

T-10371

T-10371

TEMPORARY

Name George Gover

By _____

Address PO 881Halfway OR 97834541 742-2803 541 540 2804Change in POU

Date filed _____

Date of hearing _____

Place of hearing _____

Date of order 5-31-07 Vol. 72, page 229

Date for application of water _____

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Ditch Pine CreekTrib. of Pine Cr Snake R County of BakerUse IR LV

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1883 1890 1959In name of H Jeldness Pine Lks Ditch & Lks Co.

Adjudication, Vol. _____, page _____

App. No. 533407 Per. No. 26491 Cert. No. 80372-7-8002

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>4/16/2007</u>	<u>145.00</u>	<u>87144</u>
<u>4-23-07</u>	<u>74.50</u>	<u>87242</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

NOID

Posay Valley Ditch Co.

Baker County Planning

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **87144**

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

INVOICE # _____

RECEIVED FROM: <u>George Gover</u>		APPLICATION	
BY: _____		PERMIT	
CASH: <input type="checkbox"/>	CHECK: # <u>5095</u>	TRANSFER	<u>T-10371</u>
OTHER: (IDENTIFY) <input type="checkbox"/> _____		TOTAL REC'D	\$ <u>175⁰⁰</u>

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	\$
_____	OTHER: (IDENTIFY) _____	\$
0243 I/S Lease	0244 Muni Water Mgmt. Plan	0245 Cons. Water

4270 WRD OPERATING ACCT

MISCELLANEOUS		
0407	COPY & TAPE FEES	\$
0410	RESEARCH FEES	\$
0408	MISC REVENUE: (IDENTIFY) _____	\$
TC162	DEPOSIT LIAB. (IDENTIFY) _____	\$
0240	EXTENSION OF TIME	\$
WATER RIGHTS:		
0201	SURFACE WATER	\$
0203	GROUND WATER	\$
0205	TRANSFER	\$ <u>175.00</u>
WELL CONSTRUCTION		
0218	WELL DRILL CONSTRUCTOR	\$
	LANDOWNER'S PERMIT	\$
_____	OTHER (IDENTIFY) _____	\$

EXAM FEE
\$
\$
\$ <u>175.00</u>
EXAM FEE
\$

RECORD FEE
\$
\$
LICENSE FEE
\$
\$

0536 TREASURY 0437 WELL CONST. START FEE

0211	WELL CONST START FEE	\$	CARD #	
0210	MONITORING WELLS	\$	CARD #	
_____	OTHER (IDENTIFY) _____			

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____	TITLE _____	
OBJ. CODE _____	VENDOR # _____	
DESCRIPTION _____		\$

RECEIPT: **87144**

DATED: 4/16/07 BY: L. Paschke

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **87242**

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

INVOICE # _____

RECEIVED FROM: George Goulet
BY: _____

APPLICATION	
PERMIT	
TRANSFER	10371

CASH: ☐ CHECK: # ☒ 5108 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 74.50

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES \$
OTHER: (IDENTIFY) \$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

	EXAM FEE		RECORD FEE
0201 SURFACE WATER	\$	0202	\$
0203 GROUND WATER	\$	0204	\$
0205 TRANSFER	\$ 74.50		

WELL CONSTRUCTION

	EXAM FEE		LICENSE FEE
0218 WELL DRILL CONSTRUCTOR	\$	0219	\$
LANDOWNER'S PERMIT		0220	\$

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ \$

RECEIPT: **87242**

DATE: 4/23/07 BY: J. Pashke

Oregon Water Resources Department



State of Oregon
Water Resources Department
725 Summer Street NE, Suite A, Salem, OR. 97301-1271
Phone: 503-986-0900
<http://www.wrd.state.or.us>

FAX TRANSMITTAL

To: George Gover Fax Number: 541-742-4908
Date: 6-1-07 Pages: 6, including cover sheet
From: Sarah Henderson Phone: 503-986-0 883
Comments:

* T-10371 Letter Approval and Final order

* Hard copies of letter & order are being
mailed to you on Monday the 4th of June.

DIRECTOR'S OFFICE

- Water Resources Commission
- Legislation and Rules
- Public Information

FIELD SERVICES

- Regional Liaisons
- Transfers
- Hydrographics

NORTHWEST REGION

- District 16 Watermaster

ADMINISTRATIVE SERVICES

- Fiscal / Accounting
- Human Resources / Personnel
- Water Development Loan Fund
- Support Services

TECHNICAL SERVICES

- Dam Safety
- Enforcement
- Ground Water
- Information Services
- GIS/Mapping
- Water Use Reporting

Fax: 503-986-0902

WATER RIGHTS

- Water Rights Information
- Adjudications
- Hydroelectric
- Certificates / Final Proofs
- Hearings / Contested Cases

Fax: 503-986-0901

Fax: 503-986-0903 or
503-986-0904



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

June 1, 2007

GEORGE GOVER
PO BOX 881
HALFWAY OR 97834

Reference: Temporary Transfer 10371

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

The change shall be effective at the end of the 2006 irrigation season. The use shall revert to the authorized place of use at the end of the 2011 irrigation season.

Sincerely,

Douglas Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #8

Enclosure

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

In the Matter of Transfer Application)	FINAL ORDER APPROVING A
T-10371, Baker County)	TEMPORARY CHANGE IN PLACE OF
)	USE

Authority

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

Applicant

George L. Gover
PO BOX 881
HALFWAY OR 97834

Findings of Fact

Background

1. On April 24, 2007, George L. Gover filed an application to temporarily change the place of use under Certificates 67383 and 80372 for a period of five years. The Department assigned the application number T-10371.
2. On May 11, 2007, the applicant submitted a revised map and application, clarifying the authorized place of use and proposed place of use involved in this temporary transfer.
3. The portion of the first right to be transferred is as follows:

Certificate: 67383 in the name of Pine Lakes Ditch And Reservoirs Co. (perfected under Permit S-26491)

Use: IRRIGATION of 44.8 ACRES AND SUPPLEMENTAL IRRIGATION of 29.7 ACRES

Priority Date: OCTOBER 7, 1959

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Rate: 0.03 CUBIC FOOT PER SECOND (cfs) from Pine Creek and 3.78 acre-feet from the reservoir constructed under Permit R-2309

Limit/Duty: ONE-FORTIETH cfs per acre, not to exceed 4.5 ACRE FEET per acre per irrigation season of each year

Source: PINE CREEK and EAST LAKE RESERVOIR, tributaries to SNAKE RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
7 S	45 E	WM	22	NE NE	170 FEET SOUTH AND 200 FEET WEST FROM THE SE CORNER OF SECTION 15
6 S	45 E	WM	10	SE NW	NOT SPECIFIED ON CERTIFICATE

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	46 E	WM	20	NE NE	3.1
8 S	46 E	WM	20	NW NE	12.2
8 S	46 E	WM	20	SW NE	14.4
8 S	46 E	WM	20	NE NW	15.1

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	46 E	WM	20	NE NE	5.3
8 S	46 E	WM	20	SE NE	24.4

4. Application T-10371 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	46 E	WM	20	NE NE	19.0
8 S	46 E	WM	20	SE NE	25.8

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	46 E	WM	20	NE NE	3.1
8 S	46 E	WM	20	NW NE	7.2
8 S	46 E	WM	20	SW NE	5.0
8 S	46 E	WM	20	SE NE	30.6

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

Certificate: 80372 in the name of H. Jeldness (confirmed by Pine Creek Decree)

Use: IRRIGATION of 29.7 ACRES

Priority Date: 1890

Limit/Duty: ONE-FORTIETH cfs per acre, not to exceed ONE ACRE FOOT PER ACRE DURING JULY, ONE ACRE FOOT PER ACRE DURING AUGUST AND ONE-HALF ACRE FOOT PER ACRE DURING SEPTEMBER during the irrigation season of each year

Source: PINE CREEK, tributary to SNAKE RIVER

Authorized Point of Diversion:

Posey Valley Ditch for Tract 2

Authorized Place of Use:

IRRIGATION						
Twp	Rng	Mer	Sec	Q-Q	Acres	Tract
8 S	46 E	WM	20	NE NE	5.3	2
8 S	46 E	WM	20	SE NE	24.4	2

6. Application T-10371 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
8 S	46 E	WM	20	NE NE	3.1
8 S	46 E	WM	20	NW NE	12.2
8 S	46 E	WM	20	SW NE	14.4

7. Notice of the application for temporary transfer was published on April 17, 2007, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
8. Water has been used within the last five years according to the terms and conditions of the rights, and there is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.
9. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Application T-10371.resent.
10. The right evidenced by Certificate 67383 is regulated off in most irrigation seasons and the stored water under Certificate 39118 runs out part way through the season. Therefore, the use must be conditioned to avoid enlargement of the rights and injury to other water rights.
11. The Watermaster has requested that the water user be required to (a) notify the Watermaster when appropriation of stored water from East Lake Reservoir (constructed under Permit R-2309) is initiated, (b) deliver a schedule of water application to the Watermaster prior to initial application or (c) use another method that will ensure that the stored water duty is not exceeded.
12. The proposed change, as conditioned, would not result in enlargement of the rights.
13. The proposed change, as conditioned, would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water right.

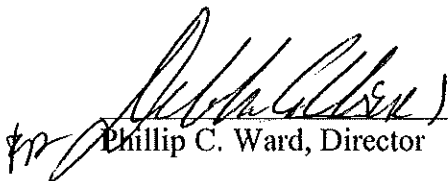
Conclusions of Law

The temporary changes in place of use proposed in Application T-10371 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The changes in place of use proposed in application T-10371 are approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2007, 2008, 2009, 2010 and 2011 irrigation seasons.
3. The use shall revert to the authorized place of use at the end of the 2011 irrigation season.
4. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
5. A subsequent application for permanent transfer of Certificates 67383 or 80372 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
6. The use of water at the temporary place of use authorized by this transfer shall be in accordance with the terms and conditions of Certificates 67383 and 80372.
7. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
8. The water user shall (a) notify the Watermaster when appropriation of stored water from East Lake Reservoir (constructed under Permit R-2309) is initiated, (b) deliver a schedule of water application to the Watermaster prior to initial application or (c) use another method that will ensure that the stored water duty is not exceeded.
9. The water user shall maintain and operate the existing measurement device and shall make such improvements as may be required by the Department.
10. The water user shall maintain the existing headgate and shall make such improvements as may be required by the Department.
11. The use of the remaining water right described by Certificates 67383 and 80372 shall continue to be in accordance with the terms and conditions of Certificate 67383 and 80372.

Dated at Salem, Oregon this 31st day of May 2007.


Phillip C. Ward, Director

Mailing Date JUN 04 2007

Water Right Transfer Checklist

Transfer T-10371

Transfer Specialist: Sue

Transfer Type: temp

Applicant Name/Address: George L. Gover, PO Box 881, Halfway OR 97834

Agent Name/Address: NA

CWRE Name/Number: na

Rec Landowner Name/Address: na

Irr. District Name/Address: Posey Valley Ditch Co

Affected Gov'ts Name/Address: Baker Co.

Commentors: Name/Address: na

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
<input type="checkbox"/>	<input type="checkbox"/>	S 33407	S 26491	67383	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	NA
<input type="checkbox"/>	<input type="checkbox"/>	Pine Creek Decree		80372	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<u>na</u>

Key Dates & Initial Actions

Rec'd: <u>4/24/2007</u>	Proposed Action(s): <u>POU</u>
Fees Pd: <u>249.50</u>	WM District: <u>8</u> ODFW District: <u>✓</u>
Initial Notice: <u>4-17-07</u>	WM Review sent: <u>✓</u> ODFW Review sent: <u>✓</u>
Acknowledgement Letter Sent <input checked="" type="checkbox"/>	GW Review sent: <u>na</u>

Processing Dates & Actions

Deficiency Contacts: map - rec'd amendment 5/11/2007

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

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

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☐ Electronic Files uploaded

☐ Preliminary Determination

☐ PD Cover letter

☐ Fee Refund Due

☐ PD Notice

☐ Remaining Rights

☐ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: <u>SSP</u>
Date: _____	Date: _____	Date: <u>5/31/07</u>
Coordinator: _____	Coordinator: _____	Coordinator: <u>SSP</u>
Date: _____	Date: _____	Date: <u>5/31/07</u>
Comments/Special Issues:		

Special Order Volume: Vol 72 Pages 229

Final Order Signature Date: 5-31-07

Notice of FO email'd to processors Susan

Susan



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10371

RML

Review Due Date: 5.16.2007

Applicant Name: George Gover

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

Reviewer(s): Rick Lusk

Date of Review: May. 16, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: N/A
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: Yearly - 1959 natural flow right is a poor right, stored right of 132.5 acre-feet runs out in about a week covering all the lands
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☐ If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: _____

RECEIVED

MAY 21 2007

WATER RESOURCES DEPT
SALEM, OREGON

10. What alternatives may be available for addressing any issues identified above: Require notification to watermaster by applicant when use of stored water begins, amount allowed by Pine Creek Reservoir Company, application scheduling or other means to ensure stored water duty is not exceeded.
11. Have headgate notices been issued for the source that serves the right? ☒ Yes ☐ No
12. What water control and measurement conditions should be included in the transfer:

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

STATE OF OREGON
COUNTY OF **DAKER**
CERTIFICATE OF WATER RIGHT

This Is to Certify, That **PINE LAKES DITCH & RESERVOIRS CO.**
of **Halfway**, State of **Oregon**, has made proof
to the satisfaction of the STATE ENGINEER of Oregon, of a right to store the waters of
unnamed drainage, tributary of East Fork Main Pine Creek (Snake River), ap-
propriated under application number 33407, permit number 26491, in East Lakes
Reservoir

for the purposes of
irrigation and supplemental irrigation
under Reservoir Permit No. **R-2309** of the State Engineer, and that said right to store said
waters has been perfected in accordance with the laws of Oregon; that the priority of the right
hereby confirmed dates from **October 7, 1959**

that the amount of water entitled to be stored each year under such right, for the purposes afore-
said, shall not exceed **132.5 acre feet**

The reservoir is located in

SE 1/4 NW 1/4
Section 10
T. 6 S., R. 45 E., W. M.

WITNESS the signature of the State Engineer, affixed
this date. **May 10, 1973**

CHRIS L. WHEELER
State Engineer

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

This Is to Certify, ThatPINE LAKES DITCH & RESERVOIRS CO.
c/o Floyd Taylor

of Route 1, Halfway

, State of Oregon 97834, has made

proof to the satisfaction of the Water Resources Director, of a right to store the waters of
unnamed drainage, tributary of East Fork Main Pine Creek (Snake River)
appropriated under PERmit 26491, in East Lake Reservoir

irrigation and supplemental irrigation

for the purposes of

under Reservoir Permit No. R-2309 , and that said right to store said waters has been
perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed
dates from October 7, 1959

that the amount of water entitled to be stored each year under such right, for the purposes afore-
said, shall not exceed 42.5 acre-feet

The reservoir is located in

SE 1/4 NW 1/4
Section 10
Township 6 South, Range 45 East, WM.

