| Name Bureau of Land Management | | | | | | | | |
|---|-----------------------|---------------------|-----------|----------|-----------------|-----------|------------|---------|
| 1301 cae of Long / Mindel Mert | DESCRIPTION | N OF WATER RIGHT(s) | | | | | FEES PAID | |
| Address 28910 Hwy 20W Hines OR 97738 | | | | | | Date | Amount | Receipt |
| Hines OR 97738 | Name of Stream_Wil | low creek | | | | 2-21.2023 | \$ 1360.00 | 1401 |
| Jakrauss @blm.gov | Reservoir | | | | | | | |
| | Trib. of Silvies 1 | Liver | | | | - | | |
| Change in USC | Willow cree | K | | | | | | |
| Date Filed 2-21-23 | Use Fish Culture | , Recreation | County_ | Harney | | - | | |
| Initial notice date 2-28-23 | Quantity of water (CF | S) | No. | of Acres | | | | |
| DPD issued date | Name of ditch | 0.00 | | 1222- | | | | |
| PD issued date | App#_\$45502 | | Cert # | | PR Date 11/1968 | | | |
| PD notice date | App# | Per # | Cert # | | _ PR Date | | FEES REFU | |
| Date of FO 912 2035 Vol 129 Page 75 | App# | Per # | Cert # | | _ PR Date | Date | Amount | Receipt |
| Withdrawal | App# | Per # | Cert # | | _ PR Date | 8/14/25 | 1000.00 | 1401 |
| | App# | Per # | Cert # | | PR Date | | | |
| C-Date | | | | 1 | | | | |
| COBU due date | | | | | | | | |
| COBU Received date | | | | | | | | |
| Certificate issued | | | | | | | | |
| | | | | | | | | |
| Assignments | | | | | | | | |
| Assignments: | | | | | | | | |
| | | | We have a | | | | | |
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| | | | | | | | | |
| | | | | | | | | |
| Irrigation District | | | | | _ | | | |
| 1 1 1 2 2 6 6 2 2 2 2 | r | | | | | | | |
| Agent Jana Krauss - Jakrauss @ blm.gov | | | | | | | | |
| | | | | | | | | |
| CWRE Harney County | | | | | | | | |
| CC's list | | | | | | | | |
| | | | | | | | | |
| | | | | | | | | |
| - Oversized map - Location | | | | | | | | |

WATER RESOURCES DEPARTMENT REQUEST FOR DISTRIBUTION OF FUNDS

| то: | Fiscal Services Section | DATE: 6/19/2025 |
|--|--|-----------------|
| FROM: | Joan Smith, Transfer Specialist Phone: 503-986-0892 | |
| SUBJECT: | TRANSFER FILE - Request for Payment or F | Refund |
| TRANSFER FI | LE #: T-14176 RECEI | PT #: 140172 |
| Please prepa | re payment in the amount of \$, made payab | ole to: 46110 |
| Name: Organization Address: City: | Brian Christensen Bureau of Land Management- Burns 28910 Hwy 20 W Hines, OR 97738 | 0205 - 1000.00 |
| These funds a | Request for file to be Rejected/Withdrawn, Excess fees were collected for application/Payment of PON Protest filing fee Other: | /Misfiled |
| | ed this distribution request and have determindicated above. Fiscal Services is hereby automature: | |



Water Resources Department

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

June 18, 2025

Attn. Brian Christensen Bureau of Land Management- Burns 28910 Hwy 20 W Hines, OR. 97738

Reference: Transfer Application T-14176

It has come to the attention of the Oregon Water Resources Department that you submitted a check for an amount \$1360.00 the statutory application fee for Transfer Application T-14176

A refund check in the amount of \$1000.00 is currently being processed and will be arriving separately at a later time.

Sincerely,

Jøan Smith

Transfer Specialist

Transfer and Conservation Section

cc: Transfer Application T-14176

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

| In the Matter of Transfer Application |) | FINAL ORDER WITHDRAWING |
|---------------------------------------|---|----------------------------------|
| T-14176, HARNEY County, Oregon |) | AN APPLICATION FOR A WATER RIGHT |
| |) | TRANSFER |

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right.

Applicant

U.S. BUREAU OF LAND MANAGEMENT 28910 HWY 20 W HINES, OR 97738

Findings of Fact

- Transfer Application T-14176, in the name of U.S. BUREAU OF LAND MANAGEMENT (BLM), was filed on February 21, 2023.
- 2. On August 24, 2023, Brian Christensen; Three Rivers Field Manager, BLM Burns District submitted a written request asking that Transfer Application T-14176 be withdrawn.

Now, therefore, it is ORDERED:

Transfer Application T-14176, in the name of U.S. BUREAU OF LAND MANAGEMENT, is withdrawn and of no further force or effect.

