right shall be cancelled and the supplemental water right will change to primary use.)

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SALEM, OREGON**

T-10340

## 2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	<u>46930</u>	
	Certificate Number	Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
<input type="checkbox"/> Permit for which Proof has been Approved		
	Permit Number	Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed		
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Lee & Lane Pollock
- County: Umatilla
- Authorized Use(s) to be Affected by Transfer: \_\_\_\_\_
- Priority Date(s): March 1, 1972

*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: groundwater

Tributary to: \_\_\_\_\_

*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?* 46930

*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).*

▪ Certificate Number or other identifying number: 46930

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

*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 Place of Use to be Affected:**

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

[illegible]

T. 10340



■ Certificate Number or other identifying number: 46930

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)
n/a								

- 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
n/a									

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WATER RESOURCES DEPT  
SALEM, OREGON

■ Certificate Number or other identifying number: 46930

### 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)
N/A							

- If there are proposed point(s) of appropriation (wells) listed in the table above, are the well(s) already constructed? ☐ Yes ☐ No ☐ N/A - No proposed well(s) listed above.

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

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

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

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
	N/A									

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▪ Certificate Number or other identifying number: 46930

*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.)

[illegible]

Remarks: "To" lands have an existing water right (cert # 42339)  
which will not be exercised in 2007.

Received assistance on this application by Molly Reid  
Assistant  
watermaster

T-10340



Pollock & Son, Inc  
Lane Pollock  
78691 Agnew Rd  
Hermiston, Or 97838  
2006 Photo

T.10340

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**WATER RESOURCES DEPT  
SALEM, OREGON**



# **Water Right Transfer Supplemental Form B** **AFFIDAVIT ATTESTING TO THE USE OF WATER**

State of Oregon )  
 County of Umatilla ) ss

I, Lane Pollock, in my capacity as Landowner,  
 mailing address 78691 Agnew Rd Hermiston, OR 97838  
 telephone number (541) 567-8659, 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: \_\_\_\_\_; 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)
4	N	28 E	WM	20	NW¼NW¼	— 40
4	N	28 E	WM	20	SW¼NW¼	— 40

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(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.



4. The water right was exercised for the authorized purpose described below (e.g., crops grown):

Crops grown

5. The water delivery system used to apply water as authorized by the right is described below:

drip irrigation and hand lines

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 \_\_\_\_\_,
- ☐ Other: \_\_\_\_\_

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SALEM, OREGON

Jane Dallock  
Signature of Affiant

March 12, 2007  
Date

Signed and sworn to (or affirmed) before me this 12<sup>th</sup> day of MARCH, 2007.



Jean Hemphill  
Notary Public for Oregon

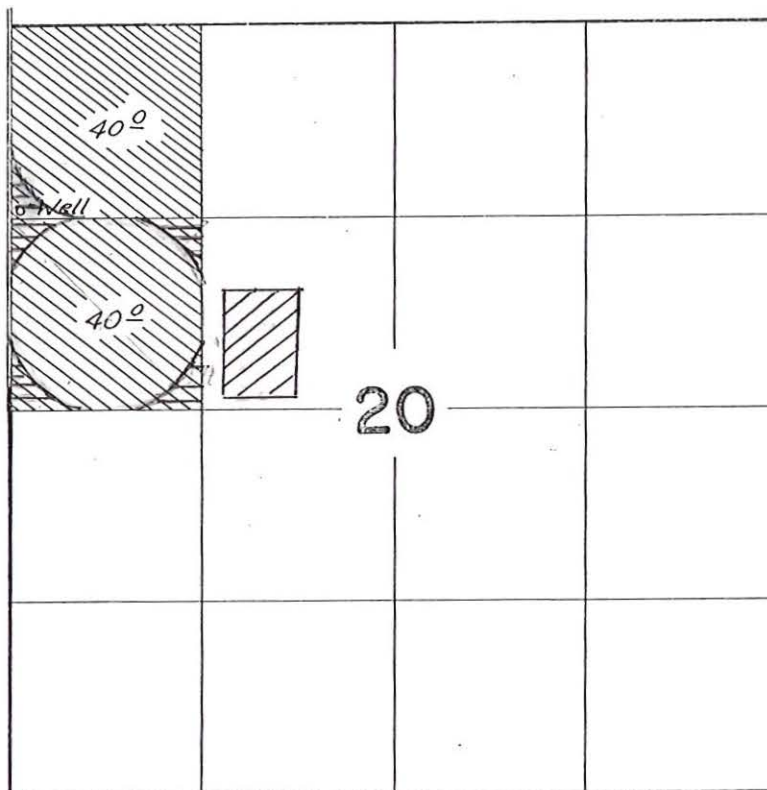
My Commission Expires: September 5, 2010