This certificate is issued so as to correctly describe the amount of water
stored and supersedes certificate of water right recorded at page 39118,
Volume 31, State Record of Water Right Certificates.

The issuance of this superseding certificate does not confirm the status of
the water right in regard to the provisions of ORS 540.610 pertaining to
forfeiture or abandonment.

WITNESS the signature of the Water Resources Director, affixed

this date. November 17, 1983

William H. Young

Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 46 , page 51714

■ Certificate Number or other identifying number: 80372

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

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

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

[illegible]

Track 2

amended
5-11-07

29.7

▪ Certificate Number or other identifying number:

80372

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table **only** if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Pine Creek	8S	20E	Wm	20	nene		3.1
					nune		12.2
					sune		14.4

Remarks: _____

67383

*Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.*

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

[illegible]

Description of Proposed Change(s) to a Water Right

■ Certificate Number or other identifying number: 67383

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Pine Creek	8S	20E	wm	20	nene		3.1
					nene		12.2
					swne		14.4
Pine Creek	8S	20E	wm	20	nene		2.4
					nene		16 ⁶
					seue		15 ⁸
					seue		10 ⁰

Supp

19
25⁸

44.8

Remarks: _____

Application for George Gover for a Temporary change in Place of use

To map

Scale
1"=500'



C-80372 (Pri)
C-67383 (Sup)

TO
From

14.8

17.2

2.4

19.4

6.2

22.8

11³

NENW

NWNE

NENE

C-80372 (Pri)

From

NENE $5\frac{3}{4}$ (3¹ Rem)

SENE $24\frac{4}{4}$ (6² Rem)

29.7 (moving)

TO

NENE 3¹

NWNE $12\frac{2}{2}$

SWNE $14\frac{4}{4}$

29.7 (TO)

C-67383 (Supp)

From

NENE $5\frac{3}{4}$ (3¹ Rem)

SENE $24\frac{4}{4}$ (6² Rem)

29.7 moving

TO

NENE 3¹

NWNE $12\frac{2}{2}$

SWNE $14\frac{4}{4}$

29.7 (TO)

C-80372 (Pri)

C-67383 (S)

6.2

22.0

19.2

SWNE

SENE

10.0

Application for George Gover for a Temporary change in Place of use

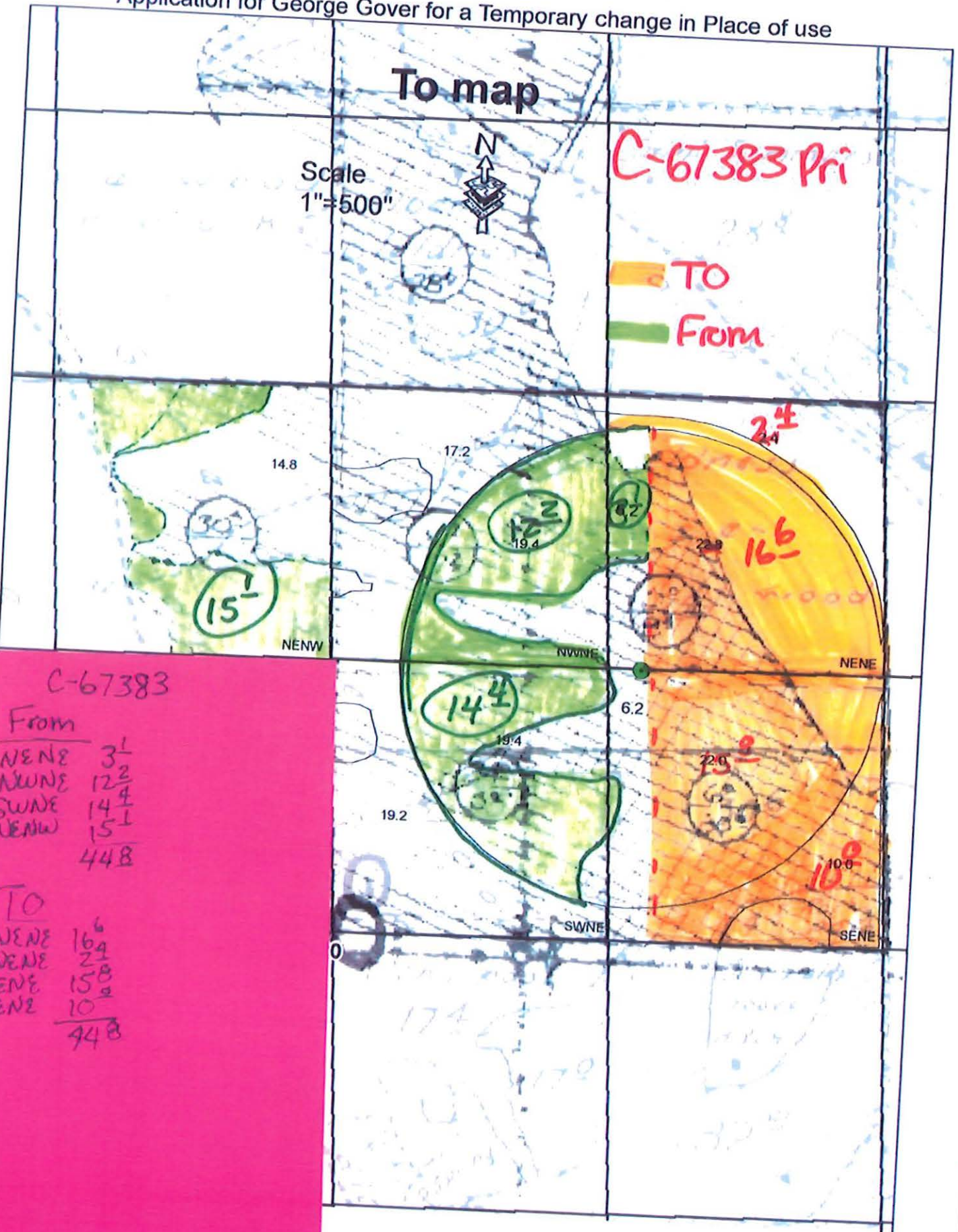
To map

Scale
1"=500"



C-67383 Pri

TO
From



C-67383

From

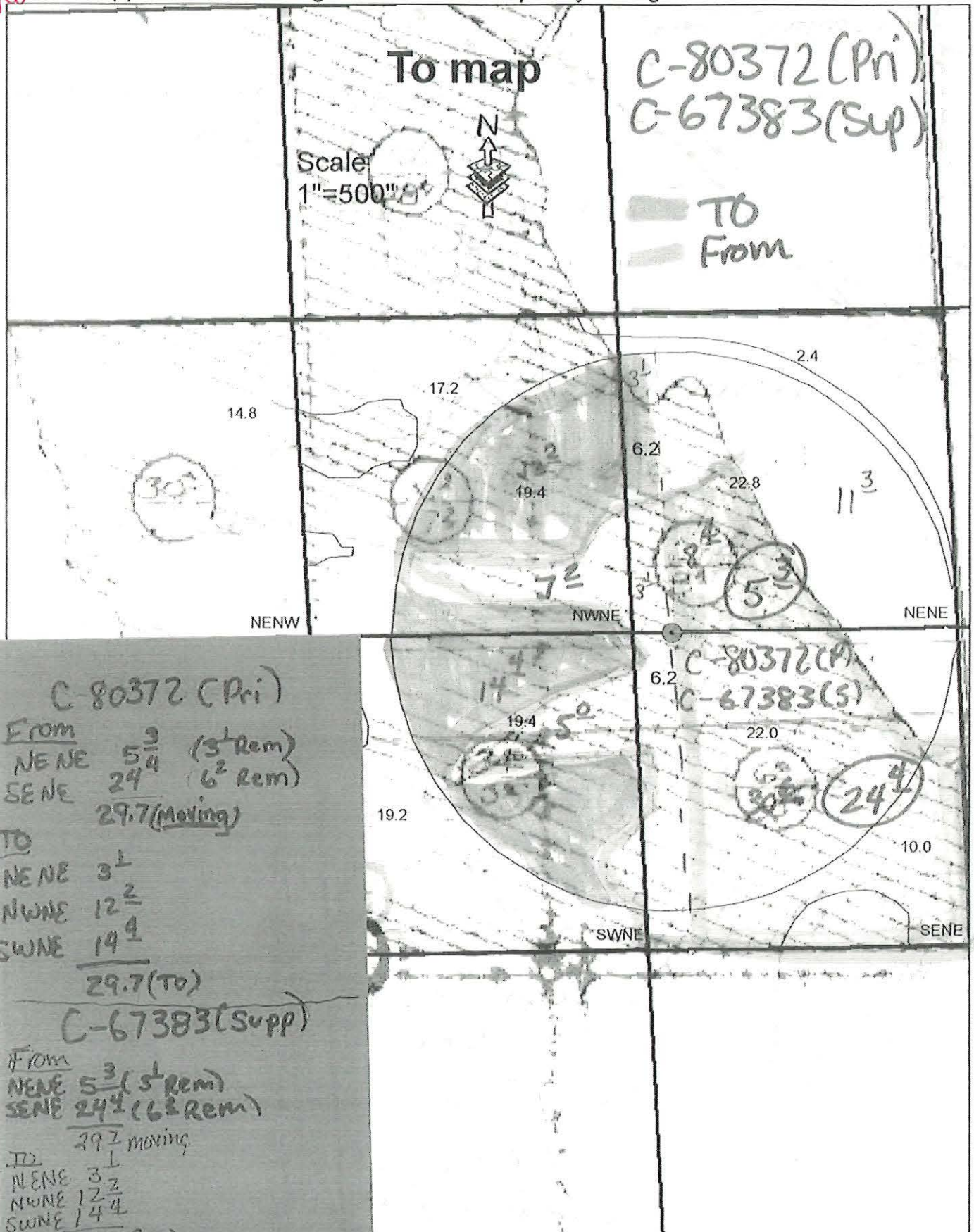
NENE	31
NNWNE	122
SWNE	144
NENW	151
	448

TO

NENE	164
NNWNE	221
SWNE	158
SENE	102
	448

amended

Application for George Gover for a Temporary change in Place of use

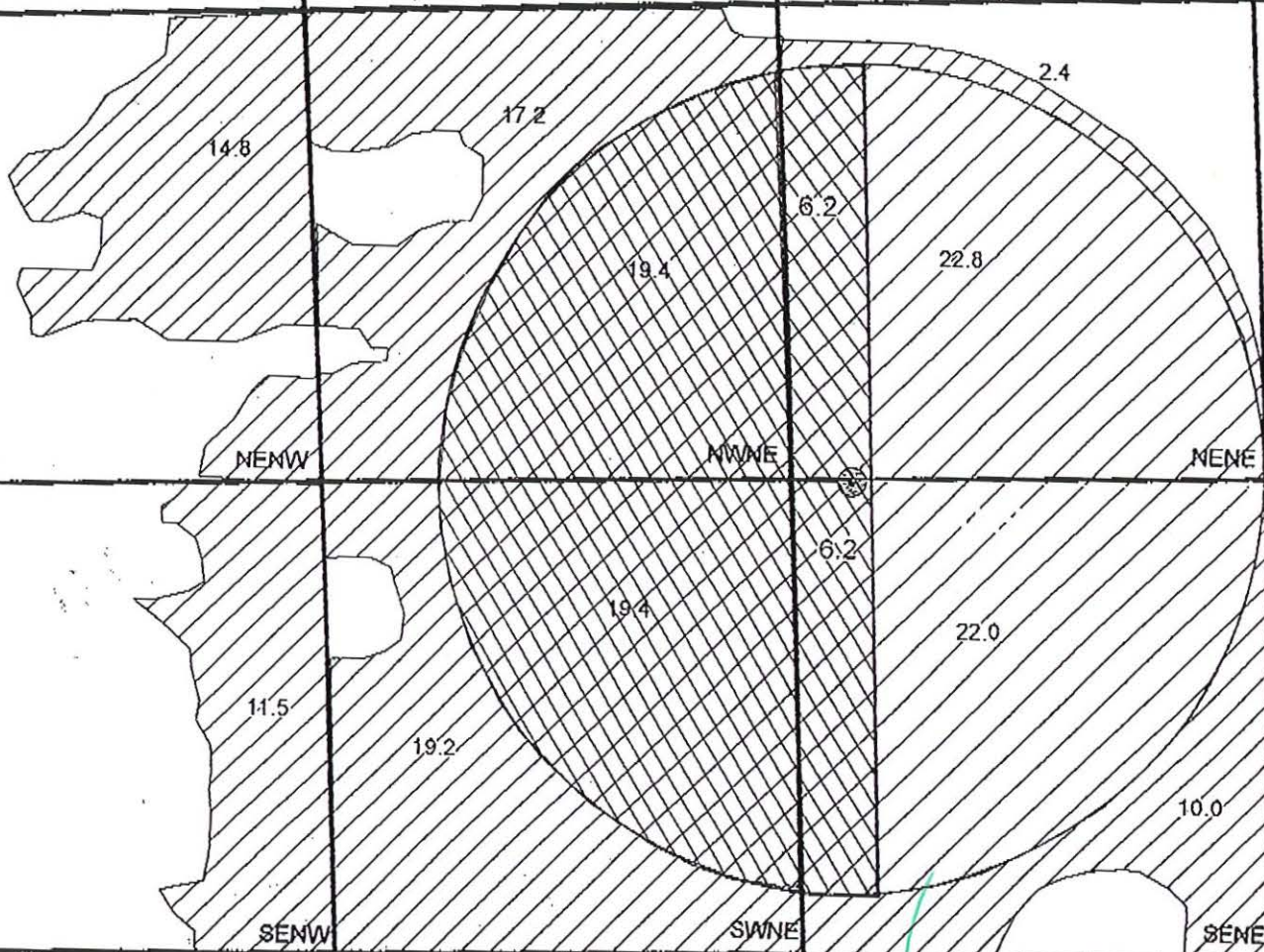


Application for George Gover for a Temporary change in Place of use

Map 2 of 2

To map

Scale
1"=500"