Dated in Salem, Oregon on

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

DOUGLAS E. WOODCOCK, ACTING DIRECTOR

Oregon Water Resources Department

Mailing date: SEP 1 3 2023

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

WATER RIGHT TRANSFER COVER SHEET

| Transfer: T-1 | 4176 | | | | | | | Trans | fer Specia | alist: 82m |
|--|--------------------|--------------------|--|--|---------|-----------------------------------|--------------------------|---------------------|------------|----------------|
| Transfer Type | e: Regular Tran | sfer | Reimbu | rsement Au | thorit | y? 🗌 | | | | 000 |
| Applicant: U.S. BUREAU OF LAND MANAGEMENT 28910 HWY 20 W HINES, OR 97738 | | | NT JA | Agent: JANA KRAUSS 28910 HWY 20 W HINES, OR 97738 | | | Receiving Landowner: | | | |
| Current Lar | downer if other | than Applicant | : <u>C</u> | WRE: | | | Irr | igation Di | strict: | |
| County O | | ing | A | ffected Trib | al Gov | <u>′t</u> : | BC | OR Notifie | d (date): | |
| Water Rights | Affected | | | | | | | | | |
| File Marked | App. File # | or Decree Nam | ie | Perm S339 | | Certificate 62227 | | RR/CR N | eeded | RR/CR Nos. |
| | 45502 | | | 3339 | 49 | 62227 | | Yes Yes | No No | |
| Key Dates & | Initial Actions (S | upport Staff) | | | | | | 1103 | | |
| Rec'd: Feb | ruary 21, 2023 | 3 | Propos | sed Action(s | s): USI | | | | | |
| Fees Pd: 13 | 360.00 | | Acknow | knowledgement Letter Sent | | | Basin: 12 Malheur Lake | | | |
| Initial Publi | c Notice: | | County | ounty sent cc: of Ack Letter | | | County: HARNEY | | | |
| WM Distric | t: 10 J R. Jo | hnson | WM R | /M Review request sent: | | | WM Review date received: | | | |
| ODFW Dist | rict: | | ODFW | DDFW Review sent: | | | OD | FW Revie | w date re | ceived: |
| Groundwat | er | | GW Re | W Review sent: | | | GV | V Review o | late recei | ved: |
| Caseworker | Actions: Newspa | per & PD Notice | e: | 2 | | | | | | |
| | notice needed: [| / | | | | of Newspaper: | _ | | | |
| | notice sent to co | ordinator: | | | News | paper notice qu | ote | requested | (NRS1): | |
| | news \$ sent: | | | | | \$ received: | | | | |
| Affidavit of | publication recei | ved: | | | Last c | lay of publicatio | n: | | | |
| Peer Review: | | | | | | | | | | |
| Document | Drafted | Peer Revi | iew | Coordina | tor | Changes Mad | e | Signatu CW Sent: | | Signature Date |
| DPD | Date: | Date: | | Date: Initials: | | Date: | _ | CW Sent: WM Shee | et 🗌 _ | N/A |
| PD | Date: | Date: Initials: | | Date: Initials: | | Date: Initials: Data Review Date: | - | Date: | | Date: |
| 7H1) 411 FO | Date: | Date: 8 24 | | Date: Initials: | | Date: 9/6/ | 275 | No. of do | | Date: |
| pecial Issues | : withou | ay 8/2 | 4/20 | 023 | | Return f | 31/ | e to | ban? | Smith |
| | Volume: Vol. 12 | - 0 | A STATE OF THE PARTY OF THE PAR | | | after Fi |) - | Proces | sed* | |

Transfer Cover Sheet

STATE OF OREGON

WATER RESOURCES DEPARTMENT

140172

RECEIPT:

725 Summer St. N.E. Ste. A

| SALEM, OR 97301-4172 | INVOICE |
|---------------------------------------|---------|
| (503) 986-0900 / (503) 986-0904 (fax) | |

APPLICATION RECEIVED FROM: PERMIT BY: TRANSFER OTHER: (IDENTIFY CHECK: CASH-TOTAL REC'D TREASURY 4170 WRD MISC CASH ACCT 1083 S COPIES 0407 S OTHER: (IDENTIFY) 0244 Muni Water Mgmt. Plan _____ 0245 Cons. Water _ 0243 I/S Lease 4270 WRD OPERATING ACCT MISCELLANEOUS 1011 0 S **COPY & TAPE FEES** 0407 \$ 0410 RESEARCH FEES \$ MISC REVENUE: (IDENTIFY) 0408 \$ DEPOSIT LIAB. (IDENTIFY) TC162 \$ 0240 EXTENSION OF TIME RECORD FEE WATER RIGHTS: **EXAM FEE** \$ 0201 SURFACE WATER S 0202 \$ 0203 **GROUND WATER** 0204 TRANSFER \$1,560.00 0205 **EXAM FEE** LICENSE FEE WELL CONSTRUCTION 0219 \$ 0218 WELL DRILL CONSTRUCTOR \$ 0220 LANDOWNER'S PERMIT OTHER (IDENTIFY) 0536 TREASURY 0437 WELL CONST. START FEE 0211 WELL CONST START FEE \$ CARD# \$ CARD# 0210 MONITORING WELLS OTHER (IDENTIFY) 0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER S 0233 POWER LICENSE FEE (FW/WRD) \$ 0231 HYDRO LICENSE FEE (FW/WRD) S HYDRO APPLICATION TREASURY OTHER / RDX __ TITLE __ OBJ. CODE VENDOR # S DESCRIPTION 140172 DATED 2 21 202

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



Water Resources Department

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

September 12, 2023

U.S. BUREAU OF LAND MANAGEMENT 28910 HWY 20 W HINES, OR 97738

ORDER ON WITHDRAWN APPLICATION

Reference: Transfer Application T-14176

The above referenced transfer application was withdrawn from the record of the Water Resources Department on September 12, 2023, by Special Order Volume 129, Page 75 (copy enclosed).

The transfer application is no further force or effect.

If you have any questions related to the approval of this temporary transfer, you may contact your caseworker, Joan Smith, by telephone at (503) 986-0892 or by e-mail at Joan.M.Smith@oregon.gov.

