

Application for Permanent Water Right Transfer



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

Part 1 of 4 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 4 and all required attachments are not completed and included.

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

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Completed Applicant Information and Signature.
- ☒ Part 4 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 8 List them here: 73168, 73169, 73170, 73171, 81680, 74205, 83237, and 4117**

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Please include a separate Part 4 for each water right. (See instructions on page 6)

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

- ☒ **Application Fee** - payable by check to the Oregon Water Resources Department, the online fee calculator is located:
https://apps.wrd.state.or.us/apps/wr/wr_transfer_calculator/permanent_transfer.aspx

Attachments:

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

(For Staff Use Only)

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

- | | |
|--|--|
| ☐ Application fee not enclosed/insufficient | ☐ Map not included or incomplete |
| ☐ Land Use Form not enclosed or incomplete | ☐ Evidence of Use Form not enclosed or incomplete |
| ☐ Additional signature(s) required | ☐ Part _____ is incomplete |

Other/Explanation _____
Staff: _____ 503- _____ Date: ____/____/____

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

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

- ☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- ☒ ☐ N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ A north arrow, a legend, and scale.
- ☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- ☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- ☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- ☒ ☐ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- ☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- ☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

Part 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Dan and Eva Henes/Eagle Eye Ventures LLC			PHONE NO. 541-403-1223	ADDITIONAL CONTACT NO.
ADDRESS 42008 SALMON CREEK RD.				FAX NO.
CITY Baker City	STATE OR	ZIP 97814	E-MAIL	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Paul Garvin/Garvin HydroGeo LLC			PHONE NO. 503-347-7188	ADDITIONAL CONTACT NO.
ADDRESS 1705 Main St. Ste 101				FAX NO.
CITY Baker City	STATE OR	ZIP 97814	E-MAIL Garvin.hydrogeo@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

The water user seeks to add two points of appropriation (wells) and transfer places of use under two supplemental groundwater certificates (73168 and 73169) that allow appropriation from three shallow horizontal wells. In order to ensure irrigation coverage in the areas desired, the water user also seeks to transfer places of use for primary and supplemental irrigation under water right certificates 4117, 74205, 73170, 73171, 83237, 81680, and 74205.

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

Check One Box

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

By my signature below, I confirm that I understand:

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By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Baker City Herald.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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

SUPERSEDING

[Signature]
Applicant signature

Daniel Hones
Print Name (and Title if applicable)

5/12/23
Date

Eva Hones
Applicant signature

Eva Hones
Print Name (and Title if applicable)

9/12/25
Date

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

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

Check the following boxes that apply:

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

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

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

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

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: ☐ Applicant ☐ Receiving Landowner				

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

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

Check the following boxes that apply:

- ☐ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.
- ☐ The receiving landowner will be responsible for completing the proposed change(s) after the final order is issued. Copies of notices and correspondence should be sent to this landowner.
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At this time, are the lands in this transfer application in the process of being sold? ☐ Yes ☐ No

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

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RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: ☐ Applicant ☐ Receiving Landowner				

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Description of Water Delivery System

System capacity: 5.0 cubic feet per second (cfs) **OR**
_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Wells 1 and 2 consist of 4" diameter drain tiles buried at a depth of 3-4 feet below land surface. Well 1 is approximately 1,190 feet long and trends about North 29° West, Well 2 is approximately 1,520 feet long and trends about North 45° West. The wells both terminate at the location provided in Table 1 below. The wells discharge to a bulge in the system located approximately 120 feet North and 767 feet East from the center of Section 5. A 100 hp pump is used to withdraw water from the bulge and distribute it the places of use.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	☒ Authorized ☐ Proposed	NA	9 S	39 E	5	SW NE	1400	180 ft N and 650 ft E from the Center of Section 5
Well 2	☒ Authorized ☐ Proposed	NA	9 S	39 E	5	SW NE	1400	180 ft N and 650 ft E from the Center of Section 5
Well 4	☐ Authorized ☒ Proposed	NA	9 S	39 E	5	NW SE	1400	29 ft S and 223 ft E from the Center of Section 5
Well 5	☐ Authorized ☒ Proposed	NA	9 S	39 E	5	SW NE	1400	32 ft N and 448 ft E from the Center of Section 5

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

- | | |
|--|--|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☒ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 73168

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

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
9	S	39	E	5	SE	NW	1400	2	1.2	IS	Wells 1 and 2	5/24/1978	POU/APOD	9	S	39	E	5	SE	SW	800		16.2	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	NE	SW	1400, 1401, 1402		5.2	IS	Wells 1 and 2	5/24/1978	POU/APOD	9	S	39	E	8	-	-	1400	Lot 43	6.4	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SE	SW	1400, 1401		3.8	IS	Wells 1 and 2	5/24/1978	POU/APOD	9	S	39	E	5	SW	SE	1400, 1900		6.1	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	NW	SE	1400, 1402		5.3	IS	Wells 1 and 2	5/24/1978	POU/APOD	9	S	39	E	5	SW	NE	1400	1	1.0	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SW	SE	1400, 1900		6.1	IS	Wells 1 and 2	5/24/1978	POU/APOD	9	S	39	E	5	SE	NW	1400	2	34.0	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SW	NE	1400	1	1.0	IS	Wells 1 and 2	5/24/1978	POU/APOD	9	S	39	E	5	SW	NE	1400	1	31.6	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SE	NW	1400	2	34.0	IS	Wells 1 and 2	5/24/1978	APOD	9	S	39	E	5	NE	SE	1400		29.8	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SW	NE	1400	1	31.6	IS	Wells 1 and 2	5/24/1978	APOD	9	S	39	E	5	SE	SE	1400		1.0	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	NE	SE	1400		29.8	IS	Wells 1 and 2	5/24/1978	APOD	9	S	39	E	5	NW	SE	1400, 1402		33.9	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SE	SE	1400		1.0	IS	Wells 1 and 2	5/24/1978	APOD	9	S	39	E	5	NE	SW	1400, 1401, 1402		16.4	IS	Wells 1,2,3, and 4	5/24/1978

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9	S	39	E	5	NW	SE	1400, 1402		33.9	IS	Wells 1 and 2	5/24/1978	APOD	9	S	39	E	5	SW	SE	1400, 1900		31.9	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	NE	SW	1400, 1401, 1402		16.4	IS	Wells 1 and 2	5/24/1978	APOD	9	S	39	E	5	SE	SW	1400, 1401		10.4	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SW	SE	1400, 1900		31.9	IS	Wells 1 and 2	5/24/1978	APOD													
9	S	39	E	5	SE	SW	1400, 1401		10.4	IS	Wells 1 and 2	5/24/1978	APOD													
TOTAL ACRES:									211.6					TOTAL ACRES:									211.6			

Additional remarks:

Note that due to historical irregularities in land surveys and property line adjustments at the properties in question, only 211.6 of the 218.6 certificated acres of certificate 73168 are within the boundaries of the properties included in this transfer application as follows: 32.6 of 37.2 certificated acres in the SWNE QQ of section 5, and 0 of 2.4 certificated acres in the SENE QQ of section 5.

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **4117, 73169, 73170, 73171 81680, 74205, 73172, and 83237.**

Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L- _____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Well 1	Yes	NA	3’-4’	4”	NA	NA	NA	3’-4’	Alluvial	Full Certificated Rate
Well 2	Yes	NA	3’-4’	4”	NA	NA	NA	3’-4’	Alluvial	
Well 4	No	NA	50’	12”	0’-50’	0’-20’	30’-50’	40’ (est)	Alluvial	
Well 5	No	NA	50’	12”	0’-50’	0’-20’	30’-50’	40’ (est)	Alluvial	

CERTIFICATE # **73169****SUPERSEDING****Description of Water Delivery System**

System capacity: **5.0** cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Wells 1 and 2 consist of 4" diameter drain tiles buried at a depth of 3-4 feet below land surface. Well 1 is approximately 1,190 feet long and trends about North 29° West, Well 2 is approximately 1,520 feet long and trends about North 45° West. The wells both terminate at the location provided in Table 1 below. The wells discharge to a bulge in the system located approximately 120 feet North and 767 feet East from the center of Section 5. A 100 hp pump is used to withdraw water from the bulge and distribute it the places of use.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 3	☒ Authorized ☐ Proposed	NA	9	S	39	E	5	SW	NE	1400	120 feet N and 1,000 ft W from the Center of Section 5
Well 4	☐ Authorized ☒ Proposed	NA	9	S	39	E	5	NW	SE	1400	29 ft S and 223 ft E from the Center of Section 5
Well 5	☐ Authorized ☒ Proposed	NA	9	S	39	E	5	SW	NE	1400	32 ft N and 448 ft E from the Center of Section 5

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

- | | |
|--|--|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☒ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 73169

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

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
9	S	39	E	5	SE	NW	1400	2	1.2	IS	Wells 1 and 2	5/24/1978	POU/APOD	9	S	39	E	5	SE	SW	800		16.2	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	NE	SW	1400, 1401, 1402		5.2	IS	Wells 1 and 2	5/24/1978	POU/APOD	9	S	39	E	8	-	-	1400	Lot 43	6.4	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SE	SW	1400, 1401		3.8	IS	Wells 1 and 2	5/24/1978	POU/APOD	9	S	39	E	5	SW	SE	1400, 1900		6.1	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	NW	SE	1400, 1402		5.3	IS	Wells 1 and 2	5/24/1978	POU/APOD	9	S	39	E	5	SW	NE	1400	1	1.0	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SW	SE	1400, 1900		6.1	IS	Wells 1 and 2	5/24/1978	POU/APOD	9	S	39	E	5	SE	NW	1400	2	34.0	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SW	NE	1400	1	1.0	IS	Wells 1 and 2	5/24/1978	POU/APOD	9	S	39	E	5	SW	NE	1400	1	31.6	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SE	NW	1400	2	34.0	IS	Wells 1 and 2	5/24/1978	APOD	9	S	39	E	5	NE	SE	1400		29.8	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SW	NE	1400	1	31.6	IS	Wells 1 and 2	5/24/1978	APOD	9	S	39	E	5	SE	SE	1400		1.0	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	NE	SE	1400		29.8	IS	Wells 1 and 2	5/24/1978	APOD	9	S	39	E	5	NW	SE	1400, 1402		33.9	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SE	SE	1400		1.0	IS	Wells 1 and 2	5/24/1978	APOD	9	S	39	E	5	NE	SW	1400, 1401, 1402		16.4	IS	Wells 1,2,3, and 4	5/24/1978

SUPERSEDING

9	S	39	E	5	NW	SE	1400, 1402		33.9	IS	Wells 1 and 2	5/24/1978	APOD	9	S	39	E	5	SW	SE	1400, 1900		31.9	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	NE	SW	1400, 1401, 1402		16.4	IS	Wells 1 and 2	5/24/1978	APOD	9	S	39	E	5	SE	SW	1400, 1401		10.4	IS	Wells 1,2,3, and 4	5/24/1978
9	S	39	E	5	SW	SE	1400, 1900		31.9	IS	Wells 1 and 2	5/24/1978	APOD													
9	S	39	E	5	SE	SW	1400, 1401		10.4	IS	Wells 1 and 2	5/24/1978	APOD													
TOTAL ACRES:									211.6					TOTAL ACRES:									211.6			

Additional remarks:

Note that due to historical irregularities in land surveys and property line adjustments at the properties in question, only 211.6 of the 218.6 certificated acres of certificate 73169 are within the boundaries of the properties included in this transfer application as follows: 32.6 of 37.2 certificated acres in the SWNE QQ of section 5, and 0 of 2.4 certificated acres in the SENE QQ of section 5.