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

G 4972  
46930



T.4N.,R.28E.,W.M.



Well Loc: 1260 ft. S., & 60 ft. E., from NW Cor. Sec. 20



From Lands 10 acres



To Lands 10 acres

FINAL PROOF SURVEY  
UNDER

Application No. G-5738 Permit No. G-4972  
IN NAME OF

Lee & Lane Pollock

Surveyed Oct. 28, 1976, by L.H. Nunn

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SALEM, OREGON

T.10340

NZ-IMM-231 *dlb*



FORM NO. 839 - WARRANTY DEED (Individual or Corporate)

11/74

R 31 PAGE 411

WARRANTY DEED

KNOW ALL MEN BY THESE PRESENTS, That LELA E. QUICK,

hereinafter called the grantor, for the consideration hereinafter stated, to Grantor paid by LANE L. POLLOCK and GLENDA L. POLLOCK, husband and wife, and LE RUE W. POLLOCK and, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the said grantee and grantee's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Umatilla and State of Oregon, described as follows, to-wit:

W 1/2 of NW 1/4 of Section 20, Township 4 North, Range 29, East of the Willamette Meridian, Umatilla County, Oregon;  
EXCEPTING any and all water rights of way and roads;  
SUBJECT TO: Regulations, including easements, levies and assessments of the Westland Irrigation District; Easement recorded April 15, 1963 in Book 271, Page 356, Deed Records;

(If STATE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.  
And said grantor hereby covenants to and with said grantee and grantee's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

except as hereinabove set forth;

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$32,000.00.  
However, the actual consideration consists of or includes other property or value given or promised which is the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 21 day of February, 1975.  
If a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

(If executed by a corporation,  
state corporate name)

Lela E. Quick

STATE OF OREGON,

County of Umatilla

February 21, 1975

Personally appeared the above named Lela E. Quick,

and acknowledged the foregoing instrument to be her voluntary act and deed.

Before me: J. Schmitt

Notary Public for Oregon  
My commission expires 5-23-78

Lela E. Quick  
8120 S. Prairie Road  
Tillamook, Oregon 97141

Lane L., Glenda L., Lerue W. & Dorothy V. Pollock

Rt. 1 Box 239, Hermiston, Oregon

GRANTEE'S NAME AND ADDRESS

Dorothy V. Pollock  
P.O. Box 1472  
Hermiston, Oregon 97038

NAME, ADDRESS, ZIP

NOTE: A change is recorded on tax statements shall be sent to the following address:  
Lane L. and Lerue W. Pollock  
Rt. 1 Box 239, Hermiston, Oregon

NAME, ADDRESS, ZIP

STATE OF OREGON, County of Umatilla

Personally appeared \_\_\_\_\_ and \_\_\_\_\_

who, being duly sworn, each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of \_\_\_\_\_

\_\_\_\_\_ a corporation, and that the seal attested to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Before me: \_\_\_\_\_ (OFFICIAL SEAL)

Notary Public for Oregon  
My commission expires: \_\_\_\_\_

STATE OF OREGON, COUNTY OF UMATILLA

I, Jessie M. Bell, County Clerk, certify that this instrument was received and recorded