Sincerely,

Julie C. Baustian

Water Right Services Support

Transfers and Conservation Section

cc:

J R. Johnson, Watermaster Dist. # 10 (via email)

Harney County Planning

Jana Krauss, Agent

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT OF THE STATE OF OREGON

| In the Matter of Transfer Application |) | FINAL ORDER WITHDRAWING |
|---------------------------------------|-----|----------------------------------|
| T-14176, HARNEY County, Oregon |) | AN APPLICATION FOR A WATER RIGHT |
| |) - | TRANSFER |

Authority

ORS 540.505 to 540.580 establishes the process in which a water right holder may submit a request to transfer the point of diversion, place of use, or character of use authorized under an existing water right.

Applicant

U.S. BUREAU OF LAND MANAGEMENT 28910 HWY 20 W HINES, OR 97738

Findings of Fact

- Transfer Application T-14176, in the name of U.S. BUREAU OF LAND MANAGEMENT (BLM), was filed on February 21, 2023.
- 2. On August 24, 2023, Brian Christensen; Three Rivers Field Manager, BLM Burns District submitted a written request asking that Transfer Application T-14176 be withdrawn.

Now, therefore, it is ORDERED:

Transfer Application T-14176, in the name of U.S. BUREAU OF LAND MANAGEMENT, is withdrawn and of no further force or effect.

Dated in Salem, Oregon on

Lisa . Jaramillo, Transfer and Conservation Section Manager, for

DOUGLAS E. WOODCOCK, ACTING DIRECTOR

Oregon Water Resources Department

Mailing date: SEP 1.3 2023

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

SMITH Joan M * WRD

From: Christensen, Brian M <bchristensen@blm.gov>

Sent: Thursday, August 24, 2023 11:28 AM

To: SMITH Joan M * WRD

Subject: Request to rescind application #14176

You don't often get email from bchristensen@blm.gov. Learn why this is important

The Bureau of land Management (BLM) Burns District respectfully requests to rescind application #14176 to change surface water right designation. This application doesn't accurately identify our need. We will resubmit an application.

Please advise if our application fee may transfer to our resubmittal.

Thank you,

Brian Christensen
Three Rivers Field Manager
Bureau of Land Management
Burns District
Office - 541-573-4467
Cell - 541-589-0778

SMITH Joan M * WRD

From:

Christensen, Brian M <bchristensen@blm.gov>

Sent:

Thursday, August 24, 2023 11:28 AM

To:

SMITH Joan M * WRD

Subject:

Request to rescind application #14176

You don't often get email from bchristensen@blm.gov. Learn why this is important

The Bureau of land Management (BLM) Burns District respectfully requests to rescind application #14176 to change surface water right designation. This application doesn't accurately identify our need. We will resubmit an application.

Please advise if our application fee may transfer to our resubmittal.

Thank you,

Brian Christensen Three Rivers Field Manager Bureau of Land Management Burns District Office - 541-573-4467 Cell - 541-589-0778

Watermaster Review Form: Water Right Transfer



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

| Tran | sfer Application: | T-14176 | | Review | w Due Date: | | | | | |
|------|--|--------------------------------|-------------------|-----------------|-----------------|--------------------------------------|--|--|--|--|
| Арр | Applicant Name: Bureau of Land Management | | | | | | | | | |
| Prop | Proposed Changes: POU POD POA USE OTHER | | | | | | | | | |
| Revi | ewer(s): Dally S | windlehurst | | Date o | of Review: | 03/24/23 | | | | |
| 1. | Do you have <u>evidence</u> that the right has not been used in the last 5 years and that the presumption of forfeiture would not likely be rebuttable? ☐ Yes ☐ No If "Yes", attach evidence (e.g. dated aerial photo showing pavement or building on the land for >5 yrs.) | | | | | | | | | |
| 2. | Is there a history involved the tran Generally charact occurred: | sferred right(s |) and downstre | am water right | ts? Yes | ☑ No | | | | |
| 3. | Have headgate no ☐ Yes ☑ No | otices been iss | | irce that serve | s the transferr | red right(s)? | | | | |
| 4. | In your estimation result in regulation original right(s) was | on of other wa | ter rights that v | would not have | occurred if u | se under the | | | | |
| 5. | In your estimatio that would be aff affected and list t | ected? Ye | s No If | 'Yes", describe | | | | | | |
| | Check here if resulting from the characterize the I benefit most: | e current use of ocations when | of the transferr | ed right(s)? If | you check the | box, generally | | | | |
| | For POD changes between the old a box, describe and | and new PODs | or within the | proposed instr | | | | | | |
| | For instream tran stream: N/A with OAR 690-077 | Would the qu | uantity be mea | | | th of the source tream consistent | | | | |

| 9. | | ges: N/A Is it likely the original place of use would continue to receive e same source? Yes No If "Yes", explain: |
|-----|----------------------------|---|
| 10. | at "full face va | SE changes: N/A In your best judgment, would use of the existing right alue," result in the diversion of more water than can be used beneficially and e? Yes No If "Yes", explain: |
| 11. | For POU chan | ges that involve micro-irrigation: N/A |
| | within and pr inspec | e applicant made changes (absent a transfer) to convert to micro-irrigation the current place of use boundary of the water right proposed for transfer, eviously demonstrated to the Department through monitoring and site tions by the Watermaster that the proposed transfer will not result in injury argement? Yes No If "Yes", explain: |
| | same l | temporary transfer of this nature been previously filed and approved on the lands (or portions thereof) as those lands involved in this transfer? S \sum No If "Yes", answer the following: |
| | i. | Were there any problems with more acres being irrigated (or wetted) than were authorized under the temporary transfer? Yes No If "Yes", explain: |
| | ii. | Did the designated areas that were to remain dry (or not wetted) under the temporary transfer actually remain dry? Yes No If "No", explain: |
| | III. | Did the applicant comply with and meet all of the conditions of the temporary transfer? Yes No If "No", explain: |
| | iv. | Do you have any other observations regarding the temporary transfer? Yes No If "Yes", describe: |
| | v. | Did the applicant demonstrate to the Department through monitoring and site inspections by the Watermaster that neither injury nor enlargement occurred as a result of the temporary transfer? Yes No If "No", explain: |
| | c. To the | best of your knowledge, if this transfer is approved, does it appear that: |
| | i. | "Injury" will occur to other water rights that share the same source? Yes No If "Yes", explain: |
| | ii. | "Enlargement" of the water right being transferred will occur? Yes No If "Yes", explain: |
| 12. | | er issues not identified through the above questions that should be considered whether the change "can be effected without injury to other rights"? o If "Yes", explain: |