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **4117, 73168, 73170, 73171 81680, 74205, 73172, and 83237.**

Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L- _____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Well 3	Yes	NA	3’-4’	4”	NA	NA	NA	3’-4’	Alluvial	Full Certificated Rate
Well 4	No	NA	50’	12”	0’-50’	0’-20’	30’-50’	40’ (est)	Alluvial	
Well 5	No	NA	50’	12”	0’-50’	0’-20’	30’-50’	40’ (est)	Alluvial	

CERTIFICATE # 4117**Description of Water Delivery System**

System capacity: **3.0** cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

SUPERSEDING

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

The springs arise NWNW of Section 8 and the SESW of Section 5, T9S, R39E. Springs 1 and 2 flow through natural channels to the bulge in the system located in the NW portion of the SESW of Section 5, T9S, R39E and the SWNE of Section 5, T9S, R39E respectively, where the water can be distributed and applied the places of use.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
4117 Spring 1	☒ Authorized ☐ Proposed		9	S	39	E	8	NW	NW	800	1,133 ft S and 2,422 ft W from the Center of Section 5
4117 Spring 2	☒ Authorized ☐ Proposed		9	S	39	E	5	SE	SW	1400	1,715 ft S and 2,632 ft W from the Center of Section 5

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 4117

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

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
9	S	39	E	5	SE	SW	1400		2.1	Irrigation	4117 Spring 1, 4117 Spring 2	12/31/1902	POU	9	S	39	E	5	SW	SE	1400		2.1	Irrigation	4117 Spring 1, 4117 Spring 2	12/31/1902
TOTAL ACRES:									2.1					TOTAL ACRES:							2.1					

Additional remarks:_____.

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **73171, 73172, 73168, 74205, 83237, and 73169.**

Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

SUPERSEDING

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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CERTIFICATE # 74205

Description of Water Delivery System

System capacity: 5.0 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Certificate 74205 consists of 21.4 acres of primary irrigation and 191.2 acres of supplemental irrigation. Only 191.2 of acres of the 191.2 certificated acres of supplemental lie within applicants property boundary.

Springs arise at the point of diversion and water is conveyed to the north and west via ditches where it is applied via flood irrigation. Water is also conveyed east via a short conduit under a road and into ditches that move the water to the bulge in the system located approximately 700 ft east of the center of Section 5. From the bulge in the system water can be distributed throughout the places of use via flood irrigation and/or center pivots and sprinklers

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Nelson Spring	☒ Authorized ☐ Proposed		9	S	39	E	5	NE	SW	1402	850 feet S and 440 ft W for the Center of Section 5

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

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SUPERSEDING

Table 2. Description of Changes to Water Right Certificate # 74205

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
9	S	39	E	5	SW	NE	1400	1	7.2	IR	Nelson Spring	5/24/1978	POU	9	S	39	E	5	NE	SW	1400		10.8	IR	Nelson Spring	5/24/1978
9	S	39	E	5	SE	NW	1400	2	1.2	IR	Nelson Spring	5/24/1978	POU	9	S	39	E	5	SE	SE	1400		1.0	IR	Nelson Spring	5/24/1978
9	S	39	E	5	NE	SW	1401		1.2	IR	Nelson Spring	5/24/1978	POU	9	S	39	E	5	SE	SW	0800		15.5	IS	Nelson Spring	5/24/1978
9	S	39	E	5	NW	SE	1400		2.2	IR	Nelson Spring	5/24/1978	POU													
9	S	39	E	5	NE	SW	1400, 1402		4.0	IS	Nelson Spring	5/24/1978	POU													
9	S	39	E	5	NW	SE	1400, 1402		3.1	IS	Nelson Spring	5/24/1978	POU													
9	S	39	E	5	SW	SE	1400, 1402		4.8	IS	Nelson Spring	5/24/1978	POU													
9	S	39	E	5	SE	SW	1400, 1402		3.6	IS	Nelson Spring	5/24/1978	POU													
TOTAL ACRES:									11.8 (IR), 15.5 (IS)						TOTAL ACRES:							11.8 (IR), 15.5 (IS)				

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **4117, 731710, 73171, 73172, 73168, 73169, 74205, 81680, and 83237**

Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

CERTIFICATE # 81680**Description of Water Delivery System**

System capacity: 2.0 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is appropriated at the certificated PODs as follows:

Miners #2 diverts water from Mill Creek into Marble Creek, flowing east to meet the Miners #4 POD, where the water is directed south into a pipe underneath Pocahontas Road the into the ditch located at the northwestern portion of the applicant's property. This ditch flows into the bulge in the system in the SWNE QQ of Section 5 where it can be distributed to the places of use via mainlines that feed center pivots sprinklers and wheellines.

Water from Cavin Springs and Crabill Springs flows NE through and into the Spring Creek channel, where these three PODs enter the west side of the applicants property through a ditch that flows into the bulge in the system in the SWNE QQ of Section 5 where it can be distributed to the places of use via mainlines that feed center pivots sprinklers and wheellines.

Water from Kelly Springs flows over the surface directly into the bulge in the system in the SWNE QQ of Section 5 where it can be distributed to the places of use via mainlines that feed center pivots sprinklers and wheellines.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1) Marble Creek (Miners #4)	☒ Authorized ☐ Proposed		9	S	39	E	5	NW	NW	1100	1,206 feet S and 370 ft E from the NW Corner of Section 5
2) Mill Creek (Miners #2)	☒ Authorized ☐ Proposed		9	S	39	E	6	SE	NW	0200	1,605 feet S and 2,404 ft E from the NW Corner of Section 6
3) Spring Creek	☒ Authorized ☐ Proposed		9	S	39	E	5	NW	SW	1300	2,524 feet S and 1,250 ft E from the SW Corner of Section 5
4) Kelly Springs	☒ Authorized ☐ Proposed		9	S	39	E	5	NW	SE	1400	2,567 feet S and 2,128 ft W from the SE Corner of Section 5
5) Cavin Springs	☒ Authorized ☐ Proposed		9	S	39	E	6	NW	SE	1301	1,328 feet N and 2,196 ft W from the SE Corner of Section 6

6) Crabill Springs	☒ Authorized		9	S	39	E	5	NW	SW	1300	2,238 feet N and 475 ft E from the SW Corner of Section 5
	☐ Proposed										

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

- | | |
|---|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water
POA (SW/GW) | ☐ Government Action POD (GOV) |

SUPERSEDING

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 81680

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

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																												
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901		
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901		
9	S	39	E	5	NE	SE	1400		6.8	IR	1,2,3,4,5,&6	1863	POU	9	S	39	E	5	SW	NE	1400	1	2.1	IR	1,2,3,4,5,&6	1863		
													POU	9	S	39	E	5	SE	NW	1400	2	0.5	IR	1,2,3,4,5,&6	1863		
													POU	9	S	39	E	5	NE	SW	1400		3.1	IR	1,2,3,4,5,&6	1863		
														9	S	39	E	5	NW	SE	1400		1.1	IR	1,2,3,4,5,&6	1863		
TOTAL ACRES:									6.8						TOTAL ACRES:									6.8				

SUPERSEDING

Additional remarks:

Certificated places of use on the applicant’s property have a priority date of 1863 and lie within T9S R39E, Section 5 as follows: 30.0 acres in SWNE, 34.0 acres in SENW, and 6.8 acres in NESE. The 1910 Priority date listed on Certificate 81680 lies in the SENE of Section 5, outside of applicants property.

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: 73168, 73169, 73170, 73171, 73172, 74205, and 83237.

Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

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AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

CERTIFICATE # 83237

Description of Water Delivery System

System capacity: 5.0 cubic feet per second (cfs) OR gallons per minute (gpm)RECEIVED
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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Miners #2 diverts water from Mill Creek into Marble Creek, flowing east to meet the Miners #4 POD, where the water is directed south into a pipe underneath Pocahontas Road the into the ditch located at the northwestern portion of the applicant's property. This ditch flows into the bulge in the system in the SWNE QQ of Section 5 where it can be distributed to the places of use via mainlines that feed center pivots sprinklers and wheel lines.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Marble Creek (Miners #4))	☒ Authorized ☐ Proposed		9	S	39	E	5	NW	NW	1100	1,206 feet S and 370 ft E from the NW Corner of Section 5
Mill Creek (Miners #2)	☒ Authorized ☐ Proposed		9	S	39	E	6	SE	NW	0200	1,605 feet S and 2,404 ft E from the NW Corner of Section 6

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 83237

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

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																												
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901		
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901		
9	S	39	E	5	NE	SW	1400, 1401, 1402		9.6	IS	Miner #2, Miners #4	8/9/1919	POU	9	S	39	E	5	SW	SE	1400		8.0	IS	Miner #2, Miners #4	8/9/1919		
9	S	39	E	5	NW	SE	1400, 1401		4.1	IS	Miner #2, Miners #4	8/9/1919	POU	9	S	39	E	5	SW	NE	1400	1	5.7	IS	Miner #2, Miners #4	8/9/1919		
TOTAL ACRES:									13.7						TOTAL ACRES:									13.7				

Additional remarks:

Only 155.6 of the 160 certificated acres 83237 lie within the applicant’s property boundaries in T9S R39E, Section 5 as follows: 26.0 ac in NESW, 38 acres in NWSE, 31.2 of the 32.0 certificated acres in NESE, 26.4 of the 30 acres certificated acres in SWNE, and 34 acres in SENW. Note that the acreages listed on the certificate in NESE and NWSE are transposed and are being considered a scrivener’s error, this is clear b/c only 31.2 acres are irrigable within NESE, the other 8 acres are densely timbered.

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: 4117, 73168, 73169, 73170, 73171, 73172, 74205, and 81680.

Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

CERTIFICATE # 73170**Description of Water Delivery System**

System capacity: **3.0** cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

SUPERSEDING

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water diverted from the Beasley POD is conveyed to the property via a buried 10-inch diameter mainline and then applied to the irrigated lands via flood irrigation. Water diverted from the Kelly Ditch POD is conveyed to the property via an open ditch and then applied to the irrigated lands via center pivots and flood irrigation.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Kelly Ditch	☒ Authorized ☐ Proposed		9	S	39	E	5	SE	SE	TL 1600	530 ft N and 850 ft W from the SE Corner of Section 5
Beasley	☒ Authorized ☐ Proposed		9	S	39	E	8	NE	SW	Lot 8	2,700 ft S and 1,320 ft E from the SE Corner of Section 8

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 73170

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

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)		Priority Date		Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)		Priority Date		
EXAMPLE																												
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901		
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901		
9	S	39	E	5	SW	NE	1400		1.0	IS	Kelly Ditch, Beasley	6/6/1983	POU	9	S	39	E	5	NE	SW	1400		7.3	IS	Kelly Ditch, Beasley	6/6/1983		
9	S	39	E	5	SE	NW	1400		1.2	IS	Kelly Ditch, Beasley	6/6/1983	POU															
9	S	39	E	5	NE	SW	1400, 1401		1.2	IS	Kelly Ditch, Beasley	6/6/1983	POU															
9	S	39	E	5	NW	SE	1400		2.3	IS	Kelly Ditch, Beasley	6/6/1983	POU															
9	S	39	E	5	SW	SE	1400, 1401		1.6	IS	Kelly Ditch, Beasley	6/6/1983	POU															
TOTAL ACRES:									7.3					POU	TOTAL ACRES:									7.3				

Additional remarks: Note:

Only 83.8 of the 88.4 certificated acres of 73170 lie within the applicant’s property boundaries (32.6 acres of 37.2 acres SWNE).