ON MAR 24 1978

at 3:40 o'clock P.M. in the record of DEEDS of said County in

Book P-31 Page 411

SPACE RESERVED FOR RECORDER'S USE

JESSIE M. BELL  
County Clerk

By \_\_\_\_\_ Deputy

Fees \$ 3.00 No. 33991

T-10340

Account: 1 01 Service Address: 50 HP PUMP

CANTIDAD DEBIDA

Meter Number	Rate Type	Service from	Periods To	# of Days	Meter Reading Previous	Meter Reading Present	Meter Mult	Kilowatt Hours Used
1506070	42A	03/01	04/01	31	57,698	59,183	1	1,485

Monthly Basic Charge

\$13.50

Day Time Energy Usage

1,128 kWh @ \$ .04700

\$53.02

Night Time Energy Usage

357 kWh @ \$ .04250

\$15.17

Power Factor Adjustment

4.19 kW @ \$ 3.60

\$15.08

Mar 05 Availability Demand

45.27 kW @ \$ 1.20

\$54.32

Current Bill Becomes Past Due

04/27/06

Sub Total

\$151.09

Beginning Balance

\$9.96

Payment Received

03/22/06

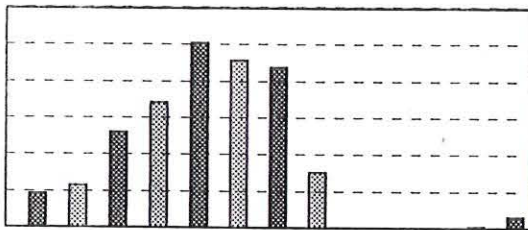
\$9.96 CR

Total Due

\$151.09

## Your Average Daily KWH Usage by Month

Period Ending	Avg Daily Temperature	Total KWH	Average kWh/Day	Cost Per Day
03/06	46	1,485	47	4.87
03/05	49	4,649	149	9.67



Access And Pay Your Bill Online - UEC gives you another value-added service with our new online account access and bill payment option. Online bill payment is a fast, safe and secure way to pay utility bills through the Internet from wherever or whenever you choose. Go to [Umatillaelectric.com](http://Umatillaelectric.com) to sign-up!

M A M J J A S O N D J F M

9% APR Interest Will Be Charged On Past Due Accounts. All Payments Must Be US Currency.

**UEC**  
UMATILLA  
ELECTRIC  
COOPERATIVE

PREVIOUS MONTHS' AMOUNT DUE	PAYMENTS AND CREDITS (-) SINCE LAST BILLING	CURRENT BILLING
9.96	9.96	151.09

TOTAL AMOUNT DUE/  
CANTIDAD TOTAL QUE  
SE DEBE

151.09

DAFERILL 985 750 W. ELM STREET • P.O. BOX 1148 • HERMISTON, OREGON 97838-3148 • PHONE (541) 567-6414 • OREGON 1-800-452-2273 • BOARDMAN (541) 481-2220

Pollock & Son Inc  
78691 Agnew Rd  
Hermiston, Or 97838

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WATER RESOURCES DEPT  
SALEM, OREGON

T-10340



Name: POLLOCK AND SON INC  
 Account: 1 01 Service Address: 50 HP PUMP

Meter Number	Rate Type	Service from	Periods To	# of Days	Meter Reading Previous	Meter Reading Present	Meter Mult	Kilowatt Hours Used
1506070	42A	07/01	08/01	31	82,795	8,784	1	25,989