8 S 46 E 20

Cert 80372
67383

C-67383

51.2

44.8

Amended

Application for George Gover for a Temporary change in Place of use

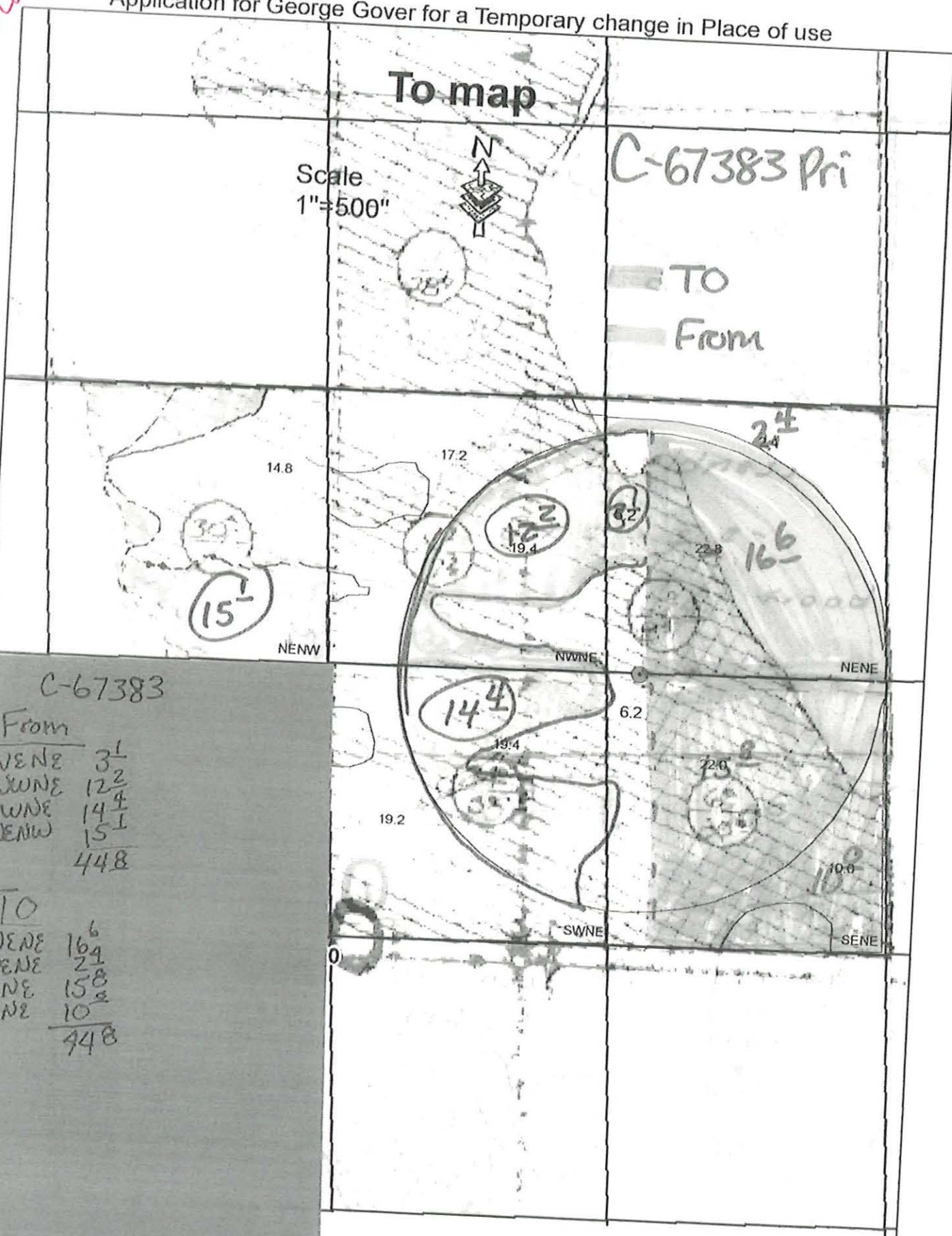
To map

Scale
1"=500"



C-67383 Pri

TO
From



C-67383

From

NENE	31
NNWNE	122
SWNE	144
NENW	151
	<hr/> 448

To

NENE	164
NNWNE	21
SENE	158
SENE	10
	<hr/> 448

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To = 503-986-0903

Att. Susan

From

George L. Gover

541-~~7~~42-4908

5 pages Total

amendments

PAGE 24

603-986-0903

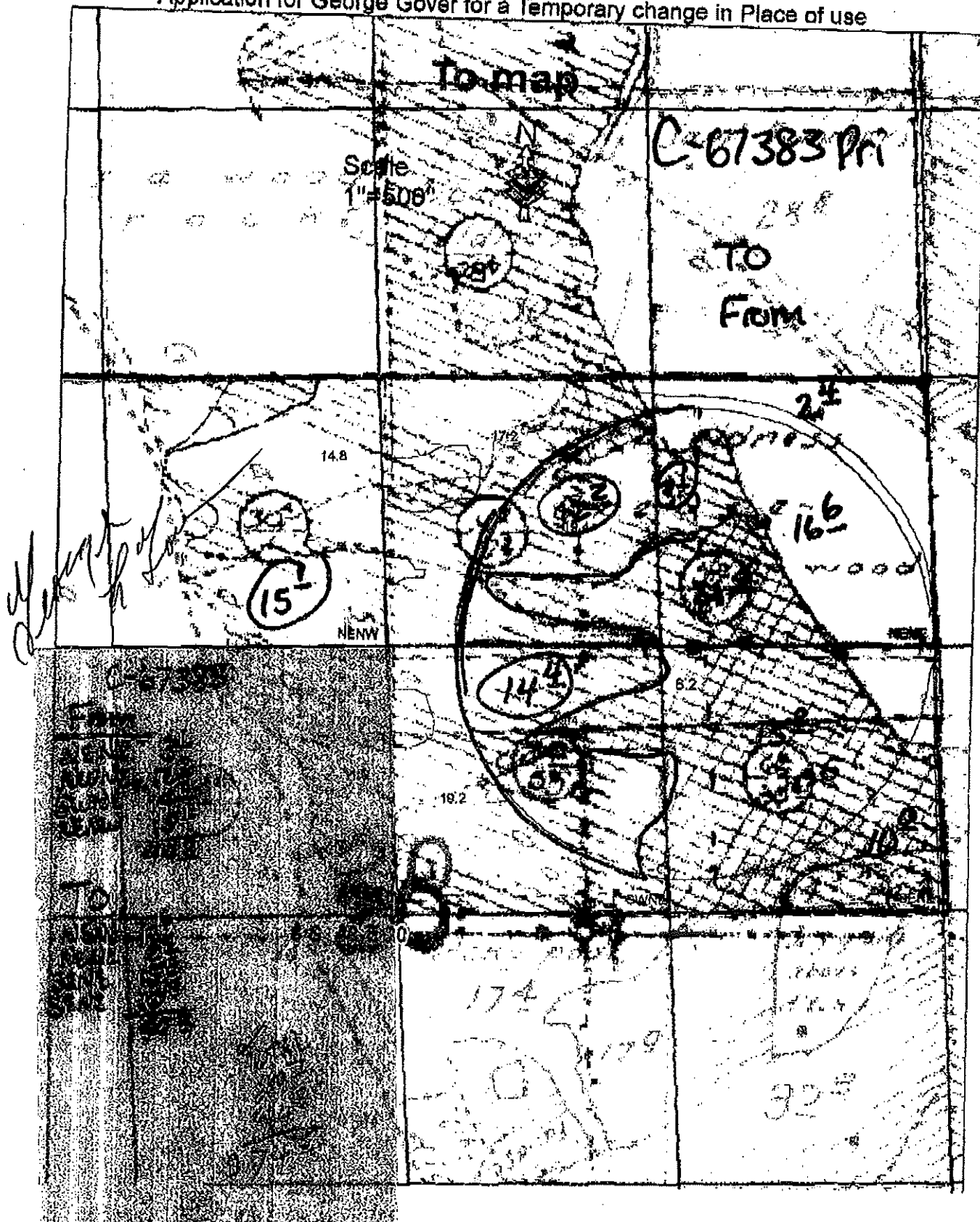
第1037

Location of Proposed Place of Use: (i.e., the "TO" lands). ☐ N/A - Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

[illegible]

Remarks:

Application for George Gover for a Temporary change in Place of use



04/17/2007 15:58

5415242126

BAKER COUNTY

PAGE 35

* Certificate Number or other identifying number:

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

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

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

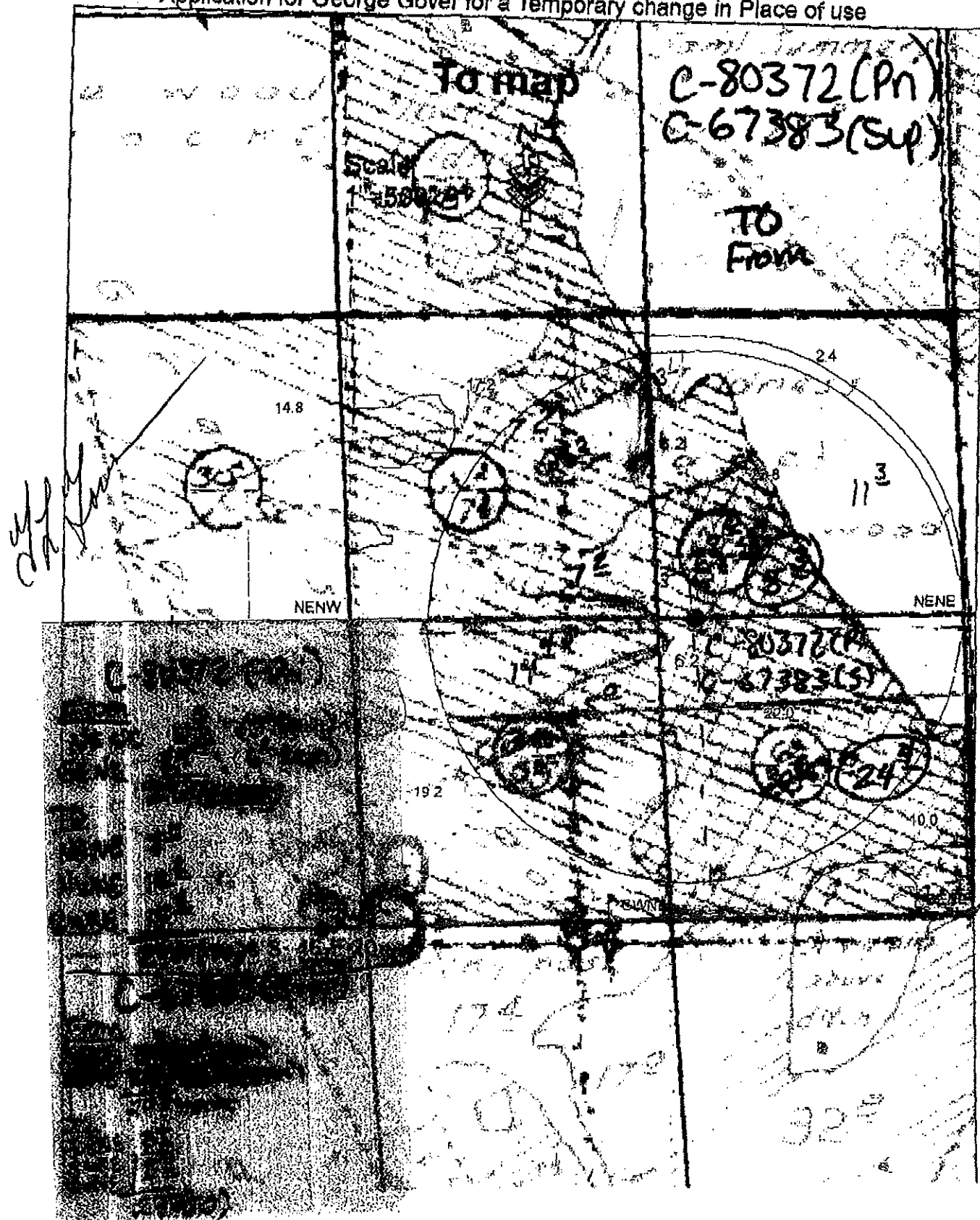
[illegible]

Supp
Supp

Y. H. Low

PAGE 08

Application for George Gover for a Temporary change in Place of use





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

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/OWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one

- | | |
|--|--|
| <input type="checkbox"/> Permanent Transfer | <input type="checkbox"/> Instream Transfer |
| <input checked="" type="checkbox"/> Temporary Transfer | <input type="checkbox"/> Permanent |
| • total number of years: <u>5</u> | <input type="checkbox"/> Time-Limited |
| (begin year: <u>2007</u>) | <input type="checkbox"/> Drought Transfer |
| (end year: <u>2012</u>) | <input checked="" type="checkbox"/> Other |

2. APPLICANT INFORMATION

Name: George L. Grover
First Last
Address: P.O. 881
Halfway OR. 97834
City State Zip
Phone: 541-742-2803 541-540-2804
Home Work Other
Fax: 541-742-4908 E-Mail address: _____

3. AGENT INFORMATION

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

Name: _____
First Last
Address: _____

City State Zip
Phone: _____
Home Work Other
Fax: _____ E-Mail address: _____

- If an agent is listed above, please check one of the following:

- ☐ Please send all correspondence to Agent. Send *copies* of correspondence to Applicant; *or*
- ☐ Please send all correspondence to Applicant. Send *copies* of correspondence to Agent.

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4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List **all** water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: *(Attach additional pages as necessary.)*

	Application / Decree	Permit / Previous Transfer	Certificate
1.	Pine Cr Decree		80322 Tract #2
2.	S 33407	26491	67383
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (Description of Proposed Change(s) to a Water Right) for **each** water right listed above.

- Check **all** proposed change(s) included in this transfer application:

- ☒ Place of Use ☐ Point of Diversion ☐ Additional Point of Diversion
☐ Character of Use ☐ Point of Appropriation ☐ Additional Point of Appropriation
☐ Instream Transfer ☐ Surface Water source to Ground Water source

- Reason(s) for change(s): Installation of Pivot Irrigation System that would pick up - previously unirrigated land and to abandon irrigated land in favor of new system.

5. WATER DELIVERY SYSTEM

- Describe the **current** water delivery system **or** the system that **was in place** at some time **within the last 5 years**. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

Flood irrigation to #2 different water rights
1890 - 1959 Posy Valley Ditch; 3' x 3' approx 10 miles long
open ditch system; some areas 8' wide x 4' deep.

- System capacity: 1500 ^{miners' inches} cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

119.9 Acres of 1959 - Permit 26491
51.2 Acres of 1890 - Cert. 80322 Tract 2

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more **Evidence of Use Affidavits** (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) **must include supporting documentation** such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ▶ ☒ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has not been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No *Not districts - Rosey Valley Ditch Co.*
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

Baker County Planning

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SALEM, OREGON ^{FS}

8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?

☒ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:

- ☒ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
- ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.
- ☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

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Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 26 491

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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SALEM, OREGON

2. CURRENT WATER RIGHT INFORMATION

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

<input checked="" type="checkbox"/> Certificated Right	67383 <small>Certificate Number</small>	26491 <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Non-certificated Right	<small>Name of Decree</small>	<small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	<small>Permit Number</small>	<small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Transferred Right for which Proof has been Filed	<small>Previous Transfer Number</small>	<small>Date Claim of Beneficial Use Submitted</small>

- Name on Permit, Certificate, or Decree: Pine Lakes Ditch & Reservoirs Co.
- County: Baker
- Authorized Use(s) to be Affected by Transfer: Irr & Supp Irr.
- Priority Date(s): 10/7/959

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: Pine Creek
Halfway, OR
Tributary to: Snake R.

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☒ Yes ☐ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? 80322 Tract 2

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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■ Certificate Number or other identifying number: 26491, C-67383

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

Government lot and donation land claim numbers must be included in the tables below **only** if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-____)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A	Res a Pine 1959	6S	45E	WM	10	SENW		Reservoir
		7S	45E	WM	22	N2NE		Psey Valley; 170'S & 200'W SE cor, Sec 15

- Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
								RECEIVED	
		N/A						APR 16 2007	
								WATER RESOURCES DEPT SALEM, OREGON	

▪ Certificate Number or other identifying number: 26491, C-61382

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

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

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

[illegible]

Supp

■ Certificate Number or other identifying number: EC-67383 /

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
Dine Creek		N/A					

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

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

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

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

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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1959
Priority

Superseded

(NOTE: Complete this table **only** if a Change in Place of Use is being proposed.)