SUPERSEDING

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **Certificates: 4117 (IR), 73171 (IS), 73172 (IS), 73168 (IR), 73169 (IS), 74205 (IR, IS), 81680 (IR), and 83237 (IS)**

Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

SUPERSEDING**For a change from Supplemental Irrigation Use to Primary Irrigation Use**

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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Section 8 of 8
CERTIFICATE # 73171

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Description of Water Delivery System

System capacity: **3.0** cubic feet per second (cfs) **OR**
 _____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water diverted from the Beasley POD is conveyed to the property via a buried 10-inch diameter mainline and then applied to the irrigated lands via flood irrigation. Water diverted from the Kelly Ditch POD is conveyed to the property via an open ditch and then applied to the irrigated lands via center pivots and flood irrigation.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Kelly Ditch	☒ Authorized ☐ Proposed		9	S	39	E	5	SE	SE	TL 1600	530 ft N and 850 ft W from the SE Corner of Section 5
Beasley	☒ Authorized ☐ Proposed		9	S	39	E	8	NE	SW	Lot 8	2,700 ft S and 1,320 ft E from the SE Corner of Section 8

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 73171

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

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
9	S	39	E	5	SE	SW	1400, 1402		3.6	IR	Kelly Ditch, Beasley	6/6/1983	POU	9	S	39	E	5	NE	SW	1400		6.8	IG	Kelly Ditch, Beasley	6/6/1983
9	S	39	E	5	SW	SE	1400, 1401		3.2	IR	Kelly Ditch, Beasley	6/6/1983	POU													
TOTAL ACRES:									6.8				POU	TOTAL ACRES:							6.8					

Additional remarks:

Note that the use changes from IR to IS, an affidavit of diminishment is being submitted concurrently with this transfer revision.

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the “from” or the “to” lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **Certificates: 4117 (IR), 73170 (IR), 73172 (IS), 73168 (IR), 73169 (IS), 74205 (IR, IS), 81680 (IR), and 83237 (IS)**

Pursuant to ORS 540.510, any “layered” water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department’s web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

SUPERSEDING

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Paul Garvin <garvin.hydrogeo@gmail.com>

Map scale waiver request

5 messages

Wed, Mar 13, 2024 at 4:21 PM

Paul Garvin <garvin.hydrogeo@gmail.com>

To: DAVIS Arla L * WRD <arla.l.davis@water.oregon.gov>

Cc: STARNES Patrick K * WRD <patrick.k.starnes@water.oregon.gov>

Hi Arla,

I'm currently preparing a transfer application involving six water right certificates and have run into some difficulties creating practical and legible maps at the 1" = 400' and 1" = 1/4 mi scales. In order to create more legible maps on standard paper stock, I'd like to request permission to use a scale of 1" = 1/8 mile.

Please let me know if this would be amenable to the department.

Thank you,

--
Paul Garvin



503-347-7188

1705 Main St. Ste. 101

Baker City, OR 97814

GarvinHydroGeo.com

Thu, Mar 14, 2024 at 8:21 AM

STARNES Patrick K * WRD <patrick.k.starnes@water.oregon.gov>

To: Paul Garvin <garvin.hydrogeo@gmail.com>, DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>

Good Morning Paul,

Please e-mail me a pdf(s) of the map(s) at the scale that you are requesting a map scale waiver for.

Thank you!

Kelly

Kelly Starnes, Transfer Program Analyst

(He/Him/His)

Oregon Water Resources Department

725 Summer St NE Suite A

Salem OR 97301-1271

Cell phone: 503-979-3511 Fax: 503-986-0903

E-mail: patrick.k.starnes@water.oregon.gov

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

From: Paul Garvin <garvin.hydrogeo@gmail.com>

Sent: Wednesday, March 13, 2024 4:22 PM

To: DAVIS Arla L * WRD <arla.l.davis@water.oregon.gov>

Cc: STARNES Patrick K * WRD <patrick.k.starnes@water.oregon.gov>

Subject: Map scale waiver request

Hi Arla,

I'm currently preparing a transfer application involving six water right certificates and have run into some difficulties creating practical and legible maps at the 1" = 400' and 1" = 1/4 mi scales. In order to create more legible maps on standard paper stock, I'd like to request permission to use a scale of 1" = 1/8 mile.

Received

MAY 28 2024

OWRD

14466 -

5/16/24, 10:53 AM

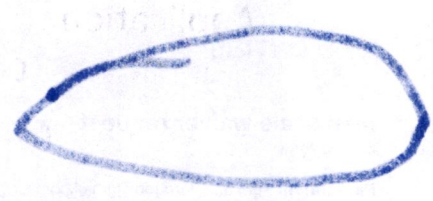
Gmail - Map scale waiver request

Please let me know if this would be amenable to the department.

Thank you,

--

Paul Garvin



[Quoted text hidden]

Paul Garvin <garvin.hydrogeo@gmail.com>
To: STARNES Patrick K * WRD <patrick.k.starnes@water.oregon.gov>
Cc: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>

Thu, Mar 14, 2024 at 10:43 AM

Hi Kelly,

See an attached draft map at the proposed scale, with so much going on with this transfer I think too much detail is lost at the larger scales.

Let me know what you think.

Thank you,
[Quoted text hidden]

--

Paul Garvin



[Quoted text hidden]

 049-DRAFTTransfermap1of6.pdf
561K

STARNES Patrick K * WRD <patrick.k.starnes@water.oregon.gov>
To: Paul Garvin <garvin.hydrogeo@gmail.com>
Cc: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>

Thu, Mar 14, 2024 at 10:49 AM

Thank you Paul!

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

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

[Quoted text hidden]

Paul Garvin <garvin.hydrogeo@gmail.com>
To: STARNES Patrick K * WRD <patrick.k.starnes@water.oregon.gov>
Cc: DAVIS Arla L * WRD <Arla.L.DAVIS@water.oregon.gov>

Thu, Mar 14, 2024 at 11:09 AM

That sounds good Kelly, thanks!

[Quoted text hidden]

--

Paul Garvin



[Quoted text hidden]

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Baker)

I Curtis Dunn in my/our capacity as Landowner(s)

mailing address 42689 Pocahontas Rd Baker City OR 97814

telephone number 541-403-1051, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 74205, 83237, and 73168

described in a Water Right Transfer Application (T-____),

(transfer number, if known)

submitted by Dan Henes/Eagle Eye Ventures

on the property in tax lot number(s) 1402,

Section 5 Township 9 South Range 39 East, W.M.,

located at. 42689 Pocahontas Rd Baker City OR 97814
(site address)

Curtis Dunn
Signature of Affiant

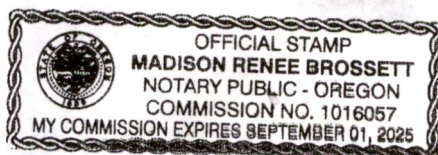
8-24-23
Date

Abby Dunn
Signature of Affiant

8-24-23
Date

Subscribed and Sworn to before me this 24 day of August, 2023

Madison Brossett
Notary Public for Oregon



My commission expires 9-1-2025.

Received

MAY 28 2024

OWRD

Application for Water Right Transfer



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

Consent by Deeded Landowner

State of Oregon)
)ss
County of Baker)

I Kris and Katie Koenig in my/our capacity as _____ Landowner(s) _____,

mailing address 42690 Pocahontas Rd, Baker City OR 97814

telephone number (406) 544-3983, duly sworn depose and say that I/We

consent to the proposed change(s) to Water Right Certificate Number 83237, and 73168

described in a Water Right Transfer Application (T-____),

(transfer number, if known)

submitted by Dan Henes/Eagle Eye Ventures

on the property in tax lot number(s) 1401,

Section 5 Township 9 South Range 39 East, W.M.,

located at: 42690 Pocahontas Rd, Baker City, OR 97814
(site address)

[Signature]
Signature of Affiant

8/21/23
Date

[Signature]
Signature of Affiant

8/21/23
Date

Subscribed and Sworn to before me this 21 day of August, 2023.

[Signature]
Notary Public for Oregon



My commission expires 6/14/26.

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss
County of BAKER)

I, DAN HENNES, in my capacity as LANDOWNER, LESEE, AND IRRIGATOR

mailing address 42008 SALMON CREEK RD.

telephone number (541)403-1223, being first duly sworn depose and say:

SUPERSEDING

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for
Certificate # ____; **OR**

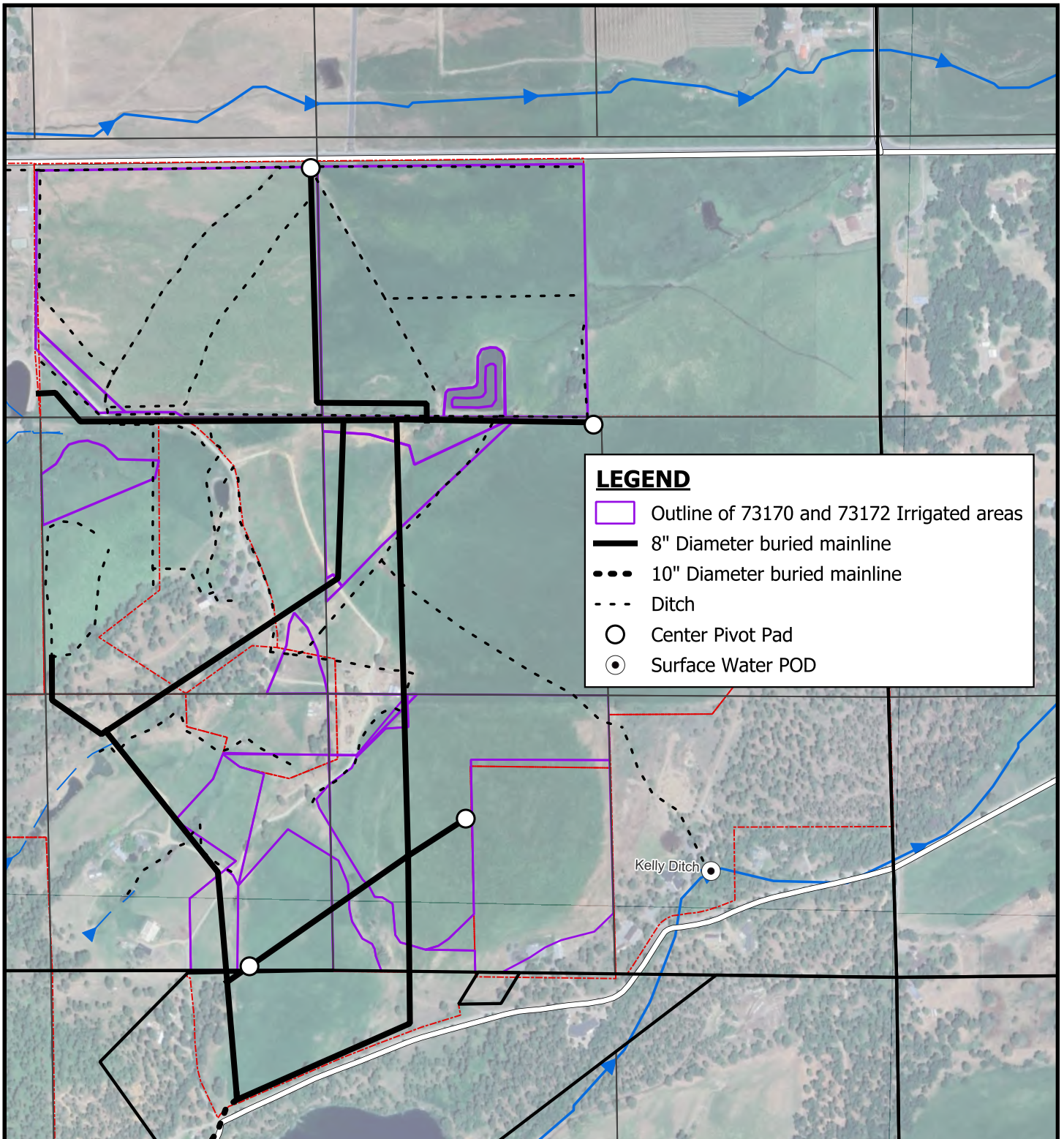
☒ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
73171	9	S	39	E	WM	5	SW	SE		36.4
73171	9	S	39	E	WM	5	SE	SW		14.2
73170	9	S	39	E	WM	5	SE	NW	Lot 1	35.2
73170	9	S	39	E	WM	5	NW	SE		8.0
73170	9	S	39	E	WM	5	NE	SW		4.0
73170	9	S	39	E	WM	5	NW	NE	Lot 2	32.6
73170	9	S	39	E	WM	5	SW	SE		1.6