| 13. | What alternatives may be available for addressing any issues identified above: |
|-----|---|
| 14. | Do conditions need to be included in the transfer order to avoid enlargement of the right or injury to other rights? No Yes, as checked and provided below: |
| | For POU changes that involve micro-irrigation, provide the monitoring and reporting conditions necessary to prevent injury/enlargement: |
| | A Headgate should be required prior to diverting water. |
| | Measurement Devices for POD or POA: (if this condition is selected, also fill in the top sections of Page 4) |
| | a. Before water use may begin under this order, the water user shall install a totalizing flow meter*, or, with prior approval of the Director, another suitable measuring device, at each point of diversion/appropriation (new and existing) OR at each new point of diversion/appropriation with the exception that water rights issued to the Bureau of Reclamation or an irrigation district (or similar entity) are not subject to this condition. |
| | b. The water user shall maintain the meters or measuring devices in good working order. |
| | c. The water user shall allow the Watermaster access to the meters or measuring devices, provided however, where the meters or measuring devices are located within a private structure, the Watermaster shall request access upon reasonable notice. |
| | Reservoir water use measurement: (if this condition is selected, also fill in the top sections of Page 4) |
| | a. Before water use may begin under this order, the water user shall install staff gages*, or, with prior approval of the Director, other suitable measuring devices, that measure the entire range and stage between empty and full in each reservoir. Staff gages shall be United States Geological Survey style. |
| | b. Before water use may begin under this order, if the reservoir is located in channel, weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, an adjustable outlet valve must be installed. The water user shall maintain such devices in good working order. A written waiver may be obtained, if in the judgment of the Director, the installation of weirs or other suitable measuring devices, or the adjustable outlet valve, will provide no public benefit. |
| * | The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition: |
| | Weir Submerged Orifice |
| | Parshall Flume Flow Restrictor |
| | Other: |
| | |

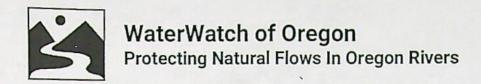
Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

| Transfer #: T- 141/6 | | |
|--|---|-------------------------|
| In order to avoid enlargement of the right be installed prior to diversion of water, as a a at each point of diversion/appropriate at each new point of diversion/appropri | condition of this transfe ation (new and existing) | er: |
| For additional information, or to obtain approapplicant should contact the area Watermaste | | measurement device, the |
| Watermaster name: Dally Swindlehurst | | |
| District: 10 | | |
| Address: 450 N Buena Vista | | |
| City/State/Zip: Burns OR 97720 | • | |
| Phone: 541-573-2591 | | |
| Email: donald.s.swindlehurst@water.orego | n.gov | |
| Note: If a device other than the one specified is approved by the Watermaster, fill out and | | |
| ********** | ******** | ****** |
| Approval of an Alternate Me (to be filled out after consultation On behalf of the Director, I authorize use of the | n with the applicant, or o | |
| | | |
| | | |
| Watermaster signature | District | Date |
| If this form is used for approval of an alternati | ve measurement device | , it must be mailed to: |
| Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, OR 97301-1266 | | |

TACS



March 29, 2023

Transfer Section OWRD

Via email to: Lisa.J.JARAMILLO@water.oregon.gov

RE: COMMENTS ON APPLICATION FOR T-14176

Dear Transfer Section:

Thank you for opportunity to comment on the application for Transfer T-14176. Due to formatting challenges in WRIS, we are also are submitting this comment letter via email.

Comments

1. T-14176 would result in injury and enlargement.

Certificate 62227 allows beneficial use for Fish Culture and Recreation, which are typically non-consumptive uses. The proposed transfer changes the non-consumptive use to a consumptive use for Livestock watering. This creates the high-risk situation of both injury and enlargement issues. Injury occurs when "The type of use under water right "A" is changed to a use which would be more consumptive than could reasonably occur under the existing right and results in less water available to water right "B" (OWRD Field Manual p.180). Livestock is a use that requires and consumes more water than a reservoir uses for fish culture and recreation and therefore T-14176 would result in injury and enlargement.

Further, if the application moves forward, we request that WRD establish—or ask BLM to establish—the existing capacity of the reservoir.