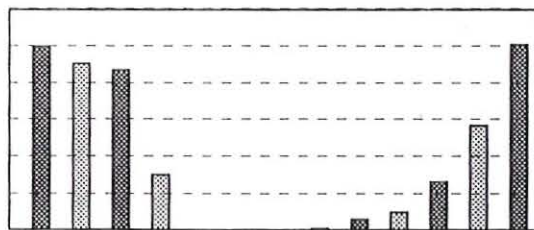
AMOUNT DUE/  
CANTIDAD DEBIDA

Monthly Basic Charge		\$13.50
Day Time Energy Usage	15,311 kWh @ \$ .04700	\$719.62
Night Time Energy Usage	10,678 kWh @ \$ .04250	\$453.82
BPA Summer Seasonal Adjustment	25,989 kWh @ \$ .00970	\$252.09 CR
kW Peak Demand	49.66 kW @ \$3.60000	\$178.78
Power Factor Adjustment	5.95 kW @ \$ 3.60	\$21.42
Jun 06 Availability Demand	49.78 kW @ \$ 1.20	\$59.73

Current Bill Becomes Past Due	08/28/06	\$1,194.78
Beginning Balance		\$789.25
Payment Received	07/27/06	\$789.25 CR
Thank You		
Total Due		\$1,194.78

Your Average Daily KWH Usage by Month

Period Ending	Avg Daily Temperature	Total KWH	Average KWH/Day	Cost Per Day
07/06	77	25,989	838	38.54
07/05	76	25,761	831	37.33



Are you looking for ways to save money on your electric bill? Umatilla Electric can help! Determine the efficiency of your home with a FREE home energy audit and learn more about the programs that are available to help you save electricity and money. For more details on how UEC conservation programs can save you \$\$\$ call 541-567-6414, 800-452-2273 or check out our web-site at [www.umatillaelectric.com](http://www.umatillaelectric.com)

J A S O N D J F M A M J J

9% APR Interest Will Be Charged On Past Due Accounts. All Payments Must Be US Currency.

**UEC** UMATILLA  
ELECTRIC  
COOPERATIVE

PREVIOUS MONTHS' AMOUNT DUE	PAYMENTS AND CREDITS (-) SINCE LAST BILLING	CURRENT BILLING
789.25	789.25	1,194.78

TOTAL AMOUNT DUE/  
CANTIDAD TOTAL QUE  
SE DEBE  
**1,194.78**

DAFFBILL 1022 08/11/06 02:04 POLLOCK AND SON INC 001808000001  
 750 W. ELM STREET • P.O. BOX 1148 • HERMISTON, OREGON 97838-3148 • PHONE (541) 567-6414 • OREGON 1-800-452-2273 • BOARDMAN (541) 481-2220

Pollock & Son, Inc  
 78691 Agnew Rd  
 Hermiston, Or 97838

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**MAR 15 2007**

**WATER RESOURCES DEPT  
SALEM, OREGON**

T-10340



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: Lane Pollock  
Mailing Address: 78691 Agnew Rd  
City: Nermiston State: Or Zip: 97838 Day Phone: 541-561-8459

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	1/4	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
4N	28E	20	SWNW	600		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	IR
4N	28E	20	SENE	500		<input checked="" type="checkbox"/> Diverted <input checked="" type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	IR
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
						<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

List all counties and cities where water is proposed to be diverted, conveyed, or used. \_\_\_\_\_

**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) \_\_\_\_\_

Estimated quantity of water needed: 30 ☐ cubic feet per second ☐ gallons per minute ☒ acre-feet

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

Briefly describe: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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

RECEIVED

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WATER RESOURCES DEPT  
SALEM, OREGON

T-10340

## 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): 152.059.

☐ 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:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

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

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

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**MAR 15 2007**

**WATER RESOURCES DEPT  
SALEM, OREGON**

Name: Richard H. Jennings Title: Senior Planner  
Signature: [Signature] Phone: 278-1279 Date: 3/12/07  
Government Entity: Umatilla County

**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.

### Receipt for Request for Land Use Information

Applicant name: \_\_\_\_\_

City or County: \_\_\_\_\_ Staff contact: \_\_\_\_\_

Signature: \_\_\_\_\_ Phone: \_\_\_\_\_ Date: \_\_\_\_\_

T.10340



# FAX COVER SHEET

POLLOCK & SON, INC.  
78691 MAGNEW RD  
HEMISTON, OR 97838  
Phone number: 541-567-8659  
Fax number: 541-567-8659

Send to: <i>Oregon Water Resources</i>	From: <i>Lane Pollock</i>
Attention: <i>Sarah</i>	Date: <i>3-16-07</i>
RE: <i>T 10340</i>	

☐  
☐  
☐  
☐  
☐  
☐

Total pages, including cover:

**Comments:**

*This is a copy and is not very clear. If it is not acceptable I can mail it this afternoon and it would be more clear for you.*  
*Glenda Pollock*

*T. 10340*



Indicate in this column whether or not the item is satisfied.