OR

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

(continues on reverse side)



**Garvin
HydroGeo
LLC**

**DRAFT FOR
AFFIDAVIT
USE ONLY**

Date: 6/3/2025
Drawn by: Paul F. Garvin

Transfer T-14466

Map to Accompany evidence

of use affidavit

Certificates 73170 and 73171

Baker County, OR

Prepared on behalf of Eagle Eye Ventures

1 inch = 1/8 mile

N

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

Kelly Ditch: 530 ft N and 850 ft W from the SE Corner of Section 5

Beasley: 2,700 ft S and 1,320 ft E from the SE Corner of Section 8

Unchanged acerages per QQ denoted in bold font
 "To"/diminished acerages per QQ denoted in regular font
 "From"/diminished acerages per QQ denoted in italicised font
 "In place" diminished acreages per QQ denoted in underlined font

SUPERSEDING

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
County of BAKER) ss

I, DAN HENES, in my capacity as LANDOWNER, IRRIGATOR,

mailing address 42008 SALMON CREEK RD.

telephone number (541)403-1223, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

☐ Water was used during the previous five years on the **entire** place of use for
Certificate # _____; **OR**

☒ My knowledge is specific to the use of water at the following locations within the last five years:

Certificate #	Township		Range		Mer	Sec	¼ ¼		Gov't Lot or DLC	Acres (if applicable)
73168, 73169	9	S	39	E	WM	5	SW	NE	1	34.2
73168, 73169	9	S	39	E	WM	5	SE	NW	2	35.2
73168, 73169	9	S	39	E	WM	5	NE	SW		21.6
73168, 73169	9	S	39	E	WM	5	SE	SW		14.2
73168, 73169	9	S	39	E	WM	5	NE	SE		29.8
73168, 73169	9	S	39	E	WM	5	NW	SE		39.2
73168, 73169	9	S	39	E	WM	5	SW	SE		24.8
73168, 73169	9	S	39	E	WM	5	SE	SE		0.6
81680	9	S	39	E	WM	5	SW	NE		30.0
81680	9	S	39	E	WM	5	SE	NW		34.0
81680	9	S	39	E	WM	5	NE	SE		6.8
74205	9	S	39	E	WM	5	SW	NE	1	34.2
74205	9	S	39	E	WM	5	SE	NW	2	35.2
74205	9	S	39	E	WM	5	NE	SE		29.8

Received
MAY 28 2024
OWRD

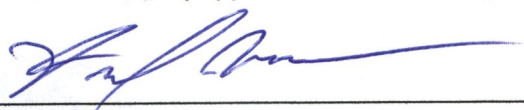
74205	9	S	39	E	WM	5	NW	SE		39.2
74205	9	S	39	E	WM	5	NE	SW		21.6
74205	9	S	39	E	WM	5	SE	SW		14.2
74205	9	S	39	E	WM	5	SW	SE		24.8
74205	9	S	39	E	WM	5	SE	SE		0.6
83237	9	S	39	E	WM	5	NE	SE		31.5
83237	9	S	39	E	WM	5	NW	SE		39
83237	9	S	39	E	WM	5	NE	SW		26.0
83237	9	S	39	E	WM	5	SW	NE	1	30.0
83237	9	S	39	E	WM	5	SE	NW	2	34.0

OR

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

(continues on reverse side)

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



 Signature of Affiant

8/21/2023

 Date

Signed and sworn to (or affirmed) before me this 21 day of August, 2023.





 Notary Public for Oregon

My Commission Expires: 06/14/2026

Received

MAY 28 2024

OWRD

Land Use Information Form



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

Received
MAY 28 2024

OWRD

NOTE TO APPLICANTS

In order for your application to be processed by the Oregon Water Resources Department (OWRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be diverted, conveyed, used, and developed. The planning official may choose to complete the form while you wait or return the "Receipt Acknowledging Request for Land Use Information" to you. Applications received by OWRD without the Land Use Information Form, or the signed receipt, will be returned to you. **IMPORTANT:** Please note that while OWRD can accept a signed receipt as part of intake for an application for a new permit to use or store water, a completed Land Use Information Form is required for OWRD's acceptance of all other applications. Please be aware that your application cannot be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and used on federal lands only; **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. The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b. The application involves a change in place of use only;
 - c. The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d. The application involves irrigation water uses only.

NOTE TO LOCAL GOVERNMENTS

The person presenting the attached Land Use Information Form is applying for a new water right or modifying an existing water right. The Oregon Water Resources Department (OWRD) requires applicants to obtain land use information to ensure the water right does not result in land uses that are incompatible with your comprehensive plan. Please complete the form and return it to the applicant for inclusion in their application. **NOTE:** For new water right applications only, if you are unable to complete this form while the applicant waits, you may complete the "Receipt Acknowledging Request for Land Use Information" and return it to the applicant.

You will receive notice via OWRD's weekly Public Notice once the applicant formally submits their request to OWRD. The notice will give more information about OWRD's water right process and provide additional comment opportunities. If you previously only completed the receipt for an application for a new permit to use or store water, you will have 30 days from the Public Notice date to complete the Land Use Information Form and return it to OWRD. Your attention to this request for information is greatly appreciated. If you have questions concerning this form, please contact OWRD's Customer Service Group at 503-986-0900 or WRD_DL_customerservice@water.oregon.gov.

Land Use Information Form



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

NAME Dan and Eva Henes/Eagle Eye Ventures LLC				PHONE 541-403-1223	
MAILING ADDRESS 42008 Salmon Creek Rd.					
CITY Baker City	STATE OR	ZIP 97814	EMAIL evaceder@gmail.com		

Received
MAY 28 2024
OWRD

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:			Proposed Land Use:
<u>9S</u>	<u>39E</u>	<u>5</u>	<u>NWNW</u>	<u>1100</u>	<u>RR-5</u>	☒ Diverted	☒ Conveyed	☐ Used	<u>RR</u>
<u>9S</u>	<u>39E</u>	<u>6</u>	<u>NWSE</u>	<u>1301</u>	<u>EFU</u>	☒ Diverted	☒ Conveyed	☐ Used	<u>EFU</u>
<u>9S</u>	<u>39E</u>	<u>5</u>	<u>NWSW</u>	<u>1300</u>	<u>EFU</u>	☒ Diverted	☒ Conveyed	☐ Used	<u>EFU</u>
<u>9S</u>	<u>39E</u>	<u>8</u>	<u>NWNW</u>	<u>1400</u>	<u>Timber Grazing</u>	☒ Diverted	☒ Conveyed	☐ Used	<u>Timber Grazing</u>
<u>9S</u>	<u>39E</u>	<u>5</u>	<u>SESW</u>	<u>0800</u>	<u>Timber Grazing</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>Timber Grazing</u>
<u>9S</u>	<u>39E</u>	<u>5</u>	<u>SENW</u>	<u>1400</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>9S</u>	<u>39E</u>	<u>5</u>	<u>SWNE</u>	<u>1400</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>9S</u>	<u>39E</u>	<u>5</u>	<u>NESW</u>	<u>1400</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>9S</u>	<u>39E</u>	<u>5</u>	<u>NWSE</u>	<u>1400</u>	<u>EFU</u>	☒ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>9S</u>	<u>39E</u>	<u>5</u>	<u>NESE</u>	<u>1400</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>9S</u>	<u>39E</u>	<u>5</u>	<u>SESE</u>	<u>1400</u>	<u>EFU</u>	☐ Diverted	☒ Conveyed	☒ Used	<u>EFU</u>
<u>9S</u>	<u>39E</u>	<u>5</u>	<u>NWSW</u>	<u>1300</u>	<u>EFU</u>	☒ Diverted	☒ Conveyed	☐ Used	<u>EFU</u>
<u>9S</u>	<u>39E</u>	<u>6</u>	<u>SENW</u>	<u>0200</u>	<u>RR-5</u>	☒ Diverted	☒ Conveyed	☐ Used	<u>RR</u>
<u>9S</u>	<u>39E</u>	<u>6</u>	<u>NWSE</u>	<u>1301</u>	<u>EFU</u>	☒ Diverted	☒ Conveyed	☐ Used	<u>EFU</u>

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

Baker

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

B. Description of Proposed Use

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

Land Use Information Form — Page 3 of 5

Last Revised: 10/2023

14466 -

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

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

Estimated quantity of water needed: 5.1 ☒ 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:

The water user seeks to add three points of appropriation (wells) and transfer places of use under two supplemental groundwater certificates (73168 and 73169) that allow appropriation from three shallow horizontal wells. In order to ensure primary and supplemental irrigation coverage in the areas desired, the water user also seeks to transfer places of use for primary irrigation under surface water certificates 4117, 81680, and 74205 and supplemental irrigation under surface water certificates 74205 and 83237.

The purpose of changes described within this transfer are to provide the water user with more consistent geographical coverage of water rights and provide more flexibility within the water distribution system.

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

See Page 4 ➔

Received
MAY 28 2024
OWRD

MAY 28 2024

OWRD

For Local Government Use Only

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water use(s), including proposed construction, are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): BC20 Sections 40.02.A.1, 420.02.A.7 + 510.04.A.2
- ☐ Land uses to be served by the proposed water use(s), including proposed construction, involve discretionary land-use approvals as listed in the table below. (Please attach documentation of applicable land-use approvals which have already been obtained. Record of Action/land-use decision and accompanying findings are sufficient.) **If approvals have been obtained but all appeal periods have not ended, check "Being Pursued."**

Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ 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 Oregon Water Resources Department regarding this proposed use of water in the box below or on a separate sheet.

Name: Tara L. Micka Title: Senior Planner

Signature: Tara L. Micka Date: 3/12/2024

Governmental Entity: Baker Co. Planning Dept. Phone: 541-523-8219

Receipt Acknowledging Request for Land Use Information

Note to Local Government Representative:

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

Applicant Name: _____

Staff Name: _____ Title: _____

Staff Signature: _____ Date: _____

Governmental Entity: _____ Phone: _____



Affidavit of Voluntary Cancellation or Diminution of a Water Right Certificate

VOLUNTARY CANCELLATION is how the legal holder(s) of a water right certificate may cancel an abandoned water right or an abandoned portion of a water right. Abandonment means water use has or will have ceased under the cancellation. A cancellation can apply to an entire certificate or to a specific place of use and acreage. The rate of water must be proportionately cancelled to match the portion of the right being cancelled. If a certificate is partially cancelled, a remaining water right certificate will be issued describing the uncanceled portion.

[see also Oregon Revised Statute (ORS) 540.621 and Administrative Rule (OAR) 690-017-0100.]

VOLUNTARY DIMINUTION is how the legal holder(s) of a water right certificate may diminish an entire water right or a portion of it from a primary purpose to a supplemental purpose. The overall authorized rate of water on the certificate will remain the same, but the proportions between primary use and supplemental use will change. In the diminution process, the originating water right will be cancelled, and a new water right will be issued describing the diminution. [see also Oregon Administrative Rule (OAR) 690-330-0040.]

Describe in your own words what you want to accomplish with this affidavit: Currently, several overlapping primary water rights are on record with OWRD. In order to avoid this overlap, the water user seeks to diminish a portion of water right primary water right Certificate 73171. Some of the diminished acres are diminished in place while others are diminished and transferred. The transfer application is T-14466.

Certificate of Water Right Information:

Certificate Number: 73171

Issued for use within the State of Oregon, County of Baker.

Issued in the name of: Carney Lansford.

Date of priority: 3/2/1953

Rate or Volume on entire certificate: 1.1 cfs, 3.5 AF/A (cubic foot per second **or** gallons per minute **or** acre-foot).

Source(s) of water on certificate: Salmon Creek, Trib. To Powder River.