- 2. Certificate 62227 does not appear eligible for transfer because it does not appear to have been used in the last five years according to the terms of the certificate, the application does not establish the requisite use, and the certificate appears subject to forfeiture.
- a) The affidavit of use included with the Transfer Application appears to relate only to a reservoir. Certificate 62227 is not a reservoir right; it is a water right to use water for fish and recreation from the sources Willow Creek and Willow Creek reservoir constructed under permit R-5371, not a reservoir right. The Transfer Application does not appear to provide any evidence that was used as described in the certificate. The fact that there was or wasn't a reservoir there does not address the transfer requirements.
- b) In the Transfer Application, BLM says the reservoir is an, "Existing reservoir since 1968 abandoned by Oregon State Game Commission [that] uses fish and recreation. BLM took over the right as we are the land owner and changed to livestock use" (Application p.14) According

WaterWatch of Oregon

Main Office: 213 SW Ash St. Suite 208 Portland, OR 97204 Southern Oregon Office: PO Box 261, Ashland, OR 97520 www.waterwatch.org Main Office: 503.295.4039

S. OR Office: 541.708.0048

to OAR 690-380-640, transfer rules only allow the use of water for allowed character of use unless you get a transfer approving the change, meaning BLM can't just start using it (or the water in it) for the proposed beneficial use. BLM's use of the reservoir for livestock use violates the certificate and thus constitutes illegal use.

Any use of the water for livestock use is not use that meets the requirements of ORS 540.520(2)(g), which requires evidence that the water has been used over the past five years "consistent with the terms and conditions" of the right. Using this reservoir certificate for livestock use when it was issued only for fish and recreation does not meet this standard and nor does it constitute use for purposes of analyzing forfeiture. ORS 540.520(2)(g); ORS 540.610.

- c) The Water Use Report for Certificate 62227, available in WRIS, shows no recorded water use from 1991 to 2010. Pursuant to ORS 540.610, a five year period of non-use amounts to forfeiture, but can be rebutted upon a showing that the last year of the alleged period of non-use occurred more than 15 years ago. ORS 540.610(2)(f). Thus period of apparent non-use from 2004-2010 falls within the forfeiture assessment period. (2023 19 years).
- d) Aerial photos included in the Transfer Application appear to show an empty reservoir without any water present. This does not support a finding that water has been used from the reservoir or otherwise, or that the reservoir itself was in use, in the last five years, or that it is not subject to forfeiture.
- e) Finally, it is not clear what BLM means by stating in the application that the Oregon State Game Commission "abandoned" the reservoir, when this happened, or whether the Game Commission also abandoned the water use under Certificate 62227 (one of the sources for which is that reservoir). If the certificate was voluntarily abandoned, it may not now be transferred.

Thank you for considering these comments. We look forward to further reviewing this transfer as more information becomes available.

Sincerely,

Lisa A. Brown Lisa Brown Staff Attorney WaterWatch of Oregon lisa@waterwatch.org

KAMIS Nianila * WRD

From: JARAMILLO Lisa J * WRD

Sent: Wednesday, March 29, 2023 3:27 PM

To: KAMIS Nianila * WRD

Cc: STARNES Patrick K * WRD; DAVIS Arla L * WRD; GREW Scott A * WRD; LUONGO Dante J

* WRD; FRENCH Kim R * WRD; PHILLIPS Stacy H * WRD

Subject: FW: WaterWatch comments regarding Application T-14176

Attachments: WaterWatch comments re Application for T-14176_3-29-2023.pdf

Hi Nila,

Please print out this email chain and the attached comments received today from WaterWatch and place both into the physical Transfer file record for T-14176.

Thanks so much,
-Lisa

Lisa J. Jaramillo

Transfer and Conservation Section Manager

725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-871-1889 (work cell)



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

NOTE: OWRD offices are now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, however, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day (M-F). OWRD's Salem office is closed for customer service drop-ins from Noon – 1pm. Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

From: JARAMILLO Lisa J * WRD

Sent: Wednesday, March 29, 2023 3:24 PM To: Lisa Brown < lisa@waterwatch.org >

Subject: RE: WaterWatch comments regarding Application T-14176

Hi Lisa,

Thank you. Comments received. We'll get them placed into the application file.

Best regards,

Lisa

Lisa J. Jaramillo

Transfer and Conservation Section Manager

725 Summer Street NE, Suite A, Salem, OR 97301 | Phone: 503-871-1889 (work cell)



Integrity | Service | Technical Excellence | Teamwork | Forward-Looking

NOTE: OWRD offices are now open to the public. Given that many staff will continue teleworking remotely or have job duties that take them into the field on a regular basis, however, availability of staff in the office is not guaranteed 8 a.m. - 5 p.m. every day (M-F). OWRD's Salem office is closed for customer service drop-ins from Noon – 1pm. Customers and visitors are encouraged to schedule an appointment in advance if they wish to meet in person with specific staff members. Alternative methods for meeting, such as by phone or virtually via Teams, are also available.

From: Lisa Brown < lisa@waterwatch.org>
Sent: Wednesday, March 29, 2023 10:43 AM

To: JARAMILLO Lisa J * WRD < Lisa.J.JARAMILLO@water.oregon.gov > Subject: WaterWatch comments regarding Application T-14176

Hi Lisa,

I am attaching WaterWatch's comments regarding Application T-14176, which have also been uploaded via WRIS. WRIS shows that there is no case worker assigned so I'm sending them to you to direct appropriately and put in the file.

Thank you.