25.2
~~32.0~~ / 2.2
32.
199
Supplement
2

Remarks: See Map / This is the way
it should be after change.

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 80372 Tract 2

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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**WATER RESOURCES DEPT
SALEM, OREGON**

2. CURRENT WATER RIGHT INFORMATION

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

<input type="checkbox"/> Certificated Right	<u>80372</u> <small>Certificate Number</small>	<u>Pine Cr</u> <small>Permit Number or Decree Name</small>
<input type="checkbox"/> Adjudicated, Non-certificated Right	<small>Name of Decree</small>	<small>Page Number</small>
<input type="checkbox"/> Permit for which Proof has been Approved	<small>Permit Number</small>	<small>Date Claim of Beneficial Use Submitted</small>
<input type="checkbox"/> Transferred Right for which Proof has been Filed	<small>Previous Transfer Number</small>	<small>Date Claim of Beneficial Use Submitted</small>

- Name on Permit, Certificate, or Decree: H. Jeldness
- County: Baker
- Authorized Use(s) to be Affected by Transfer: Irr.
- Priority Date(s): 1890 (Tract 2)

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: Pine Creek
Ha Ifway, OR
- Tributary to: Snake R.

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights**, Permits or Ground Water Registrations associated with this land?

☒ Yes ☐ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? 26491

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

1 10371

- Certificate Number or other identifying number: 80372 Tract 2 /

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

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-___)	Source and Priority Date	Township	Range	Mer	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
								Posey Valley Ditch

- Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
		N/A	N/A					RECEIVED	
								APR 16 2007	
								WATER RESOURCES DEPT SALEM, OREGON	

▪ Certificate Number or other identifying number: 80372

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

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

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

[illegible]

■ Certificate Number or other identifying number: C-80372

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

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

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

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

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

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

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■ Certificate Number or other identifying number: 80372 Tract 2

Describe proposed changes to the water right involving place of use. Information described below should accurately correspond to the proposed place of use shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A – Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Source	Township	Range	Mer	Sec	¼ ¼ Section	Tax Lot, DLC or Gov't Lot	Acres (if applicable)
Pine Creek	8	46E	WM	20	NE¼ NE¼		6.2
	"	"	"	"	NE¼ NE¼		18.4
	"	"	"	"	SW¼ NE¼		19.4
	"	"	"	"	SE¼ NE¼		6.2
	"	"	"	"			-
	"	"	"	"			-

Remarks: This is the acre after the change. See Map.

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9. ATTACHMENTS

Check each of the following attachments included with this application.
The application will be returned if all required attachments are not included.

Supplemental Form A –

Description of Proposed Change(s) to a Water Right

- ☒ A separate Supplemental Form A is enclosed for each water right to be affected by this transfer.

Supplemental Form B –

Evidence of Use Affidavit(s)

- ☒ At least one Evidence of Use Affidavit documenting that the right has been used during the last five years or that the right is not subject to forfeiture under ORS 540.610 is attached. The affidavit provided must be the original (not a copy), and
- ☒ The Evidence of Use Affidavit must be accompanied by supporting documentation.

Map

- ☐ *Water Right Transfer*
The map must be prepared by a Certified Water Right Examiner and meet the requirements of OAR 690-380-3100 unless a waiver has been granted. The map provided must be the original, not a copy.
- ☒ *Temporary Transfer or Historical POD Change*
A map meeting the requirements of OAR 690-380-3100 must be included but need not be prepared by a Certified Water Right Examiner.

Water Well Report(s)/Well Log(s):

- ☐ The application is for a change in point of appropriation or change from surface water to ground water and copies of all water well reports are attached.
- ☐ Water well reports are not available and a description of construction details including well depth, static water level, and information necessary to establish the ground water body developed or proposed to be developed is attached.
- ☒ N/A. The application does not involve a change in point of appropriation or a change from surface water to ground water, so water well reports are not required.)

Land Use Information Form:

- ☐ Enclosed; *or*
- ☐ Not Required if all of the following are met:
- ① In EFU zone or irrigation district,
 - ② Change in place of use only,
 - ③ No structural changes needed, including diversion works, delivery facilities, other structures, *and*
 - ④ Irrigation only.

Fees:

- ☐ Amount enclosed: \$ _____
See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

Instream Water Right Transfers, also include:

Supplemental Form C –

Instream Water Right Transfer

- ☐ Complete this form to describe the desired nature and attributes for the proposed instream water right.

Temporary Transfers, also include:

Recorded Deed:

- ☐ The applicant must submit a copy of the current deed of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved.

Affidavit of Consent:

- ☐ If the applicant is **NOT** the owner of record for the land **from** which the authorized place of use or point of diversion/appropriation is being moved, a notarized statement from the actual owner of record consenting to the proposed transfer must be submitted.

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Before submitting your application to the Department, be sure you have:

- Answered each question completely.
- Included all the required attachments.
- Provided original signatures for all named deed holders, or other parties, with an interest in the water right.
- Included a check payable to the Oregon Water Resources Department for the appropriate amount.

10. SIGNATURES

- Check one of the following, as appropriate, and sign the application in the signature box below:

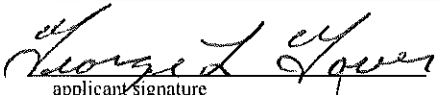
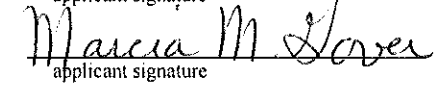
- ☐ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required *[pursuant to OAR 690-380-4010(5)]* to provide the following landownership information and evidence demonstrating that I (we) are authorized to pursue the transfer:

- (a) A report of ownership and lien information that has been prepared by a title company *within the last three months*;
- (b) A copy of written notification of the proposed transfer provided by the applicant to all lien holders on the subject lands unless the report of ownership and lien information shows that a water right conveyance agreement has been recorded for the subject lands. *If a water right conveyance agreement has been recorded for the subject lands, a copy of the agreement and identification of the owner of the lands at the time the agreement was recorded must be submitted; and*
- (c) If the landowner identified in the report of ownership and lien information is not the applicant, a **notarized statement consenting to the transfer** (*attached*) signed by the landowner identified in the report or an authorized representative of the entity to whom the interest in the water right has been conveyed as identified in a water right conveyance agreement or other documentation demonstrating that the applicant is authorized to pursue the transfer in the absence of the consent of the landowner.

- ☐ I (we) affirm that the applicant is a municipality, as defined in ORS 540.510(3)(b), and that the right is in the name of the municipality or a predecessor. Therefore, pursuant to OAR 690-380-3000(13)(b), the applicant is **NOT** required to provide the above described report of ownership and lien information.

- ☐ I (we) affirm that the applicant is an entity with the authority to condemn property and is acquiring the property to which the water right proposed for transfer is appurtenant by condemnation. Documentation is provided with this application supporting this statement. Therefore, pursuant to OAR 690-380-3000(13)(c), the applicant is **NOT** required to provide the above described report of ownership and lien information. (*NOTE: Such an entity may only apply for a transfer under this subsection if it has filed a condemnation action to acquire the property.*)

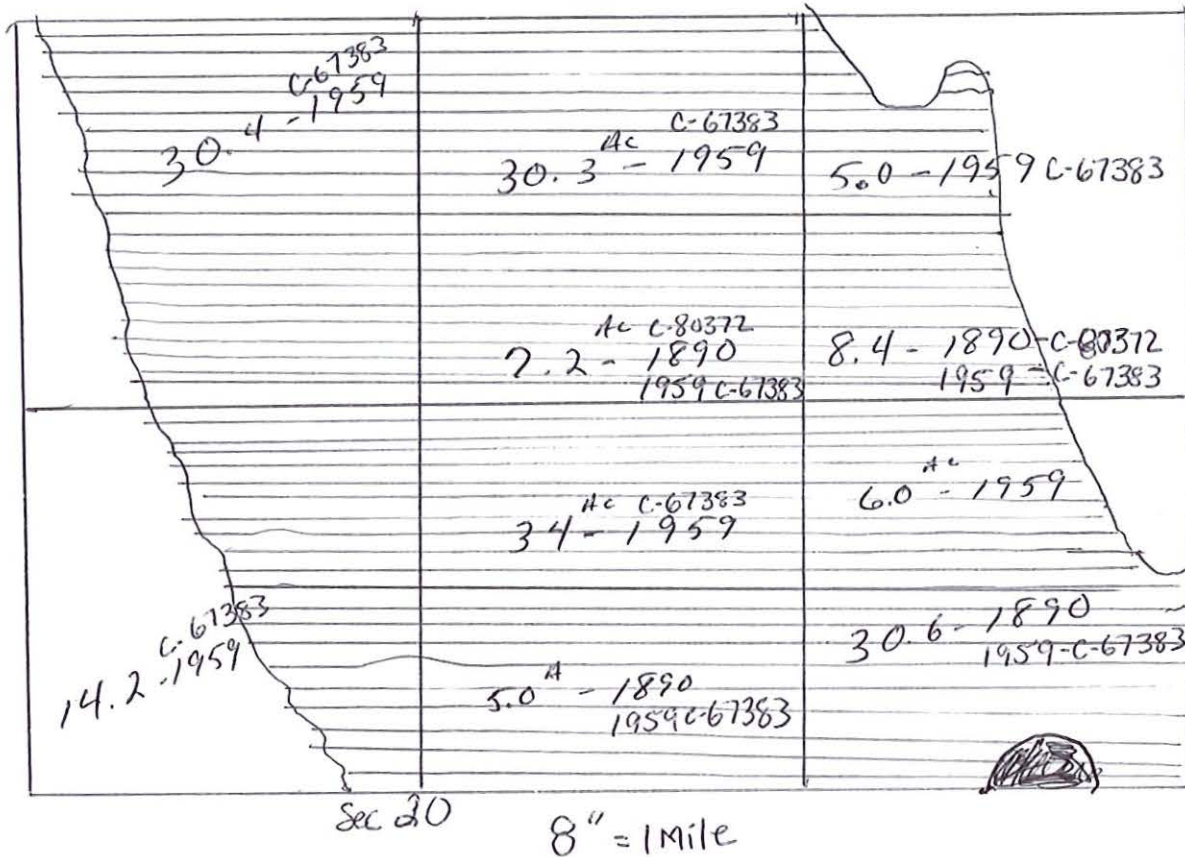
- I (we) affirm that the information contained in this application is true and accurate.

 applicant signature	<u>George L. Gover</u> name (print)	<u>4-12-07</u> date
 applicant signature	<u>MARCIA M. Gover</u> name (print)	<u>4-12-07</u> date

10371

T 8 S R. 46 E - Before Transfer

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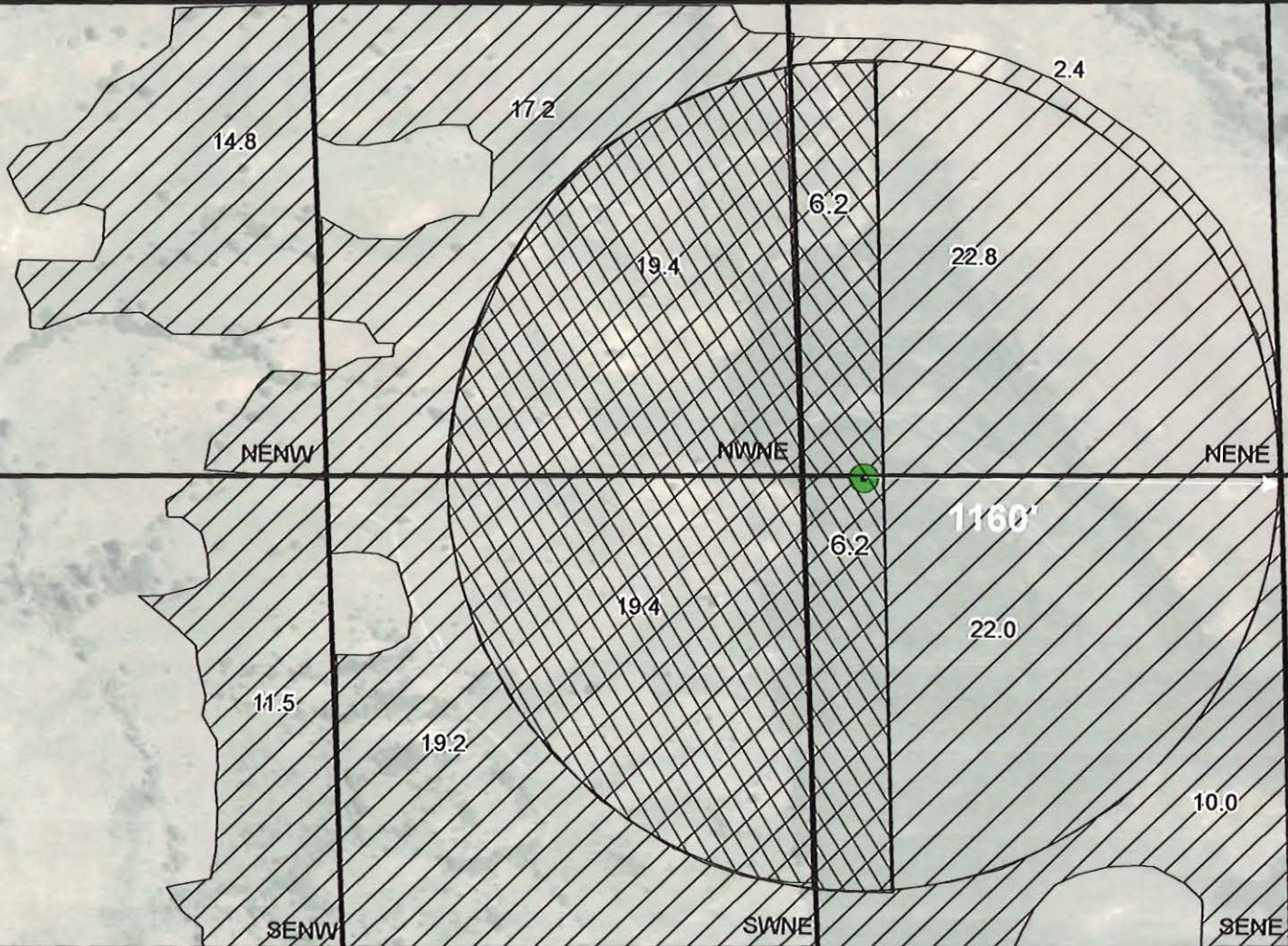
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Application for George Gover for a Temporary change in Place of use



MAP 2062

To map

Scale
1"=500"



8 S 46 E 20

 Cert 80372
67383
 C-67383

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Oregon Water Resources Department Land Use Information Form

This information is needed to determine compatibility with local comprehensive plans as required by ORS 197.180. WRD will use this and other information to evaluate the water use application. THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water right transfer, allocation of conserved water, or exchange and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm use zone.