Use(s) of water listed on certificate: IR (purposes),

If for irrigation (IR), total number of acres on certificate for primary IR 50.6, supplemental IR _____.

Statements of Oath:

I/We (or authorized agent) _____, representative of C2H2, LLC

residing at 42692 Pocahontas Road

Baker City, OR 97814, with a mailing address of (if different) same,

and a telephone number of _____, being **first duly sworn depose and say:**

1. I/We are the legal owners of property appurtenant to all ☐ **or** ☒ a portion (**check one box**) of the water right described above. My/Our property is described on a recorded property deed in my/our/an

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

entity name(s). The property is located within the following legal description [*must include at a minimum, township(s), range(s), section number(s), quarter- quarter(s) and tax lot number(s)*].

Examples:

- Township 3 South, Range 5 East, Section 12, NW¼, NW¼ SW¼ & SW¼ SW¼; Section 13 NWNW, SWNW, all within Tax Lot 700.
- T16S, R18E, Sec18, SWSE & SESE, TL 1700
- T6N, R35E, Sec 27, S½, TL 1100

Enter legal description here:

See attached the deed for property description of Baker County Maptaxlot 09S39051400

2. I/We are requesting a [**check one box - the affidavit will be returned if more than one box is checked**]:

☐ voluntary cancellation of and have abandoned any and all interest in the ENTIRE water right Certificate # ____.

☐ voluntary cancellation of and have abandoned any and all interest a PORTION of water right Certificate # ____.

☐ voluntary diminution of the ENTIRE water right Certificate # ____.

☒ voluntary diminution of a PORTION of water right Certificate # **73171**.

3. The appurtenant water right ☐ is **or** ☒ is not (**check one box**) located within the boundaries of an irrigation, drainage, water improvement, or water control district, or federal reclamation project (district). If the right is located within a district or reclamation project, name it here: ____.

a. The water right, or portion thereof, being ☐ cancelled **or** ☐ diminished (**check one box**) is in the name of or served by a district. The signature of district manager on the line below documents the concurrence of the district to the changes to the water right specified in this affidavit, for the portion of the water right in the name of or served by the district.

Signature of district manager Printed Name
Date _____

4. **Complete this item (#4) only if this is a CANCELLATION for a PORTION of the water right.**

I/We have abandoned any and all interest in and wish to cancel the following portion(s) of the water right certificate number listed in Item #2, above:

☐ A place of use, or use.

- For the use of (specify irrigation, domestic, etc.) _____
- IF FOR IRRIGATION OR NURSERY USE: Total number of acres to be cancelled _____
- In the amount of _____ cubic foot per second
- From the water source (s) _____
- At the following location(s) (*attach a larger table if needed*):

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

ABANDONED PORTION TO BE CANCELLED										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____
_____	_____	_____	_____	WM	_____	_____	_____	_____	_____	_____

- Locations of the place of use or acres being cancelled are clearly identified on a copy of the certificate map of record (decree map, final proof map, or claim of beneficial use map); or, if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is to be cancelled)
- Locations of the place of use or acres **NOT** being cancelled are clearly identified on a copy of the certificate map of record; or if there is no certificate map of record, then an alternate map is being submitted with information sufficient to determine the lands on which the right is NOT to be cancelled.

AND/OR (less common)

- ☐ One or more of the authorized points of diversion (surface water) or points of appropriation (groundwater) authorized under the certificate.
- For the use of (specify irrigation, domestic, etc.) _____
 - From the water source (s) _____
 - Located within the _____¹/₄, Section _____, Township _____ (N☐ or S☐), Range _____ (E☐ or W☐, W.M.
 - Location Description (if given on the certificate) _____

5. Complete this section (Item #5a-c) for a DIMINUTION of ALL or a PORTION of the water right.

- a. I/We have found a more dependable source of primary water, and therefore request the water right certificate ☐ in its entirety, **or** ☒ as described in Item #6, below, (check **one** box) be diminished from a right for primary use to a right for supplemental use.
- b. I/We agree that if this change is approved, it is permanent and the right to the use of water from Salmon Creek (source) cannot be changed back to the primary use unless otherwise provided by law.
- c. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from Salmon Creek (source of water) for primary use on these lands.

6. Complete this item (#6) for a DIMINUTION of a PORTION of the water right.

I/We, being the legal owners of the property described below are requesting a partial diminution of the water right certificate (identified in Item #2 above in the amount of 0.65 (cfs) from Salmon Creek (sources) for irrigation (if applicable) of 33.1 acres at the following location(s) as listed on the certificate (attach a larger table if needed):

PORTION TO BE DIMINISHED FROM PRIMARY TO SUPPLEMENTAL IRRIGATION										
Township	N or S	Range	E or W	Mer	Section #	DLC #	G-LOT #	Quarter-Quarter	Acres	Tax Lot #
<u>9</u>	<u>S</u>	<u>39</u>	<u>E</u>	WM	<u>5</u>	_____	_____	<u>SESW</u>	<u>10.6</u>	<u>1400</u>
<u>9</u>	<u>S</u>	<u>39</u>	<u>E</u>	WM	<u>5</u>	_____	_____	<u>SWSE</u>	<u>22.5</u>	<u>1400</u>

Affidavit for the VOLUNTARY CANCELLATION *or* DIMINUTION of a Water Right Certificate

Note: These changes are shown on map 9 of 9 in transfer application T-14466 (attached here). Some of the diminished acreages are diminished in place while other acreages are diminished and transferred.

Affidavit for the VOLUNTARY CANCELLATION or DIMINUTION of a Water Right Certificate

Signatures and Notary:

Signature of legal owner as listed on deed, or authorized agent

Printed Name_____

Date_____

Signature of legal co-owner as listed on deed (if applicable)

Printed Name_____

Date_____

Subscribed and Sworn to Before Me this_____day of_____, 20_____.

Signature of Notary Public for Oregon

My Commission Expires _____

REQUIRED ATTACHMENTS (LEGIBLE COPIES):

- 1) A recorded property deed which lists landowner(s) and includes a legal description of lands affected by this affidavit of cancellation or diminution.
- 2) An adjudication map, water right final proof map, or a tax lot map that clearly shows:
 - a. Location and acreages within each township, range and quarter-quarter of the lands described on the water right being cancelled or diminished, and
 - b. the remaining locations and acreages within each township, range and quarter-quarter of the lands described on entire water right NOT being cancelled or diminished, if any.
- 3) A list of names and addresses of other property owners with lands appurtenant to portions of the water right certificate not legally owned by the person(s) signing the affidavit.
- 4) If acting as an authorized agent, include a copy of the Power of Attorney or other documents granting authority to act on behalf of legal owner(s) as listed on the deed.

MISSING ATTACHMENTS WILL RESULT IN THE AFFIDAVIT BEING RETURNED, AND NO ACTION TAKEN ON THE AFFIDAVIT.

Attachment 1

Baker County Maptaxlot 09S39051400 Deed

SEND TAX STATEMENTS
C2H2, LLC
42692 Pocahontas Road
Baker City, Oregon 97814

AFTER RECORDING RETURN TO:
Silven, Schmeits & Vaughan
P.O. Box 965
Baker City, Oregon 97814

BARGAIN AND SALE DEED

EAGLE EYE VENTURES, LLC, an Oregon limited liability company, Grantor, conveys to C2H2, LLC, an Alaska Domestic Limited Liability Company, authorized to transact business in Oregon as a foreign Limited Liability Company, Grantee, all of Grantor's right, title and interest in the real property in Baker County, Oregon, more fully described as follows: Those parcels more fully described on Exhibit "A" attached hereto.

TOGETHER WITH any and all improvements, tenements, hereditaments and appurtenances thereunto belonging or in anywise appertaining including any appurtenant easements.

The consideration for this conveyance stated in terms of dollars is \$0.00, other valuable consideration being given as the whole consideration.

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

DATED this 24th day of March, 2025.

EAGLE EYE VENTURES, LLC,
an Oregon limited liability company

by:


Daniel R. Henes, aka Dan Henes, Member


Eva J. Henes, aka Eva Henes, Member

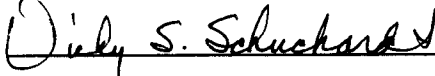
STATE OF OREGON

County of Baker

ss:

The foregoing Bargain and Sale Deed was acknowledged before me this 24th day of March, 2025, by Daniel R. Henes, aka Dan Henes, and Eva J. Henes, aka Eva Henes, Members of Eagle Eye Ventures, LLC, an Oregon limited liability company.

Before me:



Notary Public for Oregon

My Commission Expires: 09/04/2028

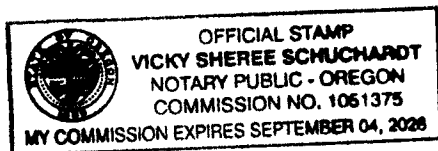


EXHIBIT "A"
(Eagle Eye Enterprises, LLC to C2H2, LLC)

Tract 2 (Tax Lot 1400; Map 09S39E05; Reference No's 8996 and 14641, and
 Tax Lot 800; Map 09S39E08; Reference No. 8050.

Land situated in Twp. 9 S., R. 39 E., W.M., Baker County, Oregon, as follows:

That certain real property conveyed to Eagle Eye Ventures, LLC, an Oregon limited liability company, by deed recorded July 18, 2019, as Instrument No. B19280202, deed records of Baker County, Oregon.

EXCEPTING THEREFROM that certain real property conveyed to Kristopher A. Kaaen and Katie S. Kaaen, husband and wife, by deed recorded November 1, 2019, as Instrument No. B19440287, deed records of Baker County, Oregon, described as follows:

Section 5: A tract of land situated in the E1/2 of Government Lot 1 of the NW1/4 (SE1/4NW1/4), and the NE1/4SW1/4, being more particularly described as follows:

Beginning at a 5/8" iron pin with attached yellow plastic cap marked BENCHMARK SURVEYING, said iron pin being 230.55 feet North and 1077.53 feet East of the Southwest 1/16 Corner of said Section 5;

thence N.09°00'00"E., 115.00 feet;
 thence N.05°00'00"W., 163.00 feet;
 thence N.22°15'00"W., 362.00 feet;
 thence N.03°00'00"W., 205.00 feet;
 thence N.23°00'00"W., 58.00 feet;
 thence S.59°00'00"W., 30.29 feet;
 thence N.39°00'00"W., 139.00 feet;
 thence N.47°20'00"W., 110.00 feet;
 thence N.65°00'00"W., 87.00 feet;
 thence N.85°00'00"W., 102.00 feet;
 thence S.00°47'00"W., 769.00 feet;
 thence S.48°17'00"W., 380.00 feet;
 thence S.54°19'09"E., 499.00 feet;
 thence N.52°13'27"E., 365.00 feet;
 thence N.86°58'00"E., 142.00 feet to the point of beginning.

All according to Map of Survey No. 9-39-308, filed July 23, 2019 in the office of the Baker County Surveyor.

ALSO EXCEPTING THEREFROM a tract of land situated in the SE1/4 and the SW1/4, being more particularly described as follows:

Beginning at a 5/8" iron pin with attached yellow plastic cap marked BENCHMARK SURVEYING, said iron pin being 1496.87 feet North and 47.87 feet East of the South 1/4 Corner of said Section 5;
 thence N.81°38'15"W., 311.57 feet to the southeast corner of that certain tract of land described in deed recorded November 1, 2019 as Instrument No. B19440287, deed records of Baker County, Oregon;

EXHIBIT "A"
(Eagle Eye Enterprises, LLC to C2H2, LLC)

Tract 1 (Tax Lot 6600; Map 09S4010AA; Assessor's Reference No. 3202

The North Half of Lot 2, all of Lot 3, and the South 5 feet of Lot 4, all in Block "L", M.E. PLACE'S ADDITION TO BAKER CITY, according to the official plat thereof, in Baker City, County of Baker and State of Oregon.

Tract 2 (Tax Lot 1400; Map 09S39E05; Reference No's 8996 and 14641, and
Tax Lot 800; Map 09S39E08; Reference No. 8050.