## Temporary Transfer Application – OAR 690-380 3000 & 3100

### Completeness Checklist

Applicant's Name: Lane Pollock - Pollock & Son, Inc. (Form last revised: March 13, 2007)

#### Section A – Status of Right

Is this a Water Right that can be transferred?

[OAR 690-380-0100(14)]

**NOTE:** The Department can accept a Transfer application for any right that is:

- ☒ 1) an adjudication with a court decree; *or*
- ☐ 2) a certificate that is not cancelled; *or*
- ☐ 3) a transfer that's been approved & A COBU has been received by the Department

If the subject right does not fall into any of the above categories, **RETURN** the application & fee to the applicant.

#### Section B – Type of Change

Is the proposed change(s) allowed under the Temporary Transfer process?

[ORS 540.523]

**NOTE:** Only **POU** changes are allowed on Temporary Transfers.

**UNLESS...** POA/POD change is necessary to convey water to the new temp place of use.

**OR** - Character of Use of storage right (R-xxxxx)

**OR** - In the Deschutes Basin, a change in Use from irrigation to municipal is allowed.

If the application proposes a change other than those listed above, **RETURN** the application & fee to the applicant.

#### Section C - Fees

Have the appropriate fees been paid?

Total Required Fees: 185<sup>00</sup>

Fee Schedule – ORS 536.050(1)(i)

Total Fees Paid: 185<sup>00</sup>

\$175 - Base (1<sup>st</sup> CFS of water)

+ \$ 1 - Per acre of land irrigated

Fees Due (if any): 0

+ \$ 75 - For each cfs or fraction thereof beyond the 1<sup>st</sup> cfs for non-irrigated land

Refund Due (if any): 0

If the applicant has **NOT** submitted the total fees required, **RETURN** the application & deficient fee to the applicant.

#### Section D – Completeness

Indicate in this column whether an item is incomplete, and if so, identify the deficiency.

Is the Temporary Transfer application complete?

All required elements necessary for a complete temporary transfer application are listed below.

**Indicate whether or not the applicant has answered and/or supplied attachments to adequately address each of the following items.** If any one of the items is deficient, then the application is incomplete.

**NOTE:** For reference, the application page number upon which each item is requested is identified.

If the application is **NOT** complete, **RETURN** the application & fee to the applicant.

- ☒ • Type of transfer application clearly marks Temporary and indicates the number of years. (Page 1)

- ☒ • Applicant's name, mailing address and contact information. (Page 1)

- N/A • Agent's name, mailing address and contact information, *if applicable*. (Page 1)

- ☒ • Are the water rights to be affected by this temporary transfer listed? (Page 2)

If there are multiple water rights listed.... The applicant must supply a separate "set" of Supplemental Form A for each water right to be transferred.