Best, Lisa Brown WaterWatch of Oregon C: 503.789.6442

Permanent Transfer Application Checklist

| ck the Certificates in W | RIS | Transfer # 1- 14170 |
|--|--|--------------------------------------|
| Checked byDante | Type of Change(s) Proposed: NO other changes allowed other than | those listed |
| Date2/23/2023 Fee Received: | | A DAROA MUST |
| \$1360 | POU POD APOD PO | |
| Calculated Fee: \$1360 | | How many rights to be Transferred 1 |
| Deficiencies and Observation | ns: | Certificate #(s) |
| Change in Use of Reservoir | | 62227 |
| check box; if not, fill in. | | |
| at the bottom? | ormation complete? Have all the applicants | listed at the top of the page signed |
| 2. Has the applicant in included a Form Dame of the District | The state of the s | |
| match the descript | n, has the applicant completed the entire p ion of the explanation of the reasons on Pa ed to contact the applicant or agent? | |
| separate complete | cates, do each of the certificates listed on A d Part 5 tables 1 & 2? <i>(compare with OAR 6</i> ates are missing a separate Part 5, tables 1 | 90-380-3220-may need to return) |
| 5. Has the map been If not, what is miss | completed and signed by a CWRE? Does the | |
| 6. If a change in point | of appropriation, have the well logs been i | ncluded? N/A. |
| 7. If a change in place Form U? N/A. | of use within Umatilla County, have the ap | pplicant(s) provided a Supplementa |
| | out the Minimum Requirements Checklist that is missing (check Evidence of Use and I | |
| application. Put th | checklist are checked (with no remaining de is check sheet in the transfer folder. | eficiencies identified), accept the |
| OR: | | |
| It should be returned | ficient, and CANNOT be accepted. I and the deficiencies listed in the "staff" so oplicant or agent can resolve the deficiencie | |
| | | |
| Actions taken: | | |

Permanent Transfer Application Checklist

| | FEE WORKSHEET for PERMANENT TRANSFER (except Substitution) | | |
|------|--|---|---------|
| 1 | Base Fee (includes one type of change to one water right for up to 1 cfs) | 1 | \$1,360 |
| | Types of change proposed: | | |
| | Place of Use | | |
| | Character of Use | | |
| | Point of Diversion/Appropriation | | |
| | Number of above boxes checked = (2a) | | |
| | Subtract 1 from the number in line 2a = (2b) If only one change, this will be 0 | | |
| 2 | Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » | 2 | 0 |
| | Number of water rights included in transfer(3a) | | |
| FRIT | Subtract 1 from the number in 3a above:(3b) If only one water right this will be 0 | | |
| 3 | Multiply line 3b by \$520 and enter » » » » » » » » » » » » » | 3 | 0 |
| | Do you propose to add or change a well, or change from a surface water POD to a | | |
| | well? | | |
| | No: enter 0 » » » » » » » » » » » » » » » » » » | | |
| 4 | Yes: enter \$410 » » » » » » » » » » » » » » » » » | 4 | 0 |
| | Do you propose to change the place of use or character of use? | | |
| | No: enter 0 on line 5 » » » » » » » » » » » » » » » » | | |
| | Yes: enter the cfs for the portions of the rights to be transferred (see | | |
| | example below*):(5a) | | |
| | Subtract 1.0 from the number in 5a above: (5b) | | |
| | If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » | | |
| | If 5b is greater than 0, round up to the nearest whole number:(5c) and | | |
| 5 | multiply 5c by \$350, then enter on line 5 » » » » » » » » | 5 | 0 |
| 6 | Add entries on lines 1 through 5 above » » » » » » » » » Subtotal: | 6 | 0 |
| | Is this transfer: | | |
| | necessary to complete a project funded by the Oregon Watershed | | |
| | Enhancement Board (OWEB) under ORS 541.932? | | |
| | endorsed in writing by ODFW as a change that will result in a net benefit to | | |
| | fish and wildlife habitat? | | |
| | If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » | | |
| 7 | If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » » | 7 | 0 |
| 8 | Subtract line 7 from line 6 » » » » » » » » » » » » Transfer Fee: | 8 | |



Water Resources Department

725 Summer St NE, Suite A Salem, OR 97301 (503) 986-0900 Fax (503) 986-0904

December 7, 2022

Ву:

RECEIVED

FEB 2 1 2023

OWRD

Attn: Jana Krauss 28910 Highway 20 W Hines, OR 97738

Bureau of Land Management

RE: Permanent Transfer Application for Certificates 62227

Dear Applicant,

The Water Resources Department has received an application for permanent transfer for one certificated water right. The application is considered incomplete as the Department did not receive all of the required documentation and fees to process the transfer. Pursuant to OAR 690-380, the following items are missing from your application:

• Indication of the amount of CFS being transferred $0.34532 = \frac{30}{\sqrt{R}}$

Additional fees which correlate to the amount of CFS to be included in the application NONE

 Completed and notarized Evidence of Use Affidavit and supporting documentation for each water right Added

• Completed and signed Oregon Water Resources Department's Land Use Form

OAR 690-380-3000

- (12) Evidence that the water has been used over the past five years in accordance with the terms and conditions of the right or that the right is not subject to forfeiture under ORS 540.610. The evidence shall include the following information:
- (a) If the right has been used during the past five years, one or more affidavits from persons, such as the owner or operator, a neighbor, crop field person for a cannery or other product buyer, or Natural Resources Conservation Service (NRCS) representatives, who can attest from personal knowledge or professional expertise that the right was exercised at the authorized location and for the authorized purpose. Such affidavits shall state the specific grounds for the affiant's knowledge, the specific use to which the water was put (e.g., the crops grown, the nursery stock watered), and the delivery system used to apply the water and include supporting documentation such as:
- (A) Copies of receipts from sales of irrigated crops or for expenditures relating to use of water;
- (B) Records such as Farm Service Agency crop reports, irrigation district records, an NRCS farm management plan, or records of other water suppliers; or

- (C) Dated aerial photographs of the lands or other photographs containing sufficient detail to establish the location and date of the photograph, or
- (b) 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).