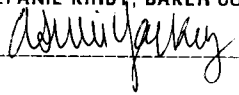
thence along the southeasterly boundary of said tract, the following courses and distances:
S.86°58'00"W., 142.00 feet;
S.52°13'27"W., 365.00 feet;
thence leaving said southeasterly boundary, S.25°32'20"E., 6.98 feet to the north line of the
W1/2SE1/4SW1/4 of said Section 5;
thence S.89°23'48"E., 13.73 feet along the north line of the W1/2SE1/4SW1/4 to the northeast
corner thereof;
thence S.00°25'15"E., 125.00 feet along the east line of said W1/2SE1/4SW1/4;
thence S.72°45'37"E., 209.31 feet to a point which is S.34°15'00"W., 123.00 feet from the
Northwest corner of that certain tract of land described in deed recorded May 5, 1897 in
Book 28, Page 236, deed records of Baker County, Oregon;
thence along the west line of said tract, the following courses and distances:
S.34°15'00"W., 25.50 feet;
S.22°30'00"W., 31.46 feet;
thence leaving said west line, S.62°08'00"E., 364.83 feet;
thence N.71°30'00"E., 230.00 feet;
thence N.00°44'00"E., 527.00 feet to the point of beginning.

All according to Map of Survey No. 9-39-310, filed December 9, 2019 in the office of the Baker
County Surveyor.

Together with, and subject to easements, rights of way and reservations as the same may exist or
appear of record.

STATE OF OREGON }
COUNTY OF BAKER }
I CERTIFY THAT THIS
INSTRUMENT WAS RECEIVED
AND RECORDED IN THE BOOK
OF RECORDS OF SAID COUNTY

STEFANIE KIRBY, BAKER CO. Clerk

BY  DEPUTY

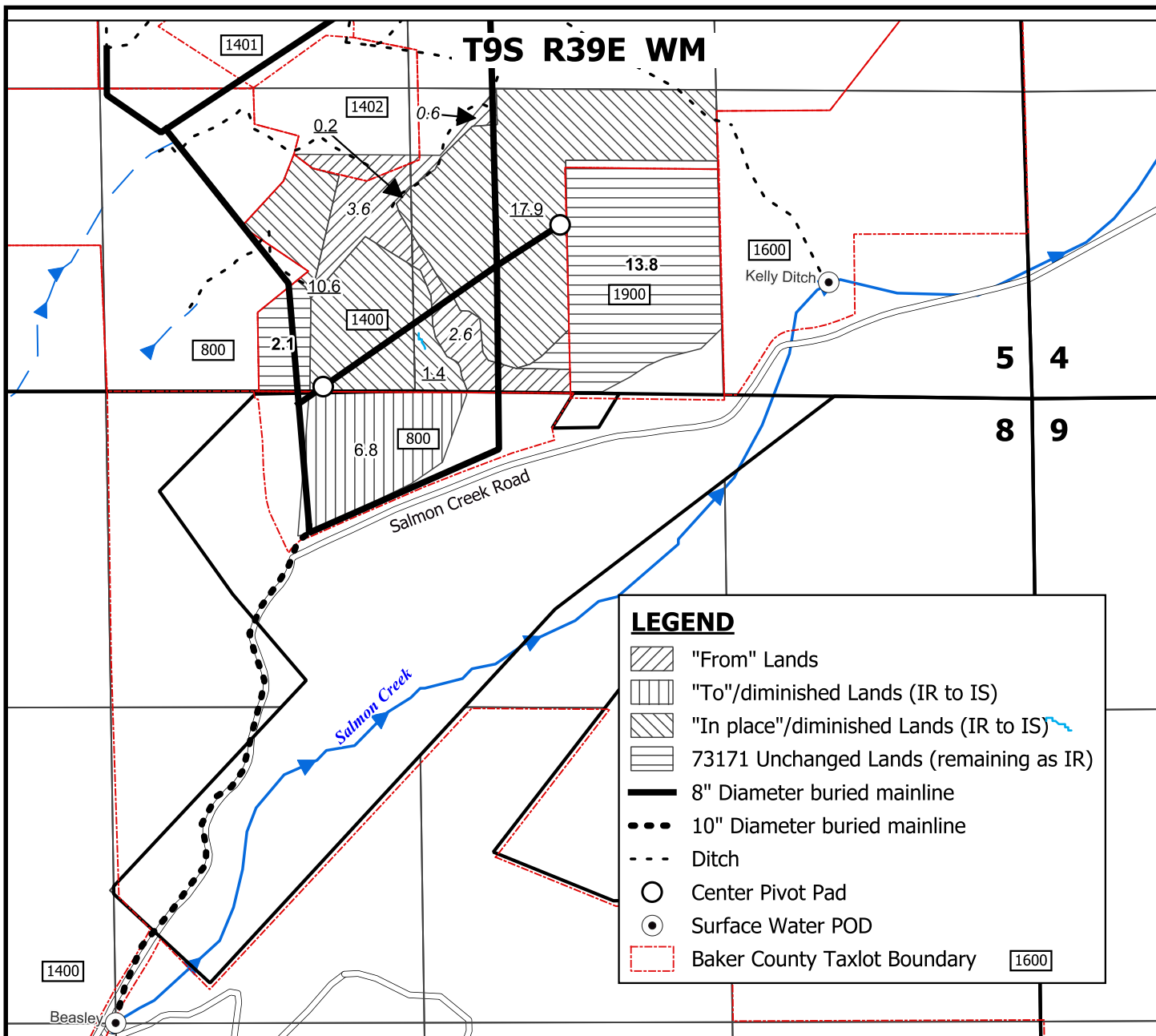
DOC#: B25130044

3/28/2025 10:10 AM

REFUND: 00 101.00

Attachment 2

Water rights transfer application map





Transfer T-14466
Application Map 9 of 9
Certificate 73171
Baker County, OR

Prepared on behalf of Eagle Eye Ventures

1 inch = 1/8 mile



NI

Date: 6/3/2025
 Drawn by: Paul F. Garvin

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

Kelly Ditch: 530 ft N and 850 ft W from the SE Corner of Section 5

Beasley: 2,700 ft S and 1,320 ft E from the SE Corner of Section 8

Unchanged acreages per QQ denoted in bold font
 "To"/diminished acreages per QQ denoted in regular font
 "From"/diminished acreages per QQ denoted in italicised font
 "In place" diminished acreages per QQ denoted in underlined font

Attachment 3

**Name and address of the property owners of Baker
County Maptaxlot 09S39051400. (Unchanged by this
diminution.)**

**Property owners of Baker County Maptaxlot
09S39051400:**

**Michael and Jane Nelson
42192 Salmon Cr. Rd.
Baker City, OR 97814**

Attachment 4 Not Applicable

Application for Permanent Water Right Transfer



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

Part 1 of 5 – Minimum Requirements Checklist

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

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

Received

MAY 28 2024

OWRD

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator.
- ☒ Part 4 – Completed Applicant Information and Signature.
- ☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 6 List them here: 73168, 73169, 81680, 74205, 83237, and 4117**
Please include a separate Part 5 for each water right. (See instructions on page 6)
NOTE: A separate transfer application is required for each water right unless the criteria in OAR 690-380-3220 are met.

Attachments:

SUPERSEDED

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

(For Staff Use Only)

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

- | | |
|--|--|
| ☐ Application fee not enclosed/insufficient | ☐ Map not included or incomplete |
| ☐ Land Use Form not enclosed or incomplete | ☐ Evidence of Use Form not enclosed or incomplete |
| ☐ Additional signature(s) required | ☐ Part _____ is incomplete |

Other/Explanation _____

Staff: _____ 503- _____ Date: ____/____/____

Part 2 of 5 – Transfer Application Map

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

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

- ☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.
- ☒ ☐ N/A If **more than three** water rights are involved, separate maps are needed for each water right.
- ☒ Permanent quality printed with dark ink on good quality paper.
- ☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.
- ☒ A north arrow, a legend, and scale.
- ☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.
- ☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.
- ☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.
- ☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.
- ☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.
- ☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.
- ☒ ☐ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.
- ☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.
- ☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

SUPERSEDED

Received

MAY 28 2024

14466 -

Part 3 of 5 – Fee Worksheet

FEE WORKSHEET for PERMANENT TRANSFER (except Substitution)

1	Base Fee (includes one type of change to one water right for up to 1 cfs)	1	\$1,360
2	Types of change proposed: ☒ Place of Use ☐ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = <u>2 (2a)</u> Subtract 1 from the number in line 2a = <u>1 (2b) If only one change, this will be 0</u> Multiply line 2b by \$1090 and enter » 	2	\$1,090
3	Number of water rights included in transfer <u>6 (3a)</u> Subtract 1 from the number in 3a above: <u>5 (3b) If only one water right this will be 0</u> Multiply line 3b by \$610 and enter » 	3	\$3,050
4	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 ☒ Yes: enter \$480 for the 1 st well to be added or changed <u>\$480 (4a)</u> Do you propose to add or change additional wells? ☐ No: enter 0 ☒ Yes: multiply the number of additional wells by \$410 <u>\$1230 (4b)</u> Add line 4a to line 4b and enter » 	4	\$1,710
5	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 ☒ Yes: enter the cfs for the portions of the rights to be transferred (see below*): <u>1.08 (5a)</u> Subtract 1.0 from the number in 5a above: <u>0.08 (5b)</u> If 5b is 0 or less, enter 0 on line 5 » If 5b is greater than 0, round up to the nearest whole number: <u>1 (5c)</u> and multiply 5c by \$410, then enter on line 5 » 	5	\$410
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	6	\$7,620
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7 » 	7	0
8	Subtract line 7 from line 6 » Transfer Fee:	8	\$7,620

Received
MAY 28 2024
OWRD

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

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

FEE WORKSHEET for SUBSTITUTION

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

SUPERSEDED

14466 -

TACS

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME Dan and Eva Henes/Eagle Eye Ventures LLC			PHONE NO. 541-403-1223	ADDITIONAL CONTACT NO.
ADDRESS 42008 SALMON CREEK RD.				FAX NO.
CITY Baker City	STATE OR	ZIP 97814	E-MAIL evaceder@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME Paul Garvin/Garvin HydroGeo LLC			PHONE NO. 503-347-7188	ADDITIONAL CONTACT NO.
ADDRESS 1705 Main St. Ste 101				FAX NO.
CITY Baker City	STATE OR	ZIP 97814	E-MAIL Garvin.hydrogeo@gmail.com	
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

The water user seeks to add three points of appropriation (wells) and transfer places of use under two supplemental groundwater certificates (73168 and 73169) that allow appropriation from three shallow horizontal wells. In order to ensure primary and supplemental irrigation coverage in the areas desired, the water user also seeks to transfer places of use for primary irrigation under surface water certificates 4117, 81680, and 74205 and supplemental irrigation under surface water certificates 74205 and 83237.

The purpose of changes described within this transfer are to provide the water user with more consistent geographical coverage of water rights and provide more flexibility within the water distribution system.

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

Check One Box

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

SUPERSEDED

Received

MAY 28 2024

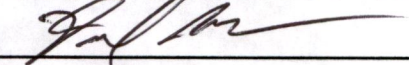
OWRD

SUPERSEDED

By my signature below, I confirm that I understand:

- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: Baker City Herald.
- Amendments to the application may only be made in response to the Department's Draft Preliminary Determination (DPD). The applicant will have a period of at least 30 days to amend the application to address any issues identified by the Department in the DPD, or to withdraw the application. Note that amendments may be subject to additional fees, pursuant to ORS 536.050.
- Failure to complete an approved change in place of use and/or change in character of use, will result in loss of the water right (OAR 690-380-6010).
- Refunds may only be granted upon request and, as set forth in ORS 536.050(4)(a), if the Director determines that a refund of all or part of a fee is appropriate in the interests of fairness to the public or necessary to correct an error of the Department.