To Be Completed By Applicant

This section must be completed by the individual or group that is filing an application with the Water Resources Department. Attach a copy of the map from the application to this form.

A. Applicant

Name: George L. Gover
Address: P.O. 888
City: Halfway State: OR Zip: 97834 Day Phone: 541-540-2804

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) 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.

Tax Lot I.D.	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)	Proposed Land Use
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input checked="" type="checkbox"/> Used	<u>Farming</u>
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	
		<input type="checkbox"/> Diverted <input type="checkbox"/> Conveyed <input type="checkbox"/> Used	

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

C. Description of Proposed Use

Indicate the type of application to be filed with the Water Resources Department.

☐ Water Use Permit ☒ Water Right Transfer ☐ Allocation of Conserved Water ☐ Exchange

Indicate the intended use of water and describe the key characteristics of the project.

☐ Commercial ☐ Industrial ☐ Instream ☒ Irrigation
☐ Municipal ☐ Quasi-municipal ☐ Domestic (indicate number of households) _____
☐ Other _____

Briefly describe: Transfer of water right from
one side of field to other

Indicate the source of the water to be used.

☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water Pine Creek - Halfway
(source)

Indicate the estimated quantity of water the use will require: _____ ☐ CFS ☐ GPM ☒ Acre-Feet

Last revised: 04/06/04

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1271
(503) 986-0900

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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 this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide requested information.

☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): 301.01. Go to section B "Approval" below.

☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

Type of Land Use Approval Needed (e.g. plan amendments, rezones, conditional use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval:	
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued
		<input type="checkbox"/> Obtained <input type="checkbox"/> Denied	<input type="checkbox"/> Being pursued <input type="checkbox"/> Not being pursued

Note: Please attach documentation of applicable local land use approvals which have already been obtained. (Record of Action/land use decision and accompanying findings are sufficient.)

B. Approval

Please provide printed name and written signature.

Name: Jana Wungster Date: 4-11-07

Title: Lead Planner Phone: 541-623-8219

Signature: Jana Wungster

C. Additional Comments

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

Note: If this form cannot be completed while the applicant waits, sign and detach the receipt stub as instructed below. You will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Name of applicant: George L. Gover

This receipt must be signed by a local government representative and returned to the applicant at the time they present this form. This receipt must be included with the application filed with the Water Resources Department if the local government cannot provide the requested land use information while the applicant waits.

City or County: _____

Staff contact: _____ Phone: _____

Signature: George L. Gover Date: 4/10/07

STATE OF OREGON

COUNTY OF BAKER

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

H. JELDNESS
HALFWAY, OREGON, 97834

confirms the right to use the waters of PINE CREEK, a tributary of the SNAKE RIVER, for IRRIGATION OF 196.7 ACRES, DOMESTIC AND STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for BAKER County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 11, at Page 235. The date of priority is 1883 FOR TRACT NO 1 AND 1890 FOR TRACT NO 2.

The points of diversion are located as follows:

FOOT HILLS DITCH FOR TRACT NO 1, AND

POSEY VALLEY DITCH FOR TRACT NO 2.

The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, measured at the point of diversion and shall be further limited to a diversion of not to exceed ONE-ACRE FOOT PER ACRE DURING JULY, ONE ACRE FOOT PER ACRE DURING AUGUST, AND ONE-HALF ACRE FOOT PER ACRE DURING SEPTEMBER, for each acre irrigated during the irrigation season of each year.

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SALEM, OREGON

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

TRACT NO. 1

SW¼ NE¼ 17.0 ACRES

SW¼ NW¼ 13.5 ACRES

SE¼ NW¼ 38.0 ACRES

NE¼ SW¼ 13.0 ACRES

NW¼ SE¼ 39.0 ACRES

SW¼ SE¼ 30.0 ACRES

SECTION 17

TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.

TRACT NO. 2

NE¼ NE¼ 8.4 ACRES

NW¼ NE¼ 7.2 ACRES

SW¼ NE¼ 5.0 ACRES

SE¼ NE¼ 30.6 ACRES

SECTION 20

TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.

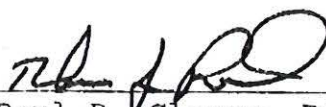
This certificate describes that portion of the water right confirmed by Certificate 10357, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 17 2003, approving Transfer Application 8002.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,

affixed JUL 17 2003


Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80372

T-8002.CJ 10371

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STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PINE LAKES DITCH AND RESERVOIRS COMPANY
HALFWAY, OREGON 97834

confirms the right to use the waters of PINE CREEK AND EAST LAKE RESERVOIR CONSTRUCTED UNDER PERMIT R-2309, a tributary of the SNAKE RIVER, for IRRIGATION OF 454.3 ACRES AND SUPPLEMENTAL IRRIGATION OF 2160.1 ACRES.

This right was perfected under Permit 26491. The date of priority is OCTOBER 7, 1959. This right is limited to 9.52 CUBIC FOOT PER SECOND FROM PINE CREEK AND 132.5 ACRE-FEET FROM EAST LAKE RESERVOIR or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

RESERVOIR - SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 10, T 6 S, R 45 E, W.M.; CREEK - NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 15; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 22, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 23; NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 25; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 26, T 7 S, R 45 E, W.M.; 1,930 FEET NORTH AND 1,020 FEET WEST (MOORE), 1,620 FEET NORTH AND 1,010 FEET WEST (CURRY), 170 FEET SOUTH AND 200 FEET WEST (POSEY VALLEY) ALL FROM SE CORNER, SECTION 15; 3,050 FEET NORTH AND 3,780 FEET WEST (STEEL), 980 FEET NORTH AND 2,340 FEET WEST (FOOTHILLS), 350 FEET NORTH AND 1,830 FEET WEST (GAYLORD), 1,050 FEET SOUTH AND 1,100 FEET WEST (MILLS), 2,900 FEET SOUTH AND 400 FEET EAST (TARTERS SLOUGH); ALL FROM NE CORNER, SECTION 26, T 7 S, R 45 E, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 4 1/2 acre-feet for each acre irrigated during the irrigation season of each year.

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

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

	PRIMARY	SUPPLEMENTAL
SW $\frac{1}{4}$ NE $\frac{1}{4}$		4.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.6 ACRES	18.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$		3.6 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	4.2 ACRES	22.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$		26.7 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$		28.6 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		1.5 ACRES

SECTION 23

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SALEM, OREGON

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	PRIMARY	SUPPLEMENTAL
SW $\frac{1}{4}$ NW $\frac{1}{4}$	14.0 ACRES	
NW $\frac{1}{4}$ SW $\frac{1}{4}$	7.7 ACRES	34.0 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$		9.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	30.0 ACRES	8.2 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$		9.9 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	0.4 ACRE	7.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	6.7 ACRES	31.8 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$		36.6 ACRES
SECTION 24		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.4 ACRES	33.1 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$		39.2 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$		37.7 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	5.4 ACRES	16.8 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$		36.9 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$		20.5 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$		37.6 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$		37.6 ACRES
SECTION 25		
NW $\frac{1}{4}$ NE $\frac{1}{4}$		12.8 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	12.0 ACRES	10.0 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	8.2 ACRES	29.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$		13.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	0.1 ACRE	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	6.6 ACRES	21.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.0 ACRE	35.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	0.1 ACRE	
SECTION 26		
NW $\frac{1}{4}$ NE $\frac{1}{4}$	7.0 ACRES	17.0 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	5.9 ACRES	34.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	3.5 ACRES	
SE $\frac{1}{4}$ NW $\frac{1}{4}$		17.6 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$		29.4 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$		1.0 ACRE
NE $\frac{1}{4}$ SE $\frac{1}{4}$		33.5 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	3.0 ACRES	40.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		6.8 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$		41.8 ACRES
SECTION 35		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	3.4 ACRES	26.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	0.2 ACRE	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	0.1 ACRE	
SECTION 36		
TOWNSHIP 7 SOUTH, RANGE 45 EAST, W.M.		
LOT 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)	0.6 ACRE	35.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$		0.4 ACRE
LOT 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)		35.2 ACRES
SECTION 30		
LOT 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)		34.2 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$		9.4 ACRES
SECTION 31		
TOWNSHIP 7 SOUTH, RANGE 46 EAST, W.M.		

SEE NEXT PAGE

	PRIMARY	SUPPLEMENTAL
LOT 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)		37.7 ACRES
LOT 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)		32.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$		26.6 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$		33.4 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$		4.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$		2.8 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$		39.7 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		40.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$		39.2 ACRES
SECTION 1		
LOT 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)		27.0 ACRES
LOT 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)		33.8 ACRES
LOT 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)	0.3 ACRE	
SECTION 2		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	1.7 ACRES	38.6 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	13.5 ACRES	26.5 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	42.6 ACRES	1.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.8 ACRES	40.0 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	20.0 ACRES	18.5 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	0.7 ACRE	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	18.7 ACRES	
NW $\frac{1}{4}$ SE $\frac{1}{4}$	14.4 ACRES	
SECTION 12		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	0.6 ACRE	20.6 ACRES
SECTION 13		
TOWNSHIP 8 SOUTH, RANGE 45 EAST, W.M.		
LOT 4 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)		18.6 ACRES
LOT 5 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)	1.8 ACRES	35.0 ACRES
LOT 6 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)	0.3 ACRE	36.3 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$		38.8 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$		40.0 ACRES
LOT 7 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)	1.8 ACRES	35.0 ACRES
LOT 8 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)	13.5 ACRES	20.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$		36.7 ACRES
SECTION 6		
NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.6 ACRES	21.0 ACRES
LOT 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)		17.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES	34.2 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$		37.0 ACRES
LOT 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)		35.6 ACRES
LOT 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)		36.6 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$		39.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	0.5 ACRE	3.0 ACRES
SECTION 7		
SW $\frac{1}{4}$ NE $\frac{1}{4}$		15.4 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	26.3 ACRES	13.5 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.8 ACRES	38.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	7.8 ACRES	13.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	35.6 ACRES	
NW $\frac{1}{4}$ SE $\frac{1}{4}$		37.6 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		28.6 ACRES
SECTION 17		
LOT 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)		35.2 ACRES
SECTION 18		

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	PRIMARY	SUPPLEMENTAL
NE $\frac{1}{4}$ NE $\frac{1}{4}$	5.0 ACRES	8.4 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	30.3 ACRES	7.2 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	34.0 ACRES	5.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	6.0 ACRES	30.6 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	30.4 ACRES	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	14.2 ACRES	
	SECTION 20	
	TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.	

This certificate describes the water right confirmed by the prior certificate recorded at page 53610, Volume 48, State Record of Water Right Certificates, as modified by the provisions of an order of the Water Resources Director entered on June 10, 1992, approving transfer 6421.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed JUNE 10, 1992.

MAR MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67383.

T-6421.LHN

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

State of Oregon)
) ss
 County of Baker)

I, George L. Gover, in my capacity as owner,
 mailing address P.O. Box 881
 telephone number (541) 742-2803, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; or
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; or
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

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

- ☒ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township	Range	Mer	Sec	¼ ¼ Section	Gov't Lot or DLC	Acres (if applicable)
8	S	46	E	WM 20 NE ¼ NE ¼		5 - 1890 8.4 - 1959, 1890
8	S	46	E	WM 20 NW ¼ NE ¼		7.2 - 1890 30.3 - 1959, 1890
8	S	46	E	WM 20 SW ¼ NE ¼		5.5 - 1890 34 - 1959
8	S	46	E	WM 20 SE ¼ NE ¼		30.6 - 1890 6 - 1959
8	S	46	E	WM 20 NE ¼ NW ¼		30.4 - 1959
8	S	46	E	WM 20 SE ¼ NW ¼		14.2 - 1959

RECEIVED

APR 16 2007

WATER RESOURCES DEPT
 SALEM, OREGON

(continues on reverse side)

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

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

Crops - Hay - Pasture

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

Open ditch - Posey Valley Ditch
3' x 3' at final diversion approximately 10 mi
to point of diversion at Pine Creek
where it carries 1500 more inches being 8 wide 4 deep.

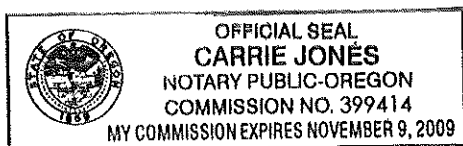
6. One or more of the following documentation supporting the above statements is attached:

- ☒ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☒ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☐ Other: _____

George L. Hower
Signature of Affiant

4/11/07
Date

Signed and sworn to (or affirmed) before me this 11 day of April, 2007.

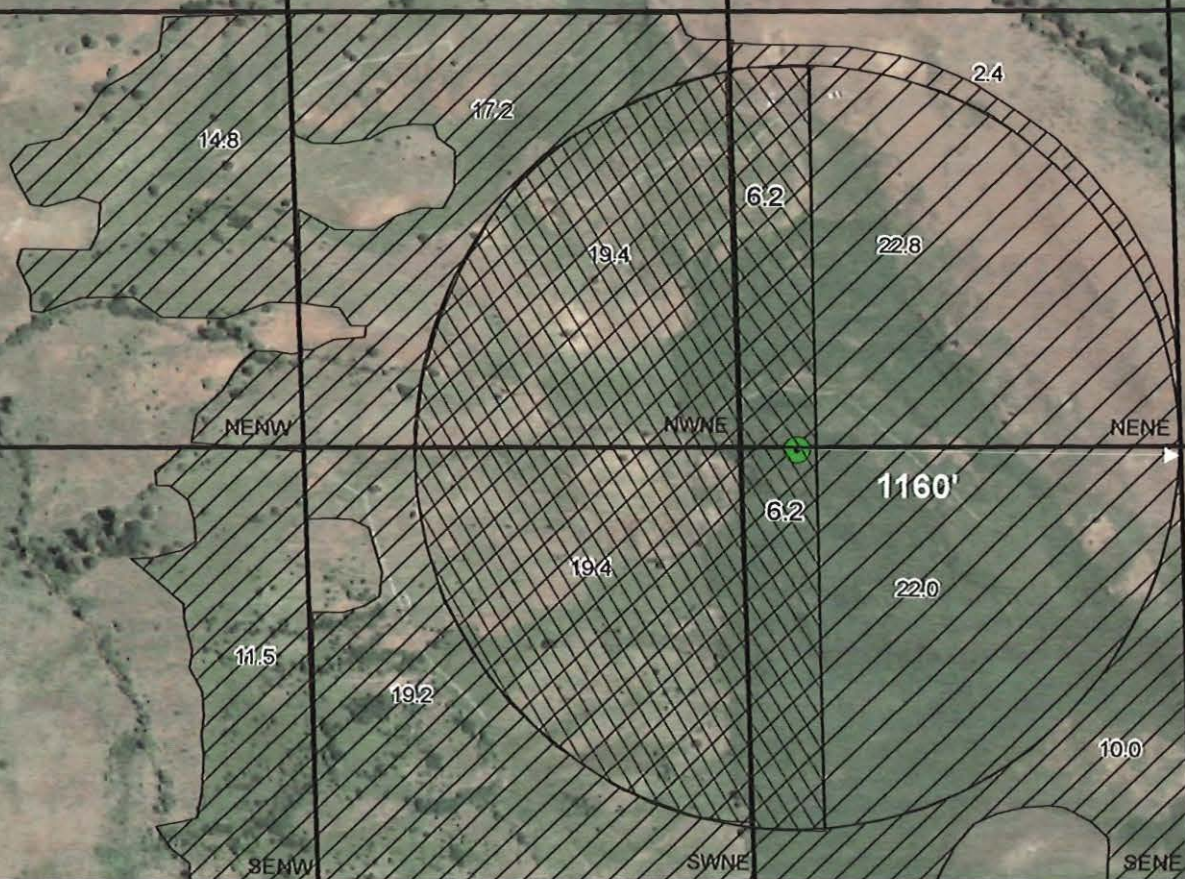


Carrie Jones
Notary Public for Oregon

My Commission Expires: 11/9/09

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

2005 Air Photo For Proof of Use



8 S 46 E 20

RECEIVED

APR 16 2007

WATER RESOURCES DEPT
SALEM, OREGON

1 10371



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

Application for Water Right Transfer

Please type or print legibly in dark ink. If your application is incomplete or inaccurate, we will return it to you. If any requested information does not apply to your application, insert "N/A" to indicate "Not Applicable." As you complete this form, please refer to notes and guidance included on the application. A summary of review criteria and procedures that are generally applicable to these applications is available at www.wrd.state.or.us/QWRD/PUBS/forms.shtml.