690-380-4000

(2) If the Department determines that the application does not include the required information or that the water rights proposed for transfer are not subject to transfer, the Department shall return the application and any fees to the applicant along with a written description of the deficiencies in the application.

OAR 690-380-3000 (19)

- (19) Land use information as outlined in the Department's Land Use Planning Procedures Guide, except for those transfers that meet the following four requirements:
 - a) Where existing and proposed water uses would be located entirely within lands zoned for exclusive farm use as provided in ORS 215.203 or within irrigation districts;
 - b) That involve changes in place of use only;
 - c) That do not involve the placement or modification of structures including but not limited to water diversion, impoundment, or distribution facilities, water wells, and well houses; and
 - d) That involve irrigation water uses only.

We are hereby returning the permanent transfer application and the fees submitted.

Please do not hesitate to contact me, at <u>arla.l.davis@water.oregon.gov</u> or 503-979-3129 if I may be of assistance.

Sincerely,

Arla L Davis

Arla L Davis

Transfer and Conservation Specialist Transfer and Conservation Section

Cc: OWRD Fiscal

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FEB 2 1 2023

OWRD



United States Department of the Interior

BUREAU OF LAND MANAGEMENT Burns District Office 28910 Highway 20 West Hines, OR 97738 www.blm.gov/office/burns-district-office



NOV 2 9 2022

Oregon Water Resources Department Attn: Transfer Department North Mall Office Building 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 DEC 05 2022
OWRD
SALEM, OREGON

This letter is in reference to: Certificate # 62227 Erenos Willow Creek Reservoir.

Please find enclosed:

- 1. Completed Permanent Water Right Transfer Form
- 2. Change of Use Application Map Exhibit B
- 3. Check for \$1,360.00
- 4. Affidavits
- 5. Land use Form

RECEIVED

FEB 2 1 2023

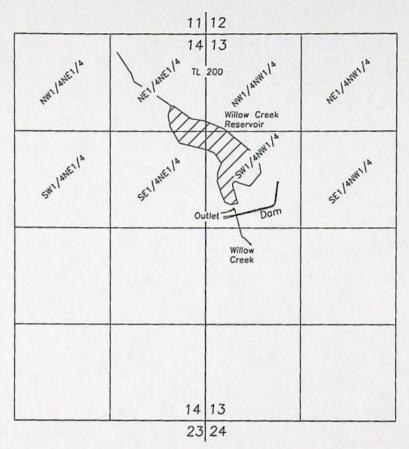
OWRD

Sincerely,

Jeffrey Rose District Manager

Enclosures (3)

Harney County, Oregon T23S, R29E, W.M.



Outlet is located 2380' South & 390' East of the NW corner of Section 13.

Measuring device is located 45' South of the outlet



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DEC 05 2022

OWRD SALEM, OREGON

LEGEND

C-62227 Priority 9/30/1968

A portion of Tax Lot 23-29 TL200

NOTE: Tax Lot 200 is owned by the BLM and is more that 21,200 acres. Therefore only a portion of the tax lot can be shown.

NOTE: The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property ownership lines. RECEIVED FEB 2 1 2023

OWRD

APPLICATION MAP FOR CHANGE OF USE C-62227 May 26, 2022

For

Bureau of Land Management 28910 Hwy 20 W Hines, OR 97738





Water Resources Department

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

February 23, 2023

U.S. BUREAU OF LAND MANAGEMENT 28910 HWY 20 W HINES, OR 97738

Reference: Application T-14176

On February 21, 2023, the Department received your water right Permanent Transfer Application. The application was accompanied by \$1360.00. Receipt number 140172 is enclosed.

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

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

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

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

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

If you have any questions, please contact the Transfer Section at (503) 979-9931.

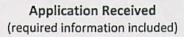
Cc: Watermaster Dist. #10, J R. Johnson (via email)

Harney County Jana Krauss, Agent

Enclosure

Regular Transfer Process (including "Proving Up" on the changes)

OAR 690 Division 380



Injury Review forms sent to Watermaster, and Groundwater staff and ODFW, as appropriate.

Notice of Application in WRD Weekly Notice (30-day Comment Period)

Review of the status of the right and the potential for enlargement or injury to other rights.

Draft Preliminary Determination

(WRD assessment of whether application should be approved or denied, considering injury review and any comments received) sent to applicant, with request for a report of ownership for the lands where the transfer right is.

Applicant Review of

Draft Preliminary Determination

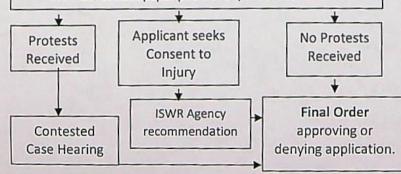
(Opportunity for applicant to submit a report of land ownership and modify or withdraw proposed transfer—at least 30 days

Preliminary Determination Issued

Notice of Preliminary Determination

in WRD Weekly Notice and, if statutorily required, in newspaper once a week for 2 or 3 consecutive weeks.

Protest Period ends 30 days after WRD notice, or 30 days after last date of newspaper publication, whichever is later.



Period for developing authorized changes begins as soon as an order is issued approving the changes. If the certificate has been cancelled the right goes into an inchoate state.

Deadline for completion of the changes.
The applicant must make full beneficial use under terms and conditions of the order by the deadline, request an extension of time, or inform the Department that the change is not intended to be completed.

If the applicant decides not to complete a change in POD/POA, the Department will issue an order reverting the right to the original POD/POA and issue a new certificate. However, if any other type of change is not completed, the transferred portion of the right is forfeited.

An order may be issued, granting an extension of time for completing the changes.