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


Applicant signature

Daniel Hones
Print Name (and Title if applicable)

5/12/23
Date

Applicant signature

Print Name (and Title if applicable)

Date

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

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

Check the following boxes that apply:

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

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

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

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

https://www.oregon.gov/owrd/WRDFormsPDF/Transfer_Property_Transactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.	
CITY	STATE	ZIP	E-MAIL	
Describe any special ownership circumstances:				
The confirming Certificate shall be issued in the name of: ☐ Applicant ☐ Receiving Landowner				

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

IRRIGATION DISTRICT NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME Baker County	ADDRESS 1995 3rd St.	
CITY Baker City	STATE OR	ZIP 97814

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Part 5 of 5 – Water Right Information (1 of 6)

CERTIFICATE # **73168**

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Description of Water Delivery System

System capacity: **5.0** cubic feet per second (cfs)

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Wells 1 and 2 consist of 4" diameter drain tiles buried at a depth of 3-4 feet below land surface. Well 1 is approximately 1,190 feet long and trends about North 29° West, Well 2 is approximately 1,520 feet long and trends about North 45° West. The wells both terminate at the location provided in Table 1 below. The wells discharge to a bulge in the system located approximately 120 feet North and 767 feet East from the center of Section 5. A 100 hp pump is used to withdraw water from the bulge and distribute it the places of use.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 1	☒ Authorized ☐ Proposed	NA	9	S	39	E	5	SW	NE	1400	180 ft N and 650 ft E from the Center of Section 5
Well 2	☒ Authorized ☐ Proposed	NA	9	S	39	E	5	SW	NE	1400	180 ft N and 650 ft E from the Center of Section 5
Well 4	☐ Authorized ☒ Proposed	NA	9	S	39	E	5	NW	SE	1400	1,181 ft S and 269 ft E from the Center of Section 5
Well 5	☐ Authorized ☒ Proposed	NA	9	S	39	E	5	SW	NE	1400	398 ft S and 317 ft E from the Center of Section 5
Well 6	☐ Authorized ☒ Proposed	NA	9	S	39	E	5	SW	NE	1400	32 ft N and 448 ft E from the Center of Section 5

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

- | | |
|--|--|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☒ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

SUPERSEDED

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

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

Table 2. Description of Changes to Water Right Certificate # 73168

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date		
EXAMPLE																						
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901		
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901		
										APOA, POU	9	S	39	E 5 SE NW	1400	2	34.5	IS	All	5/24/1978		
										APOA, POU	9	S	39	E 5 NE SW	1400, 1401		16.6	IS	All	5/24/1978		
										APOA, POU	9	S	39	E 5 SE SW	1400, 800		25.2	IS	All	5/24/1978		
										APOA, POU	9	S	39	E 5 NE SE	1400		31.2	IS	All	5/24/1978		
										APOA, POU	9	S	39	E 5 NW SE	1400		33.9	IS	All	5/24/1978		
										APOA, POU	9	S	39	E 5 SW SE	1400		21.1	IS	All	5/24/1978		
										APOA, POU	9	S	39	E 5 SW NE	1400	1	32.1	IS	All	5/24/1978		
										APOA	9	S	39	E 5 SE SE	1400		1.0	IS	All	5/24/1978		
										APOA, POU	9	S	39	E 8 - -	1400	Lot 43	4.1	IS	All	5/24/1978		
TOTAL ACRES:											TOTAL ACRES:						199.7					

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Additional remarks: **Note that due to historical irregularities in land surveys and property line adjustments at the properties in question, only 199.7 of the 218.6 certificated acres of certificate 73168 are within the boundaries of the properties included in this transfer application as follows: 33.9 of 37.2 certificated acres in the SWNE QQ of section 5, 0 of 2.4 certificated acres in the SENE QQ of section 5, and 24.8 of 38 certificated acres in the SWSE QQ of section 5.**

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **4117, 73169, 81680, 74205, 73172, and 83237.**

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

SUPERSEDED**AND/OR**

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 1	Yes	NA	3'-4'	4"	NA	NA	NA	3'-4'	Alluvial	Full Certificated Rate
Well 2	Yes	NA	3'-4'	4"	NA	NA	NA	3'-4'	Alluvial	
Well 4	No	NA	600	12"	0'-500'	0'-20'	500'-600'	30' (est)	Alluvial	
Well 5	No	NA	600	12"	0'-500'	0'-20'	500'-600'	30' (est)	Alluvial	
Well 6	No	NA	600	12"	0'-500'	0'-20'	500'-600'	30' (est)	Alluvial	

Part 5 of 5 – Water Right Information (2 of 6)

CERTIFICATE # 73169

Description of Water Delivery System

SUPERSEDED

System capacity: 5.0 cubic feet per second (cfs) OR

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Horizontal well 3 consists of 4" diameter drain tiles buried at a depth of 3-4 feet below land surface and is approximately 1,220 feet long and trends East. Horizontal well 3 terminates at the location provided in Table 1 below. The well discharges to a bulge in the system located approximately 120 feet North and 767 feet East from the center of Section 5. A 100 hp pump is used to withdraw water from the bulge and distribute it to the places of use.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Well 3	☒ Authorized ☐ Proposed	NA	9	S	39	E	5	SW	NE	1400	120 feet N and 1,000 ft W from the Center of Section 5
Well 4	☐ Authorized ☒ Proposed	NA	9	S	39	E	5	NW	SE	1400	1,181 ft S and 269 ft E from the Center of Section 5
Well 5	☐ Authorized ☒ Proposed	NA	9	S	39	E	5	SW	NE	1400	398 ft S and 317 ft E from the Center of Section 5
Well 6	☐ Authorized ☒ Proposed	NA	9	S	39	E	5	SW	NE	1400	32 ft N and 448 ft E from the Center of Section 5

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

- | | |
|--|--|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☒ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 73169

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng		Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date			
EXAMPLE																							
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901			
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901			
										APOA, POU	9	S	39	E 5 SE NW	1400	2	34.5	IS	All	5/16/1983			
										APOA, POU	9	S	39	E 5 NE SW	1400, 1401		16.6	IS	All	5/16/1983			
										APOA, POU	9	S	39	E 5 SE SW	1400, 800		25.2	IS	All	5/16/1983			
										APOA, POU	9	S	39	E 5 NE SE	1400		31.2	IS	All	5/16/1983			
										APOA, POU	9	S	39	E 5 NW SE	1400		33.9	IS	All	5/16/1983			
										APOA, POU	9	S	39	E 5 SW SE	1400		21.1	IS	All	5/16/1983			
										APOA, POU	9	S	39	E 5 SW NE	1400	1	32.1	IS	All	5/16/1983			
										APOA	9	S	39	E 5 SE SE	1400		1.0	IS	All	5/16/1983			
										APOA, POU	9	S	39	E 8 - -	1400	Lot 43	4.1	IS	All	5/16/1983			
TOTAL ACRES:													TOTAL ACRES: 199.7										

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14466 -

Additional remarks: Note that due to historical irregularities in land surveys and property line adjustments at the properties in question, only 199.7 of the 218.6 certificated acres of certificate 73168 are within the boundaries of the properties included in this transfer application as follows: 33.9 of 37.2 certificated acres in the SWNE QQ of section 5, 0 of 2.4 certificated acres in the SENE QQ of section 5 , and 24.8 of 38 certificated acres in the SWSE QQ of section 5).

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **4117, 73169, 81680, 74205, 73172, 83237.**

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

SUPERSEDED**AND/OR**

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-_____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
Well 3	Yes	NA	3'-4'	4"	NA	NA	NA	3'-4'	Alluvial	Full Certificated rate
Well 4	No	NA	600	12"	0'-500'	0'-20'	500'-600'	30' (est)	Alluvial	
Well 5	No	NA	600	12"	0'-500'	0'-20'	500'-600'	30' (est)	Alluvial	
Well 6	No	NA	600	12"	0'-500'	0'-20'	500'-600'	30' (est)	Alluvial	

14466 -

Part 5 of 5- Water Right Information (3 of 6)

CERTIFICATE # 4117

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Description of Water Delivery System

System capacity: 0.5 cubic feet per second (cfs) OR
_____ gallons per minute (gpm)

SUPERSEDED

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

The springs arise NWNW of Section 8 and the SESW of Section 5, T9S, R39E. Springs 1 and 2 flow through natural channels to the bulge in the system located in the NW portion of the SESW of Section 5, T9S, R39E and the SWNE of Section 5, T9S, R39E respectively, where the water can be distributed and applied the places of use.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
4117 Spring 1	☒ Authorized ☐ Proposed		9	S	39	E	8	NW	NW	800	1,133 ft S and 2,422 ft W from the Center of Section 5
4117 Spring 2	☒ Authorized ☐ Proposed		9	S	39	E	5	SE	SW	1400	1,715 ft S and 2,632 ft W from the Center of Section 5

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 4117

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

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.															
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
9	S	39	E	5	SE	SW	1400		2.1	Irrigation	4117 Spring 1, 4117 Spring 2	12/31/1902	POU	9	S	39	E	5	SW	SE	1400		2.1	Irrigation	4117 Spring 1, 4117 Spring 2	12/31/1902
TOTAL ACRES:						2.1						TOTAL ACRES:						2.1								

SUPERSEDED

Additional remarks: _____.

Received
MAY 28 2024
OWRD

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: 73172, 73168, 74205, and 73169.

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

Received

MAY 28 2024

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

Part 5 of 5 – Water Right Information (4 of 6)

SUPERSEDED

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

CERTIFICATE # 74205

Received

Description of Water Delivery System

MAY 28 2024

System capacity: 5.0 cubic feet per second (cfs) **OR**
 gallons per minute (gpm)

OWRD

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Certificate 74205 consists of 21.4 acres of primary irrigation and 197.2 acres of supplemental irrigation. Only 181.7 of acres of the 197.2 certificated acres of supplemental lie within applicants property boundary.

Springs arise at the point of diversion and water is conveyed to the north and west via ditches where it is applied via flood irrigation. Water is also conveyed east via a short conduit under a road and into ditches that move the water to the bulge in the system located approximately 700 ft east of the center of Section 5. From the bulge in the system water can be distributed throughout the places of use via flood irrigation and/or center pivots and sprinklers

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Nelson Spring	☒ Authorized ☐ Proposed		9	S	39	E	5	NE	SW	1402	850 feet S and 440 ft W for the Center of Section 5

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

SUPERSEDED

Table 2. Description of Changes to Water Right Certificate # 74205

List the change proposed for the acreage in each ¼ ¼. If more than one change is proposed, specify the acreage associated with each change.

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date				
EXAMPLE																								
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901				
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901				
9	S	39	E 5 SW NE	1400	1	7.2	IR	Nelson Spring	5/24/1978	POU	9	S	39	E 5 NE SW	1400		7.2	IR	Nelson Spring	5/24/1978				
9	S	39	E 5 SE NW	1400	2	1.2	IR	Nelson Spring	5/24/1978	POU	9	S	39	E 5 NE SW	1400		2.4	IR	Nelson Spring	5/24/1978				
9	S	39	E 5 NE SW	1401		1.2	IR	Nelson Spring	5/24/1978	POU	9	S	39	E 5 NW SE	1400		2.1	IR	Nelson Spring	5/24/1978				
9	S	39	E 5 NW SE	1400		2.1	IR	Nelson Spring	5/24/1978	POU	9	S	39	E 5 SE SW	0800		15.8	IS	Nelson Spring	5/24/1978				
9	S	39	E 5 NE SW	1400, 1402		3.8	IS	Nelson Spring	5/24/1978	POU														
9	S	39	E 5 NW SE	1400, 1402		2.9	IS	Nelson Spring	5/24/1978	POU														
9	S	39	E 5 SW SE	1400, 1402		3.7	IS	Nelson Spring	5/24/1978	POU														
9	S	39	E 5 SE SW	1400, 1402		5.4	IS	Nelson Spring	5/24/1978	POU														
TOTAL ACRES:							11.7 (IR), 15.8 (IS)				TOTAL ACRES:							11.7 (IR), 15.8 (IS)						

Additional remarks: Nelson Spring.