1. TYPE OF TRANSFER APPLICATION

Please check one	
<input type="checkbox"/> Permanent Transfer	<input type="checkbox"/> Instream Transfer
<input checked="" type="checkbox"/> Temporary Transfer	<input type="checkbox"/> Permanent
• total number of years: <u>5</u>	<input type="checkbox"/> Time-Limited
(begin year: <u>2007</u>)	<input type="checkbox"/> Drought Transfer
(end year: <u>2012</u>)	<input checked="" type="checkbox"/> Other

2. APPLICANT INFORMATION

Name: George L. Gover
First Last
 Address: P.O. 881
Halfway OR. 97834
City State Zip
 Phone: 541-742-2803 541-540-2804
Home Work Other
 Fax: 541-242-4908 E-Mail address: _____

3. AGENT INFORMATION

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

Name: _____
First Last
 Address: _____
City State Zip
 Phone: _____
Home Work Other
 Fax: _____ E-Mail address: _____

- If an agent is listed above, please check one of the following:
 - ☐ Please send all correspondence to Agent. Send copies of correspondence to Applicant; or
 - ☐ Please send all correspondence to Applicant. Send copies of correspondence to Agent.

10371

6. EVIDENCE OF BENEFICIAL WATER USE

- Attach one or more Evidence of Use Affidavits (Supplemental Form B) demonstrating that each of the right(s) involved in the transfer have been exercised in the last five years in accordance with the terms and conditions of the right or that a presumption of forfeiture for non-use could be rebutted. The Evidence of Use Affidavit(s) must include supporting documentation such as the following:
 - ▶ Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
 - ▶ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers;
 - ⑥ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish location and date of the photograph; *or*
 - ▶ If the right has not been used during the past five years, documentation that the presumption of forfeiture would be rebutted under ORS 540.610(2).

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No *Not districts - Rosey Valley Distric*
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☒ No

If "Yes", for any of the above, list the name and mailing address of the district, agency and/or entity:

- List the name and mailing address of all affected local governments (e.g., county, city, municipal corporation, and tribal governments within whose jurisdiction the rights are located).

Baker County Planning

10371

Last revised: October 13, 2006

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

State of Oregon)

County of Baker)

ss

I, George L. Gover, in my capacity as owner,
 mailing address P.O. Box 881
 telephone number (541) 242-2803, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application; or
- ☐ The water right was leased instream at some time within the last five years. The instream lease number is as follows: _____; or
- ☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

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

- ☒ Personal observation ☐ Professional expertise

3. My knowledge is specific to the use of water at the following locations:

Township	Range	Mer	Sec	1/4 1/4 Section	Gov't Lot or DLC	Acres (if applicable)
8 S	46 E	WM	20	NE 1/4 NE 1/4		5 - 1890 2.4 - 1959, 1890
8 S	46 E	WM	20	NW 1/4 NE 1/4		7.2 - 1890 30.3 - 1959, 1890
8 S	46 E	WM	20	SW 1/4 NE 1/4		5 - 1890 24 - 1959
8 S	46 E	WM	20	SE 1/4 NE 1/4		30.6 - 1890 6 - 1959
8 S	46 E	WM	20	NE 1/4 NW 1/4		30.4 - 1959
8 S	46 E	WM	20	SE 1/4 NW 1/4		14.2 - 1959

(continues on reverse side)

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

6

Last revised: October 13, 2006

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

▪ Certificate Number or other identifying number: 26491

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

10371

7

▪ Certificate Number or other identifying number: 26491, C-67383

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

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
N/A	Res & Pine 1959	6S	45E	WM	10	3E NW		Reservoir
		7S	45E	WM	22	N2NE		Pine Valley, 170'Sh 200'W 3E Cor. Sec 15

- Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

- B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation – (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
		N/A							

Location of Proposed Place of Use: (i.e., the "TO" lands) ☐ N/A - Instream Water Right Transfer
(NOTE: Complete this table only if a Change in Place of Use is being proposed.)

Supplements

10371

Last revised: October 13, 2006

Water Right Transfer Supplemental Form A

DESCRIPTION OF PROPOSED CHANGE(S) TO A WATER RIGHT

List only one water right per page. A separate Supplemental Form A must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

Attach additional copies of Supplemental Form A as needed to describe other certificates, permits, decrees or other rights involved in this transfer.

■ Certificate Number or other identifying number: 80372 Tract 2

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

▪ Certificate Number or other identifying number: 80372 Tract 2 /

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

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Point(s) of Diversion or Appropriation to be Changed:

(i.e., the allowed point(s) of diversion or appropriation listed on the water right that will be affected by the proposed transfer, the "FROM" point(s) of diversion or appropriation)

If Ground Water, OWRD Well Log ID No. (or Well ID Tag No. L-)	Source and Priority Date	Township	Range	Mer	Sec	1/4 1/4	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
								Posey Valley Ditch

- Does the water right being transferred involve a ground water source(s)?

☐ Yes ☒ No (Surface water source only.)

If "Yes", for each authorized point of appropriation (well) involved, you must either:

- A. Supply a copy of the well log(s) for each point of appropriation that is clearly labeled and associated with the corresponding well in the table above and on the accompanying application map. (NOTE: You may search for well logs on the Department's web page at: <http://www.wrd.state.or.us>)

or

- B. If a well log is not available, you must describe the construction of the authorized point of appropriation by completing the table below. Attach additional copies as necessary.

Construction of Existing Authorized Point(s) of Appropriation - (Only needed if no well log is available.)

Wells in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

OWRD Well No. as identified in table above	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth
		N/A							

To: Oregon Water Resources

Att: Sue Douthit

Fax 503-986-0903

From

George L. Gover

Fax # 541-742-~~280~~ 4908

Phone - 541-540-2804

Twenty ~~Pages~~ Pages

1

To: Oregon Water Resources

Att: Sue Douthit

Fax 503-986-0903

From

George L Gover

Fax # 541-742-~~280~~ 4908

Phone - 541-540-2804

Twenty ~~Pages~~ Pages

▪ Certificate Number or other identifying number: C-80372

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A - Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	1/4 - 1/4 Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)

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

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

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

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

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

2. CURRENT WATER RIGHT INFORMATIONWater Right Subject to Transfer (check and complete one of the following):

<input type="checkbox"/> Certificated Right	<u>80372</u> Certificate Number	<u>Pine Cr</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	 Name of Decree	 Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	 Permit Number	 Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	 Previous Transfer Number	 Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: H. Jettness
- County: Baker
- Authorized Use(s) to be Affected by Transfer: Irr.
- Priority Date(s): 1890 (Tract 2)

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: Pine Creek
Halfway, OR
- Tributary to: Snake R.

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there **Other Water Rights, Permits or Ground Water Registrations** associated with this land?

☒ Yes ☐ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? 26491

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

PAGE TWO

	PRIMARY	SUPPLEMENTAL
SW $\frac{1}{4}$ NW $\frac{1}{4}$	14.0 ACRES	
NW $\frac{1}{4}$ SW $\frac{1}{4}$	7.7 ACRES	34.0 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$		9.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	30.0 ACRES	8.2 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$		9.9 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	0.4 ACRE	7.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$	6.7 ACRES	31.8 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$		36.6 ACRES
SECTION 24		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	2.4 ACRES	33.1 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$		39.2 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$		37.7 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	5.4 ACRES	16.8 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$		36.9 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$		20.5 ACRES
SW $\frac{1}{4}$ SW $\frac{1}{4}$		37.6 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$		37.6 ACRES
SECTION 25		
NW $\frac{1}{4}$ NE $\frac{1}{4}$		12.8 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	12.0 ACRES	10.0 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	8.2 ACRES	29.0 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$		13.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	0.1 ACRE	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	6.6 ACRES	21.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$	1.0 ACRE	35.0 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	0.1 ACRE	
SECTION 26		
NW $\frac{1}{4}$ NE $\frac{1}{4}$	7.0 ACRES	17.0 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	5.9 ACRES	34.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	3.5 ACRES	
SE $\frac{1}{4}$ NW $\frac{1}{4}$		17.6 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$		29.4 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$		1.0 ACRE
NE $\frac{1}{4}$ SE $\frac{1}{4}$		33.5 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$	3.0 ACRES	40.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		6.8 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$		41.8 ACRES
SECTION 35		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	3.4 ACRES	26.0 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	0.2 ACRE	
SW $\frac{1}{4}$ SW $\frac{1}{4}$	0.1 ACRE	
SECTION 36		
TOWNSHIP 7 SOUTH, RANGE 45 EAST, W.M.		
LOT 2 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)	0.6 ACRE	35.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$		0.4 ACRE
LOT 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)		35.2 ACRES
SECTION 30		
LOT 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)		34.2 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$		9.4 ACRES
SECTION 31		
TOWNSHIP 7 SOUTH, RANGE 46 EAST, W.M.		

SEE NEXT PAGE

PAGE FOUR

	PRIMARY	SUPPLEMENTAL
NE 1/4 NE 1/4	5.0 ACRES	8.4 ACRES
NW 1/4 NE 1/4	30.3 ACRES	7.2 ACRES
SW 1/4 NE 1/4	34.0 ACRES	5.0 ACRES
SE 1/4 NE 1/4	6.0 ACRES	30.6 ACRES
NE 1/4 NW 1/4	30.4 ACRES	
SE 1/4 NW 1/4	14.2 ACRES	
	SECTION 20	
TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.		

119 51 2

This certificate describes the water right confirmed by the prior certificate recorded at page 53610, Volume 48, State Record of Water Right Certificates, as modified by the provisions of an order of the Water Resources Director entered on June 10, 1992, approving transfer 6421.

The issuance of this superseding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed JUNE 10, 1992.

MAR MARTHA O. PAGEL

Martha O. Pagel

Recorded in State Record of Water Right Certificates numbered 67383.

T-6421.LHN.

▪ Certificate Number or other identifying number: EC-67383

3. PROPOSED CHANGES TO THE WATER RIGHT

Describe proposed changes to the water right involving point(s) of diversion and/or appropriation. Survey coordinates described below should accurately correspond to the points shown on the accompanying application map. Attach additional pages as necessary.

Location of Proposed Point(s) of Diversion or Appropriation:

(i.e., the "TO" point(s) of diversion or appropriation)

☐ N/A - Instream Water Right Transfer

(NOTE: Complete this table only if a Change in Point of Diversion or Appropriation is being proposed.)

Source	Township	Range	Mer	Sec	1/4-1/4 Section	Tax Lot, DLC or Gov't Lot	Survey Coordinates (coordinates from a recognized survey corner)
1. Pine Creek		N/A					

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

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

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

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

Well numbers in this listing must be clearly tied to corresponding well location(s) described in the table above and shown on the accompanying application map.

Well already built? (Yes/No)	If an existing well, OWRD Well Log ID No. (or Well ID Tag No. L-)	Diameter	Type and size of casing	No. of feet of casing	Intervals casing is perforated (in feet)	Seal depth	Est. depth to water	Est. depth to water bearing stratum	Type of access port or measuring device	Total well depth

• Certificate Number or other identifying number: 26491, C-67383

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

Government lot and donation land claim numbers must be included in the tables below only if the information is reflected on the existing water right.

Location of Existing Authorized Place of Use to be Affected:

Location of Existing Authorized Place of Use to be Affected.
(i.e., the allowed lands listed on the water right that will be affected by the proposed transfer, the "FROM" lands)

[illegible]

2. CURRENT WATER RIGHT INFORMATIONWater Right Subject to Transfer (check and complete one of the following):

<input checked="" type="checkbox"/> Certified Right	<u>67383</u> Certificate Number	<u>26491</u> Permit Number or Decree Name
<input type="checkbox"/> Adjudicated, Non-certificated Right	_____ Name of Decree	_____ Page Number
<input type="checkbox"/> Permit for which Proof has been Approved	_____ Permit Number	_____ Date Claim of Beneficial Use Submitted
<input type="checkbox"/> Transferred Right for which Proof has been Filed	_____ Previous Transfer Number	_____ Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: Pine Lakes Ditch & Reservoirs Co.
- County: Baker
- Authorized Use(s) to be Affected by Transfer: Irr & Supp Irr.
- Priority Date(s): 10/7/959

If there are multiple Priority Dates identified on the water right, any information provided on pages 3 through 6 of this form must identify which priority date is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

- Source(s) of Water to be Affected by Transfer: Pine Creek
Halfway, OR
- Tributary to: Snake R.

If there are multiple Sources listed on the water right, any information provided on pages 3 through 6 of this form must identify which source is associated with each of the authorized and proposed points of diversion or appropriation and places of use.

For applications proposing a Change in Place of Use or Character of Use:

- Are there Other Water Rights, Permits or Ground Water Registrations associated with this land?

☒ Yes ☐ No ☐ N/A – No Change in Place of Use or Character of Use

If "Yes", what are the Permit, Registration or Certificate Numbers? 80322 Tract 2

Pursuant to ORS 540.510, any "layered" water use or a right that is supplemental to a primary right proposed for transfer must be included in the transfer or be cancelled, except as provided in OAR 690-380-2240(5).

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

Crops - Hay - Pasture

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

Open ditch - Posey Valley Ditch
3' x 3' at final diversion approximately 10 mi
to point of diversion at Pine Creek
where it carries 1500 more inches being 8' wide 4' deep

6. One or more of the following documentation supporting the above statements is attached:

- ☒ Copy of a water right certificate that was issued within the last five years (not a remaining right certificate),
- ☐ Copies of receipts from sales of irrigated crops or for expenditures relating to the use of water,
- ☐ Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers,
- ☒ Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph,
- ☐ Dedicated power usage records or receipts,
- ☐ Instream lease number _____,
- ☐ Other: _____

James L. Hower
Signature of Affiant

4/11/07
Date

Signed and sworn to (or affirmed) before me this 11 day of April, 2007.