	Checklist for Supplemental Form A – (Attachments)	
✓	• Certificate # filled in on each page?	(Page 1)
✓	• Type of change(s) proposed clear?	(Page 1)
✓	• Current Water Right information is complete?	(Page 2)
✓	<p>• If for a change in <b>POU</b>... (Page 2)</p> <p>Are there any “layered” irrigation rights, permits, or GR registrations appurtenant to the same place of use as the water right proposed to be transferred? <b>YES NO</b></p> <p>If <b>YES</b>..... the other “layered” water uses subject to transfer must either change concurrently or be cancelled, except as provided in OAR 690-380-2240(5).</p> <p>OR...applicant indicates supplemental right will not be exercised on “From” lands</p> <p>Are they included in application? If not, contact applicant or agent.</p>	
N/A	<p>• Location description of the authorized POA/POD to be changed. (Page 3)</p> <p><b>NOTE:</b> Ensure that the location coordinates listed in the application match the point and location coordinates illustrated on the application map.</p> <p>Additionally, if the existing authorized source is ground water (POA), the applicant must either:</p> <p>_____ 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are <b>not available</b>, describe the construction of the well(s) in the table provided on page 3 of the supplemental form A application.</p>	
✓	<p>• Location description of the existing authorized POU and associated acres (if applicable). (Page 4)</p> <p><b>NOTE:</b> Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>	
N/A	<p>• Location description of the proposed POA/POD. (Page 5)</p> <p><b>NOTE:</b> Ensure that the proposed location coordinates listed in the application match the proposed point and location coordinates illustrated on the application map.</p> <p>Additionally, if the proposed source is ground water (POA), the applicant must either:</p> <p>_____ 1) supply a copy of the well log(s), <u>or</u></p> <p>_____ 2) if well logs are <b>not available</b> <u>or</u> the well is <b>not yet constructed</b>, describe the construction of the well(s) in the table provided on page 5 of the application.</p>	
✓	<p>• Location description of the proposed POU and associated acres (if applicable). (Page 6)</p> <p><b>NOTE:</b> Ensure that the location and number of acres listed per ¼ ¼ in the application match those illustrated on the application map.</p>	
✓	<b>Return back to Page 2 of transfer application</b>	
✓	• The type of change(s) being proposed.	(Page 2)
✓	• Reason for the temporary transfer.	(Page 2)
✓	• Description of current water delivery system.	(Page 2)
✓	• System Capacity.	(Page 2)
	<b>Checklist for Supplemental Form B – (Attachments)</b>	
✓	• Is there a box checked in #1?	(Page 1)



✓	<ul style="list-style-type: none"> <li>Is there a box checked in #2?</li> </ul>	(Page 1)
✓	<ul style="list-style-type: none"> <li>Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3?</li> </ul>	(Page 1)
✓	<ul style="list-style-type: none"> <li>In question #4 and #5 are they filled out.</li> </ul>	(Page 2)
✓	<ul style="list-style-type: none"> <li>Is there a box checked in #6?</li> </ul>	(Page 2)
✓	<ul style="list-style-type: none"> <li>Is the #6 supporting documentation included with application?</li> </ul>	(Page 2)
✓	<ul style="list-style-type: none"> <li>Is there an original signature of the notary and notary stamp?</li> </ul>	(Page 2)
✓	<b>Return back to Page 3 of transfer application</b>	
✓	<ul style="list-style-type: none"> <li>Affected districts and local governments. If within a district/local government jurisdiction, ensure that name &amp; mailing address is provided. And agreement with district to deliver water to "To" lands</li> </ul>	(Page 3)
✓	<ul style="list-style-type: none"> <li>Is the applicant the Landowner of the "from" and "to" Lands? <b>YES</b> NO If <b>NO</b>..... The applicant must list current landowner name &amp; address. And include a notarized statement granting consent to the transfer from each landowner.</li> </ul>	(Page 4)
✓	<ul style="list-style-type: none"> <li>Who will be responsible for completion of the changes? Is a box checked? If no box is checked the applicant or agent must be contacted.</li> </ul>	(Page 4)
✓	<ul style="list-style-type: none"> <li>Map..... N/A if more than 3 rights are included in transfer, is there a separate map for each water right? N/A If larger than 8 ½ X 14 - then 3 copies of map is needed &amp; an electronic pdf of map ✓ north arrow size &amp; scale other: _____ ✓ authorized acreage per ¼ ¼ matches the water right ✓ authorized POD/POA and POU (clearly shown, labeled &amp; matches application listing) N/A point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR ✓ proposed POD/POA and/or POU (clearly shown, labeled &amp; matches application "proposed" listing) N/A location coordinates accurately describe the point identified as the proposed POD/POA</li> </ul>	(Page 5)
✓	<ul style="list-style-type: none"> <li>Land Use form, <i>if applicable</i>. Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.</li> </ul>	(Page 5)
N/A	<ul style="list-style-type: none"> <li>If a groundwater right is involved, are the well logs or a description included.</li> </ul>	(Page 5)
✓	<ul style="list-style-type: none"> <li>Is a copy of the current deed included for the From lands?</li> </ul>	(Page 5)
✓	<ul style="list-style-type: none"> <li>Signature(s) of applicant(s): Are one of the boxes checked? (not needed for Temporary Transfer) <u>All</u> applicants listed on page 1 of the application <u>must</u> sign the application.</li> </ul>	(Page 6)
WRD Completeness Reviewer's Name: <u>Sarah Henderson</u> Date: <u>3-16-07</u>		