Revised 7/7/2022

Permanent Transfer Application Form --Page 2 of 4--

TACS

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MAY 28 2024

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For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **4117, 73172, 73168, 73169, 74205, 81680, and 83237**

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

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MAY 28 2024

OWRD

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

CERTIFICATE # 81680

Received

MAY 28 2024

Description of Water Delivery System

System capacity: 2.0 cubic feet per second (cfs) OR
 _____ gallons per minute (gpm)

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Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Water is appropriated at the certificated PODs as follows:

Miners #2 diverts water from Mill Creek into Marble Creek, flowing east to meet the Miners #4 POD, where the water is directed south into a pipe underneath Pocahontas Road the into the ditch located at the northwestern portion of the applicant's property. This ditch flows into the bulge in the system in the SWNE QQ of Section 5 where it can be distributed to the places of use via mainlines that feed center pivots sprinklers and wheellines.

Water from Cavin Springs and Crabill Springs flows NE through and into the Spring Creek channel, where these three PODs enter the west side of the applicants property through a ditch that flows into the bulge in the system in the SWNE QQ of Section 5 where it can be distributed to the places of use via mainlines that feed center pivots sprinklers and wheellines.

Water from Kelly Springs flows over the surface directly into the bulge in the system in the SWNE QQ of Section 5 where it can be distributed to the places of use via mainlines that feed center pivots sprinklers and wheellines.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-____)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1) Marble Creek (Miners #4)	☒ Authorized ☐ Proposed		9	S	39	E	5	NW	NW	1100	1,206 feet S and 370 ft E from the NW Corner of Section 5
2) Mill Creek (Miners #2)	☒ Authorized ☐ Proposed		9	S	39	E	6	SE	NW	0200	1,605 feet S and 2,404 ft E from the NW Corner of Section 6
3) Spring Creek	☒ Authorized ☐ Proposed		9	S	39	E	5	NW	SW	1300	2,524 feet S and 1,250 ft E from the SW Corner of Section 5
4) Kelly Springs	☒ Authorized ☐ Proposed		9	S	39	E	5	NW	SE	1400	2,567 feet S and 2,128 ft W from the SE Corner of Section 5
5) Cavin Springs	☒ Authorized ☐ Proposed		9	S	39	E	6	NW	SE	1301	1,328 feet N and 2,196 ft W from the SE Corner of Section 6

6) Crabill Springs	☒ Authorized		9	S	39	E	5	NW	SW	1300	2,238 feet N and 475 ft E from the SW Corner of Section 5
	☐ Proposed										

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

SUPERSEDED

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

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MAY 28 2024

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

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

Table 2. Description of Changes to Water Right Certificate # 81680

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp	Rng	Sec		¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date								
EXAMPLE																												
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901		
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901		
9	S	39	E	5	NE	SE	1400		6.8	IR	1, 2, 3	1863	POU	9	S	39	E	5	SW	NE	1400	1	2.1	IR	1, 2, 3	1863		
													POU	9	S	39	E	5	SE	NW	1400	2	0.5	IR	1, 2, 3	1863		
													POU	9	S	39	E	5	NE	SW	1400		4.2	IR	1, 2, 3	1863		
TOTAL ACRES:									6.8						TOTAL ACRES:									6.8				

SUPERSEDED

Additional remarks:

Certificated places of use on the applicant's property have a priority date of 1863 and lie within T9S R39E, Section 5 as follows: 30.0 acres in SWNE, 34.0 acres in SENW, and 6.8 acres in NESE. The 1910 Priority date listed on Certificate 81680 lies in the SENE of Section 5, outside of applicants property.

Received
MAY 28 2024

OWRD

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **73168, 73169, 74205, and 83237.**

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

Received
MAY 28 2024

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

OWRD

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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Part 5 of 5 – Water Right Information (6 of 6)

CERTIFICATE # 83237

Received
MAY 28 2024

Description of Water Delivery System

OWRD

System capacity: 5.0 cubic feet per second (cfs) **OR**
_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use.

Miners #2 diverts water from Mill Creek into Marble Creek, flowing east to meet the Miners #4 POD, where the water is directed south into a pipe underneath Pocahontas Road into the ditch located at the northwestern portion of the applicant's property. This ditch flows into the bulge in the system in the SWNE QQ of Section 5 where it can be distributed to the places of use via mainlines that feed center pivots sprinklers and wheel lines.

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)

(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼ ¼		Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
Marble Creek (Miners #4))	☒ Authorized ☐ Proposed		9	S	39	E	5	NW	NW	1100	1,206 feet S and 370 ft E from the NW Corner of Section 5
Mill Creek (Miners #2	☒ Authorized ☐ Proposed		9	S	39	E	6	SE	NW	0200	1,605 feet S and 2,404 ft E from the NW Corner of Section 6

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

- | | |
|--|---|
| ☒ Place of Use (POU) | ☐ Supplemental Use to Primary Use (S to P) |
| ☐ Character of Use (USE) | ☐ Point of Appropriation/Well (POA) |
| ☐ Point of Diversion (POD) | ☐ Additional Point of Appropriation (APOA) |
| ☐ Additional Point of Diversion (APOD) | ☐ Substitution (SUB) |
| ☐ Surface Water POD to Ground Water POA (SW/GW) | ☐ Government Action POD (GOV) |

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 83237

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

AUTHORIZED (the “from” or “off” lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.											Proposed Changes (see “CODES” from previous page)	PROPOSED (the “to” or “on” lands) The listing as it would appear AFTER PROPOSED CHANGES are made.														
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date	Twp		Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date						
EXAMPLE																										
2	S	9	E	15	NE	NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E	1	NW	NW	500	1	10.0		POD #5	1901
														2	S	9	E	2	SW	NW	500		5.0		POD #6	1901
9	S	39	E	5	NE	SW	1400, 1401, 1402		9.8	IS	Miner #2, Miners #4	8/9/1919	POU	9	S	39	E	5	SW	SE	1400		9.9	IS	Miner #2, Miners #4	8/9/1919
9	S	39	E	5	NW	SE	1400, 1401		2.9	IS	Miner #2, Miners #4	8/9/1919	POU	9	S	39	E	5	SW	NE	1400	1	2.8	IS	Miner #2, Miners #4	8/9/1919
TOTAL ACRES:						12.7						TOTAL ACRES:						12.7								

SUPERSEDED

Additional remarks:

83237 Certificated places of use lie within the applicant's property boundaries in T9S R39E, Section 5 as follows: 26.0 ac in NESW, 38 acres in NWSE, 32.0 acres in NESE, 30 acres in SWNE, and 34 acres in SENW. Note that the acerages listed on the certificate in NESE and NWSE are transposed and are being considered a scriveners error, this is clear b/c only 32 acres are irrigable within NESE, the other 8 acres are densely timbered.

Received
MAY 28 2024
OWRD

SUPERSEDED

Certificate # **83237**

For Place of Use or Character of Use Changes

Are there other water right certificates, water use permits or ground water registrations associated with the "from" or the "to" lands? ☒ Yes ☐ No

If YES, list the certificate, water use permit, or ground water registration numbers: **73168, 73169, 74205, and 81680.**

Pursuant to ORS 540.510, any "layered" water use such as an irrigation right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled. Any change to a ground water registration must be filed separately in a ground water registration modification application.

For Substitution (ground water supplemental irrigation will be substituted for surface water primary irrigation)

Ground water supplemental Permit or Certificate # _____;
Surface water primary Certificate # _____.

Received

MAY 28 2024

OWRD

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

For a change in point(s) of appropriation (well(s)) or additional point(s) of appropriation:

- ☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.

Tip: You may search for well logs on the Department's web page at:

http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

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

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

SUPERSEDED

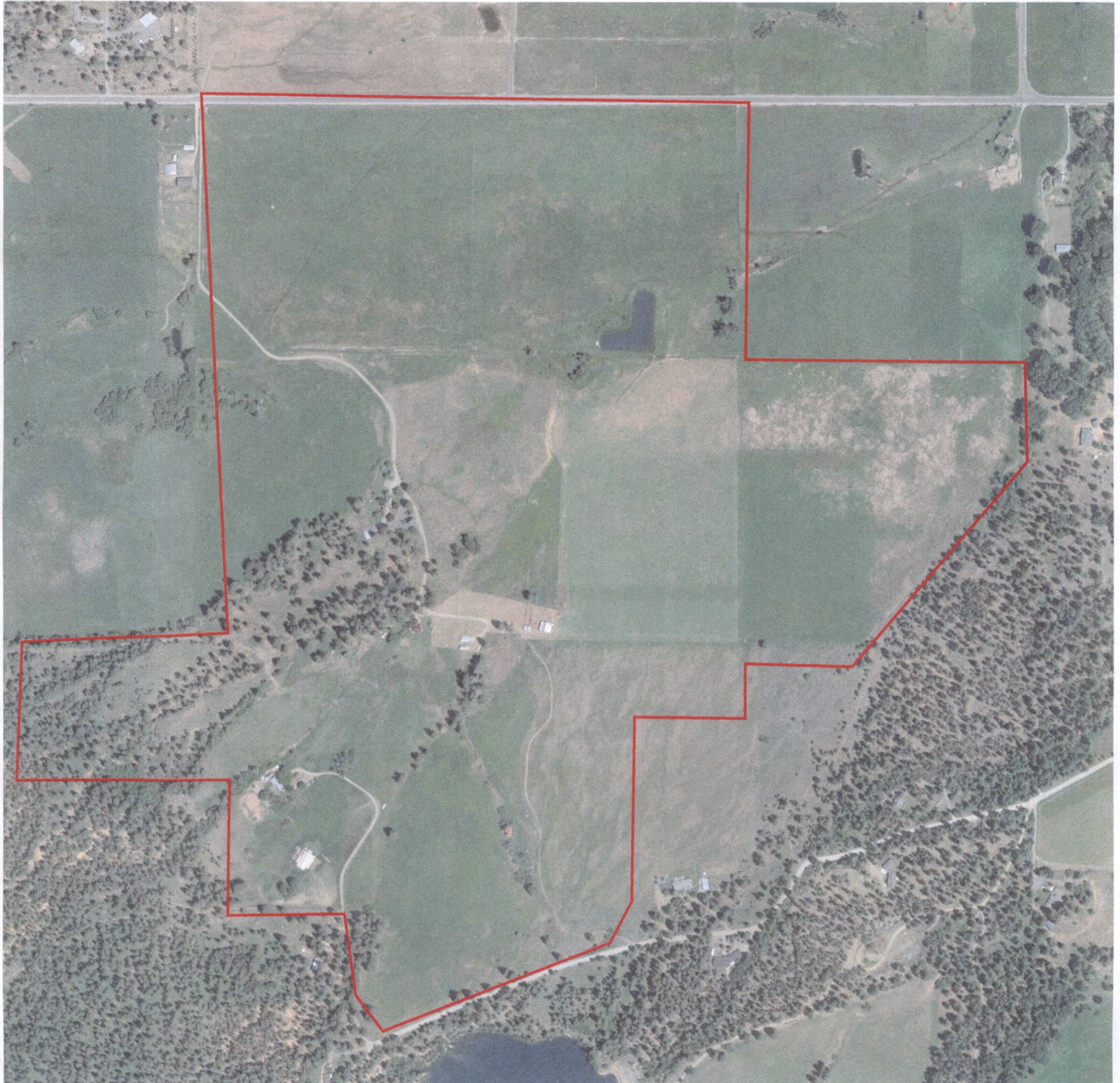
Received
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Map to accompany evidence of use affidavit
Aerial Imagery Date: 6/2015

SUPERSEDED



= approximate property boundary



Received

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