Carrie Jones
Notary Public for Oregon

My Commission Expires: 11/9/09

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

8. LAND OWNERSHIP

- Does the applicant own the lands **FROM** which the right is being transferred? ☒ Yes ☐ No

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners:

Names of Current Landowner(s): _____
First Last

Address: _____

City State Zip

- Does the applicant own the lands **TO** which the right is being transferred?
☒ Yes ☐ No ☐ N/A - NOT APPLICABLE TO INSTREAM TRANSFERS

If "No", provide the following information:

Names of Receiving Landowner(s): _____
First Last

Address: _____

City State Zip

- Check one of the following:

- ☒ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.
- ☐ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.
- ☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

4. PROPOSED CHANGE(S) TO WATER RIGHT(S)

- List all water rights to be affected by this transfer. Indicate the certificate, permit, decree or other identifying number(s) in the table below: (Attach additional pages as necessary.)

	Application / Decree	Permit / Previous Transfer	Certificate
1.	Pine Cr Decree		80322 Tract #2
2.	S 33407	26491	67383
3.			
4.			
5.			
6.			

- Attach a separate Supplemental Form A (Description of Proposed Change(s) to a Water Right) for each water right listed above.
- Check all proposed change(s) included in this transfer application:
 - ☒ Place of Use
 - ☐ Point of Diversion
 - ☐ Additional Point of Diversion
 - ☐ Character of Use
 - ☐ Point of Appropriation
 - ☐ Additional Point of Appropriation
 - ☐ Instream Transfer
 - ☐ Surface Water source to Ground Water source

- Reason(s) for change(s): Installation of Pivot Irrigation System that would pick up - previously non irrigated land and to abandon irrigated land in favor of new system.

5. WATER DELIVERY SYSTEM

- Describe the current water delivery system or the system that was in place at some time within the last 5 years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. If the transfer involves multiple rights that have independent systems, describe each system separately.

The description must be sufficient to demonstrate that the full quantity of water to be transferred can be conveyed from the authorized source and applied at the authorized location and that the applicant is ready, willing, and able to exercise the right.

Flood irrigation to #2 different water rights
1890 - 1959 Posy Valley Ditch; 3' x 3' approx 10 miles long
open ditch system; Some Areas 8' wide x 4' deep.

- System capacity: 1500 ^{miners inches} cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

119.9 Acres of 1959 - Permit 26491

51.2 Acres of 1890 - Cert. 80322 Tract 2

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

PINE LAKES DITCH AND RESERVOIRS COMPANY
HALFWAY, OREGON 97834

confirms the right to use the waters of PINE CREEK AND EAST LAKE RESERVOIR CONSTRUCTED UNDER PERMIT R-2309, a tributary of the SNAKE RIVER, for IRRIGATION OF 454.3 ACRES AND SUPPLEMENTAL IRRIGATION OF 2160.1 ACRES.

This right was perfected under Permit 26491. The date of priority is OCTOBER 7, 1959. This right is limited to 9.52 CUBIC FOOT PER SECOND FROM PINE CREEK AND 132.5 ACRE-FEET FROM EAST LAKE RESERVOIR or its equivalent in case of rotation, measured at the point of diversion from the source.

The points of diversion are located as follows:

RESERVOIR - SE $\frac{1}{4}$ NW $\frac{1}{4}$, SECTION 10, T 6 S, R 45 E, W.M.; CREEK - NE $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 15; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 22, SE $\frac{1}{4}$ NW $\frac{1}{4}$, SW $\frac{1}{4}$ SE $\frac{1}{4}$, SECTION 23; NW $\frac{1}{4}$ SW $\frac{1}{4}$, SECTION 25; NE $\frac{1}{4}$ NE $\frac{1}{4}$, SECTION 26, T 7 S, R 45 E, W.M.; 1,930 FEET NORTH AND 1,020 FEET WEST (MOORE), 1,620 FEET NORTH AND 1,010 FEET WEST (CURRY), 170 FEET SOUTH AND 200 FEET WEST (POSEY VALLEY) ALL FROM SE CORNER, SECTION 15; 3,050 FEET NORTH AND 3,780 FEET WEST (STEEL), 980 FEET NORTH AND 2,340 FEET WEST (FOOTHILLS), 350 FEET NORTH AND 1,830 FEET WEST (GAYLORD), 1,050 FEET SOUTH AND 1,100 FEET WEST (MILLS), 2,900 FEET SOUTH AND 400 FEET EAST (TARTERS SLOUGH); ALL FROM NE CORNER, SECTION 26, T 7 S, R 45 E, W.M.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-FORTIETH of one cubic foot per second (or its equivalent) and 4 1/2 acre-feet for each acre irrigated during the irrigation season of each year.

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

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

	PRIMARY	SUPPLEMENTAL
SW $\frac{1}{4}$ NE $\frac{1}{4}$		4.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.6 ACRES	18.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$		3.6 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$	4.2 ACRES	22.0 ACRES
NE $\frac{1}{4}$ SE $\frac{1}{4}$		26.7 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$		28.6 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		1.5 ACRES
SECTION 23		

SEE NEXT PAGE

C-67383

PAGE THREE

	PRIMARY	SUPPLEMENTAL
LOT 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)		37.7 ACRES
LOT 4 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)		32.0 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$		26.6 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$		33.4 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$		4.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$		2.8 ACRES
NW $\frac{1}{4}$ SE $\frac{1}{4}$		39.7 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		40.0 ACRES
SE $\frac{1}{4}$ SE $\frac{1}{4}$		39.2 ACRES
SECTION 1		
LOT 1 (NE $\frac{1}{4}$ NE $\frac{1}{4}$)		27.0 ACRES
LOT 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$)		33.8 ACRES
LOT 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)		
	0.3 ACRE	
SECTION 2		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	1.7 ACRES	38.6 ACRES
NW $\frac{1}{4}$ NE $\frac{1}{4}$	13.5 ACRES	26.5 ACRES
SW $\frac{1}{4}$ NE $\frac{1}{4}$	42.6 ACRES	1.0 ACRES
SE $\frac{1}{4}$ NE $\frac{1}{4}$	1.8 ACRES	40.0 ACRES
NE $\frac{1}{4}$ NW $\frac{1}{4}$	20.0 ACRES	18.5 ACRES
NW $\frac{1}{4}$ NW $\frac{1}{4}$	0.7 ACRE	
SE $\frac{1}{4}$ NW $\frac{1}{4}$	18.7 ACRES	
NW $\frac{1}{4}$ SE $\frac{1}{4}$	14.4 ACRES	
SECTION 12		
NE $\frac{1}{4}$ NE $\frac{1}{4}$	0.6 ACRE	20.6 ACRES
SECTION 13		
TOWNSHIP 8 SOUTH, RANGE 45 EAST, W.M.		
LOT 4 (NE $\frac{1}{4}$ NW $\frac{1}{4}$)		18.6 ACRES
LOT 5 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)	1.8 ACRES	35.0 ACRES
LOT 6 (SW $\frac{1}{4}$ NW $\frac{1}{4}$)	0.3 ACRE	36.3 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$		38.8 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$		40.0 ACRES
LOT 7 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)	1.8 ACRES	35.0 ACRES
LOT 8 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)	13.5 ACRES	20.0 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$		36.7 ACRES
SECTION 6		
NE $\frac{1}{4}$ NW $\frac{1}{4}$	1.6 ACRES	21.0 ACRES
LOT 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)		17.0 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	5.0 ACRES	34.2 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$		37.0 ACRES
LOT 3 (NW $\frac{1}{4}$ SW $\frac{1}{4}$)		35.6 ACRES
LOT 4 (SW $\frac{1}{4}$ SW $\frac{1}{4}$)		36.6 ACRES
SE $\frac{1}{4}$ SW $\frac{1}{4}$		39.0 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		3.0 ACRES
SECTION 7		
SW $\frac{1}{4}$ NE $\frac{1}{4}$		15.4 ACRES
SW $\frac{1}{4}$ NW $\frac{1}{4}$	26.3 ACRES	13.5 ACRES
SE $\frac{1}{4}$ NW $\frac{1}{4}$	1.8 ACRES	38.0 ACRES
NE $\frac{1}{4}$ SW $\frac{1}{4}$	7.8 ACRES	13.0 ACRES
NW $\frac{1}{4}$ SW $\frac{1}{4}$	35.6 ACRES	
NW $\frac{1}{4}$ SE $\frac{1}{4}$		37.6 ACRES
SW $\frac{1}{4}$ SE $\frac{1}{4}$		28.6 ACRES
SECTION 17		
LOT 1 (NW $\frac{1}{4}$ NW $\frac{1}{4}$)		35.2 ACRES
SECTION 18		

SEE NEXT PAGE

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1

STATE OF OREGON
COUNTY OF BAKER
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

H. JELDNESS
HALFWAY, OREGON, 97834

confirms the right to use the waters of PINE CREEK, a tributary of the SNAKE RIVER, for IRRIGATION OF 196.7 ACRES, DOMESTIC AND STOCK USE.

This right was confirmed by decree of the Circuit Court of the State of Oregon for BAKER County. The decree is of record at Salem, in the Order Record of the WATER RESOURCES DIRECTOR, in Volume 11, at Page 235. The date of priority is 1883 FOR TRACT NO 1 AND 1890 FOR TRACT NO 2.

The points of diversion are located as follows:

FOOT HILLS DITCH FOR TRACT NO. 1 AND

POSEY VALLEY DITCH FOR TRACT NO. 2.

The amount of water used for irrigation, together with the amount secured under any other right for the same lands, is limited to ONE-FORTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated, measured at the point of diversion and shall be further limited to a diversion of not to exceed ONE-ACRE FOOT PER ACRE DURING JULY, ONE ACRE FOOT PER ACRE DURING AUGUST, AND ONE-HALF ACRE FOOT PER ACRE DURING SEPTEMBER, for each acre irrigated during the irrigation season of each year.

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

TRACT NO. 1

SW¼ NE¼ 17.0 ACRES
SW¼ NW¼ 13.5 ACRES
SE¼ NW¼ 38.0 ACRES
NE¼ SW¼ 13.0 ACRES
NW¼ SE¼ 39.0 ACRES
SW¼ SE¼ 30.0 ACRES

SECTION 17

TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.

TRACT NO. 2

NE¼ NE¼ 8.4 ACRES
NW¼ NE¼ 7.2 ACRES
SW¼ NE¼ 5.0 ACRES
SE¼ NE¼ 30.6 ACRES

SECTION 20

TOWNSHIP 8 SOUTH, RANGE 46 EAST, W.M.

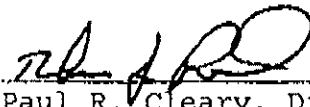
This certificate describes that portion of the water right confirmed by Certificate 10357, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered JUL 17 2003, approving Transfer Application 8002.

The issuance of this superceding certificate does not confirm the status of the water right in regard to the provisions of ORS 540.610 pertaining to forfeiture or abandonment.

The right to the use of the water for the above purpose is restricted to beneficial use on the lands or place of use described and is subject to all other conditions and limitations contained in said decree.

WITNESS the signature of the Water Resources Director,

affixed JUL 17 2003

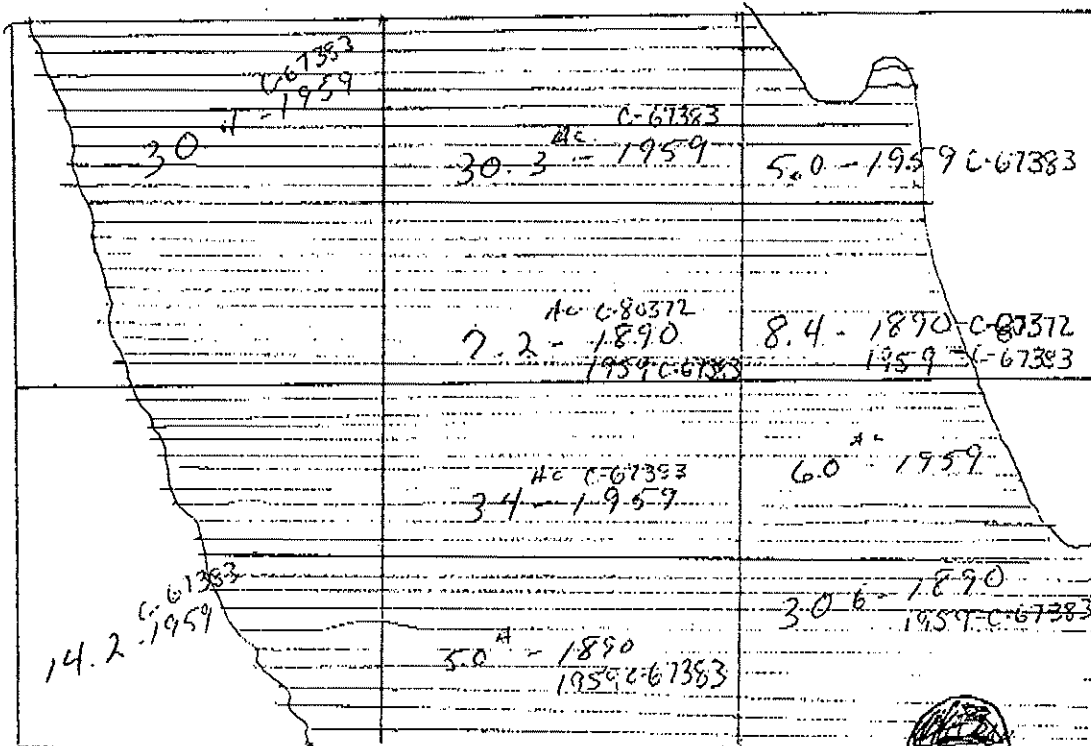

Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80372.