# 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

March 27, 2007

LANE POLLOCK  
POLLOCK & SONS INC  
78691 AGNEW ROAD  
HERMISTON OR 97838

Reference: Temporary Transfer 10340

On March 15, 2007 we received your water right transfer application requesting place of use change for use of water from a WELL, tributary to UMATILLA RIVER. The application was accompanied by \$185. Our receipt 86651 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.

Pursuant to OAR 690-380-8010, the lands from which an irrigation water right is to be transferred and the land to which the right is to be transferred may not both receive water during the same season. If the temporary transfer is approved during an irrigation season and water has already been used at the currently authorized location during that season, then the temporary transfer will not take effect until the following season.

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)986-0900.

cc: Watermaster #5  
Westland Irrigation District  
Kristine McCullough, Landowner

enclosure





# 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 03/27/07

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: UMATILLA  
Transfer: 10340  
Water Right: CERT 46930  
Priority Date: 1972  
Name: LANE POLLOCK, POLLOCK AND SONS INC  
Address: 78691 AGNEW RD; HERMISTON OR 97838  
Change: POU  
Source: WELL  
Authorized POU: T4N R28E 20  
Proposed POU: T4N R28E 20

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.

This map was prepared for  
Assessment purposes only.



NW1/4 SEC 20 T4N R28E WM  
UMATILLA COUNTY, OR  
SCALE: 1" = 200

9/23/04

4N 28 20B



4N 28 20B

# TRANSFER CHECK OFF LIST

TRANSFER FILE # 10340  
 DATE RECEIVED 3-15-07  
 DATE MONEY SLIPPED 3-15-07  
 DATE RECEIPTED 3-15-07  
 VALID WATER RIGHT? X Yes      No  
 TEMP ALT AC      IRR DIST      PERM AMEND      DIV 15       
 TEMP Div 15 X ISWR       
 LETTER FROM ATTORNEY      YES (PUT INFO ON FRONT COVER) X NO  
 FOLDER FILLED OUT\* yes  
 ENTERED IN DB yes  
 CONTENTS MARKED yes  
 COLOR CODED X Yes 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       
 DECREE MARKED       
 DECREE COPIED       
 ADJUDICATION MAP COPIED       
 ENTRIES CHECKED 3-27-07 CHECKED BY      INIT FOLDER       
 PUBLIC NOTICE DATE 3-27-07 (PREPARED & COPIED) yes  
 LETTER SENT yes Irrigation District yes (copy of app & map)  
 COPY TO WM yes  
 BLUE FORM TO WM yes Orange Perm Amend/Yellow Temp/Gru 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/Gru Dist/Lav Alt Acr/pink his  
 COPY TO CWRE no  
 LETTER TO ODFW no ALL Surface water POU/USE (POD and APOD FISH SCREENS)  
 TRANSFER SENT TO: Susan SW --- NCR --- SCR --- ER

SHRINK DATA IF THERE ARE MANY FILES INVOLVED AND GLUE TO FOLDER