Map 1 of 2 16

T S S R. 46 E - Before Transfer

N ↑



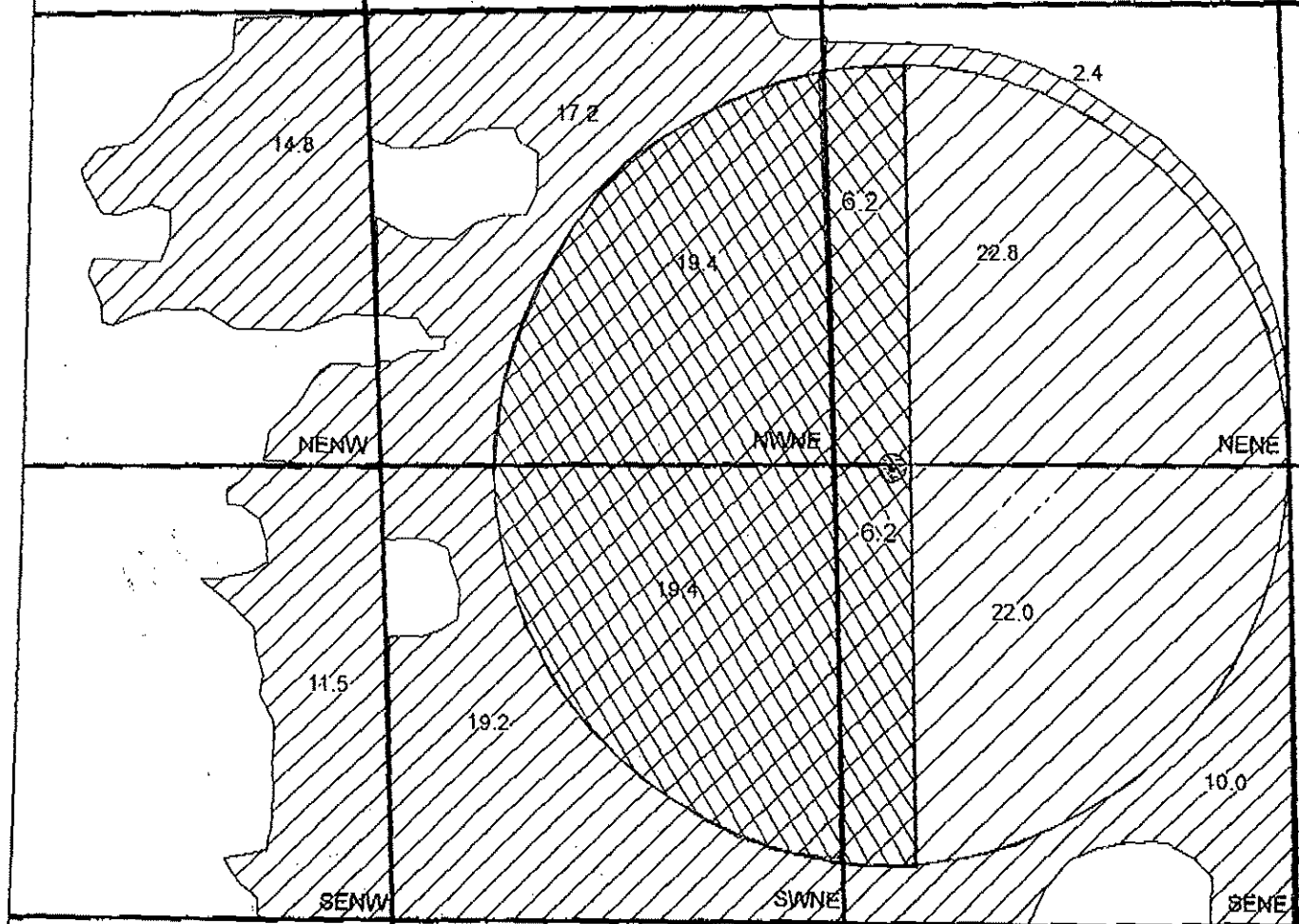
Sec. 20

8" = 1 mile



Application for George Gover for a Temporary change in Place of use

MAP 2062

To map

Scale
1"=500"

8 S 46 E 20

 Cert 80372
67383 C-67383

1 10371

91 46 092

CORRECTION AND CONVEYANCE DEED

RECITALS

HELEN C. GOVER, GEORGE L. GOVER and MARCIA M. GOVER, are the surviving partners of a partnership known as GOVER & SON, which partnership consisted of W. Lovell Gover, Jr. (deceased husband of Helen C. Gover), Helen C. Gover, George L. Gover and Marcia M. Gover. George L. Gover is a surviving son and Helen C. Gover is the surviving widow of W. Lovell Gover, Jr. Marcia M. Gover is the wife of George L. Gover.

Subsequent to the death of W. Lovell Gover, Jr., the undersigned Helen C. Gover, George L. Gover and Marcia M. Gover sought to convey, as surviving partners of Gover & Son, all of the partnership's interest in that certain real property situated in Baker County, Oregon, and being more particularly described as Title A and Title B, attached hereto and made a part hereof. The purpose of said conveyance was to wind up the partnership of Gover & Son by the surviving partners and the creation of a new partnership, also known as Gover & Son. This conveyance deed appears of record in the Deed Records of Baker County as Deed 83-04-013.

By virtue of various deeds executed between the parties, these parties have exchanged interests in land, and the said Helen C. Gover has made gifts to George L. Gover and Marcia M. Gover. These deeds appear of record as 82-52-050, 82-52-052, 83-04-011, and 83-04-012.

Helen C. Gover has gifted all of her interest in that certain partnership known as Gover & Son, which is a partnership consisting of GEORGE L. GOVER, MARCIA M. GOVER and HELEN C. GOVER, and which is the successor partnership to the former partnership also known as Gover & Son. Helen C. Gover, George L. Gover and Marcia M. Gover intend by this deed to extinguish any interest they have in both the original and the successor partnership Gover & Son, and to cause the real property described as Title A to be vested in the name of George L. Gover and Marcia M. Gover, husband and wife, as tenants by the entirety, and the real property described as Title B to be vested in the name of Helen C. Gover.

There have appeared in the chain of title and in the deeds hereinabove described, errors and inconsistencies which the parties hereto intend to correct by this deed, it being the intention of the parties that after the execution of this deed, all of the properties described as Title A will be vested in the name of GEORGE L. GOVER and MARCIA M. GOVER, husband and wife, as tenants by the entirety, and all of the property described as Title B will be vested individually in the name of HELEN C. GOVER.

This deed is intended to correct any errors, inconsistencies or confusion in the prior deeds hereinabove described, and the descriptions herein contained correctly reflect the intention of the parties as to the intent of ownership.

NOW THEREFORE

GOVER & SON, a partnership consisting of W. Lovell Gover, Jr., Helen C. Gover, George L. Gover and Marcia M. Gover, and GOVER & SON, a successor partnership consisting of Helen C. Gover, George L. Gover and Marcia M. Gover; and HELEN C. GOVER, GEORGE L. GOVER and MARCIA M. GOVER, acting in their individual capacities, as Grantors, hereby convey to George L. Gover and Marcia M. Gover, husband and wife, as tenants by the entirety, Grantees, all of that certain real property described as Title A, which is attached hereto and made a part hereof by this reference.

04/13/2007 09:10

5415242126

BAKER COUNTY

PAGE 02

19

04/13/2007 09:10 LAND & TITLE BAKER, OR.

04/13/2007 09:10

TITLE "A"
1 of 1

Land in Baker County, Oregon, as follows:

In Twp. 9 S., R. 46 E., W. 4.

Sec. 17: S1/4SW, N1/4SW, NW1/4SW.

S1/4SW, EXCEPTING THEREFROM the following:

Commencing at the Northeast corner of said

S1/4SW;

thence West 16 rods;

thence South 20 rods;

thence East 16 rods;

thence North 20 rods to the point of

beginning.

A parcel in the S1/4SW described as follows:

Commencing at the Southeast corner of said

S1/4SW;

thence North 34 rods, more or less;

thence West 80 rods to the West line of said

S1/4SW;

thence South 34 rods, more or less, to the

Southwest corner of said S1/4SW, along the

West line of said S1/4SW;

thence East 80 rods, more or less, to the

point of beginning.

Sec. 20: S1/4NW, N1/4NW, S1/4SE.

S1/4NW, EXCEPTING THEREFROM the following:

Commencing at the Northeast corner of said

S1/4NW;

thence West 20 rods and 4 feet to the center

of the County Road;

thence Southeasterly 24 rods and 10 inches to

a point on the East section line of said

S1/4NW, 13 rods, more or less, due South of

the point of beginning;

thence North 13 rods, more or less, to the

point of beginning.

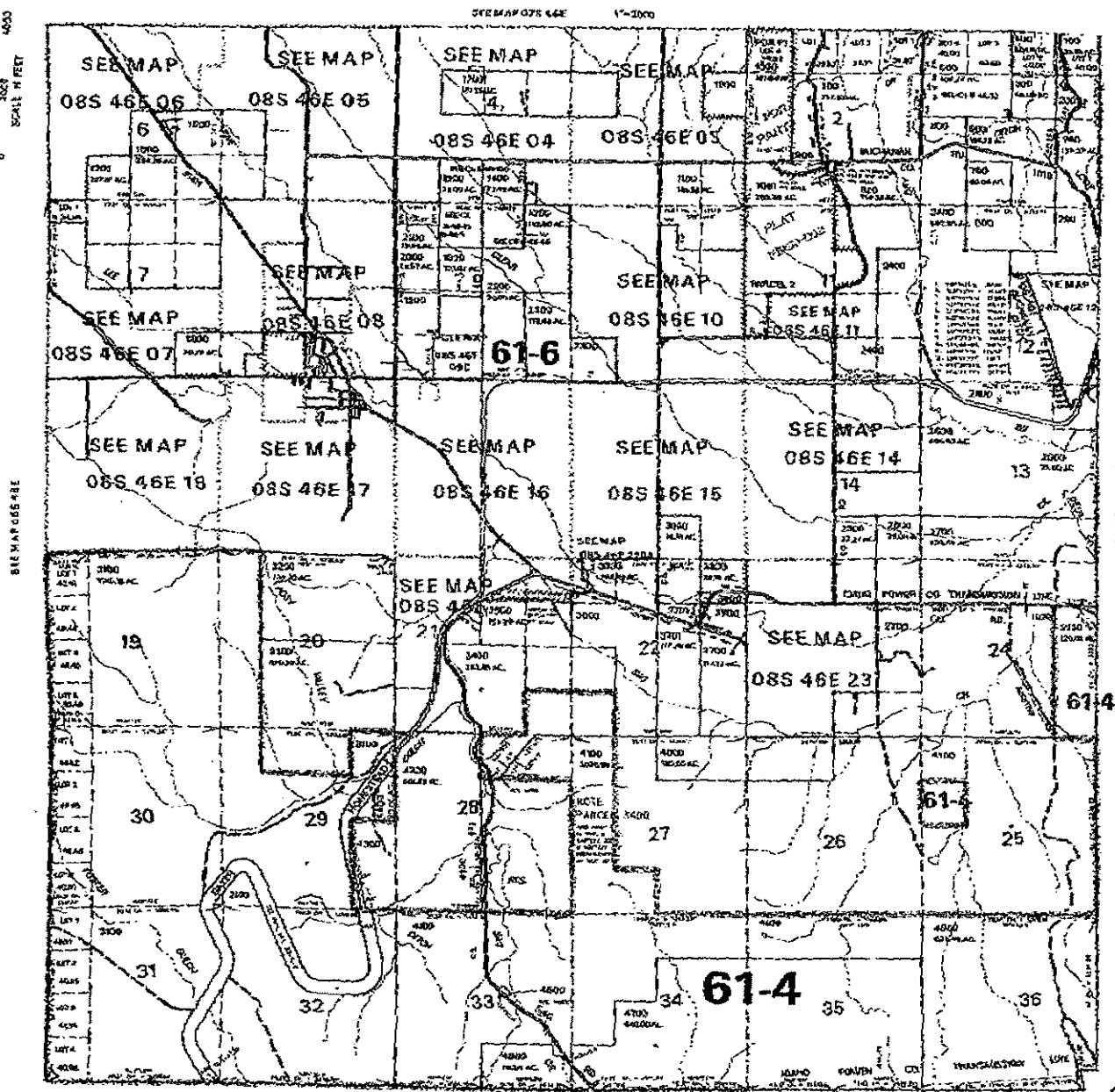
61-5 846 9600

61-5 84617 1000

61-5 84617 1001

10571

0 1000 2000 3000 4000
SCALE IN FEET



VOLUME
& INDEX

COPY FILED IN
BOOK
4200

PRINTED ON
540506
08S 46E
& INDEX

SEE MAP 075 64E

10371

4-19-07

Susan,
This is for acres changed for George Love

67383 and #80372

Thank you

George Love
DBA Gover's Saw Ranch
PO Box 881
Halfway Oregon
97834

1 10371

RECEIVED
APR 23 2007
WATER RESOURCES DEPT
SALEM, OREGON



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

April 24, 2007

GEORGE GOVER
PO BOX 881
HALFWAY OR 97834

Reference: Temporary Transfer 10371

On April 16, 2007 we received your water right transfer application requesting place of use change for use of water from EAST LAKE RESERVOIR and PINE CREEK, tributary to PINE CREEK and SNAKE RIVER. The application was accompanied by \$249.50. Our receipts 87144, 87242 are enclosed.

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

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

We will notify you if additional information or corrections to the application or map are required.

If you have any questions, please call the Transfer Section, (503)986-0900.

cc: Watermaster #8
Posey Valley Ditch Company
Nadine Craft, ODFW

enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment 04/17/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice.

County: BAKER
Transfer: 10371
Water Right: CERT 80372,67383
Priority Date: 1959,883,1890
Name: GEORGE L GOVER
Address: HALFWAY OR 97834
Change: POU
Source: PINE CREEK
Authorized POU: T8S R46E 20
Proposed POU: T8S R46E 20

The holder of a water right may apply to permanently change an existing water use subject to transfer. A transfer application may involve any of the following changes: Point of diversion or appropriation (POD; POA); Additional point of diversion or appropriation (APOD; APOA); Historic POD (HIST); Place of use (POU); Character of use (USE); Instream (ISWR); Substitution (SUB); or Exchange (EXCH).

The holder of a water right subject to transfer may request to temporarily change the place of use of the water for up to 5 years and, if necessary to convey the water, to temporarily change the point of diversion or appropriation.

The holder of a water right permit may apply to change a point of diversion (POD) or appropriation (POA) or to change the place of use (POU).

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice. Comments should be sent to the Transfers Section at the Department's Salem office.

TRANSFER CHECK OFF LIST

TRANSFER FILE #

10371

DATE RECEIVED

4-16-07

DATE MONEY SLIPPED

4-16-07

DATE RECEIPTED

4-16-07

VALID WATER RIGHT?

X Yes No

TEMP ALT AC

IRR DIST

PERM AMEND

DIV 15

TEMP Div 15

ISWR

LETTER FROM ATTORNEY YES (PUT INFO ON FRONT COVER)

X NO

FOLDER FILLED OUT*

yes

ENTERED IN DB

yes

CONTENTS MARKED

yes

COLOR CODED

X Yes

4 COPIES MADE & STAMPED

yes

CERTIFICATE MARKED

yes

CERTIFICATE COPIED

yes

PULL APPLICATIONS

yes

APP FOLDER MARKED

yes

FINAL PROOF MAP COPIED

yes

PERMIT MARKED

no

PERMIT COPIED

PERMIT MAP COPIED

DECREE MARKED

DECREE COPIED

ADJUDICATION MAP COPIED

ENTRIES CHECKED

CHECKED BY INIT FOLDER

PUBLIC NOTICE DATE

4-17-07

(PREPARED & COPIED)

LETTER SENT

yes

Irrigation District yes (copy of app & map)

COPY TO WM

yes

BLUE FORM TO WM

yes

Orange Perm Amend/Yellow Temp/Gru Dist/Lav Alt Acr/pink his

COPY TO GW

no

POA, APOA, or [SW TO GW ONLY(as POD)]

BLUE FORM TO GW

no

Orange Perm Amend/Yellow Temp/Gru Dist/Lav Alt Acr/pink his

COPY TO CWRE

no

BETTER TO ODFW

yes

ALL Surface water POU/USE (POD and APOD FISH SCREENS)

TRANSFER SENT TO:

Susan

SW --- NCR --- SCR --- ER

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