Applicant submits a Claim of Beneficial Use prepared by a CWRE within one year after the completion deadline or the date of complete beneficial use. There is no provision for extending the deadline for submission of the Claim.

Water Right Services Division reviews the Claim, determines whether proof has been made and if so, issues a new certificate. Right is no longer inchoate, but perfected and subject to being transferred.

Application for Permanent Water Right Transfer



Oregon Water Resources Department

725 Summer Street NE, Suite A
Salem, Oregon 97301-1266
(503) 986-0900

DECEIVED

MANN oregon gov/OW/RD

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

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

| | | | ILCLIVED |
|-----|------------|--|---|
| Che | ck all ite | ems included with this application. (N/A = Not Applicable) | DEC 05 2022 |
| X | | Part 1 – Completed Minimum Requirements Checklist. | OWR |
| X | | Part 2 – Completed Transfer Application Map Checklist. | SALEM, OREGON |
| X | | Part 3 – Application Fee, payable by check to the Oregon Water Department, and completed Fee Worksheet, page 3. Try the new calculator at: http://apps.wrd.state.or.us/apps/misc/wrd fee calculator at: | v online fee |
| X | | Part 4 – Completed Applicant Information and Signature. | |
| X | | Part 5 – Information about Water Rights to be Transferred: How are to be transferred? 1 List them here: C-62227 Please include a separate Part 5 for each water right. (See in | |
| | | NOTE: A separate transfer application is required for each | h water right |
| | | unless the criteria in OAR 690-380-3220 are met. | |
| | | Attachments: | |
| X | | Completed Transfer Application Map. | |
| | | Completed Evidence of Use Affidavit and supporting documentar | |
| | X N/A | Affidavit(s) of Consent from Landowner(s) (if the applicant does water right is on.) | not own the land the |
| | X N/A | Supplemental Form D – For water rights served by or issued in the irrigation district. Complete when the transfer applicant is not the | |
| | X N/A | Oregon Water Resources Department's Land Use Information Fe and signature (or signed land use form receipt stub) from each lo authority in which water is to be diverted, conveyed, and/or used water is to be diverted, conveyed, and/or used only on federal la following apply: a) a change in place of use only, b) no structural of water is for irrigation only, and d) the use is located within an i an exclusive farm use zone. | ocal land use . Not required if nds or if all of the changes, c) the use |
| | X N/A | Water Well Report/Well Log for changes in point(s) of appropriat additional point(s) of appropriation. | ion (well(s)) or |
| | X N/A | Geologist Report for a change from a surface water point of divergence water point of appropriation (well), if the proposed well is more that surface water source and more than 1000' upstream or downstream of diversion. See OAR 690-380-2130 for requirements and applied | nan 500' from the eam from the point |
| | | | |

RECEIVED

FEB 2 1 2023

| (For Staff I | Jse Only) | | | | |
|---|---|--|--|--|--|
| WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S): | | | | | |
| Application fee not enclosed/insufficient Land Use Form not enclosed or incomplete incomplete | Map not included or incomplete Evidence of Use Form not enclosed or | | | | |
| Additional signature(s) required Other/Explanation | Part is incomplete | | | | |

DEC 05 2022 OWRO SALEM, OREGON

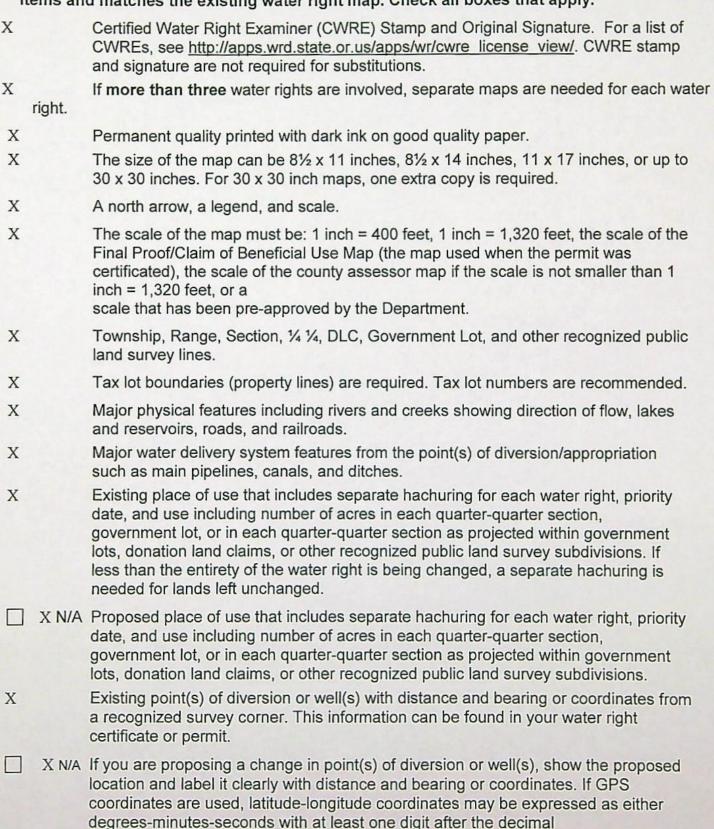
RECEIVED FEB 2 1 2023 OWRD

Part 2 of 5 - Transfer Application Map

OWRD

Your transfer application will be returned if any of the map requirements listed below

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



Part 3 of 5 - Fee Worksheet

| | FEE WORKSHEET for PERMANENT TRANSFER (except Substitution) | | |
|---|--|----|----------|
| 1 | Base Fee (includes one type of change to one water right for up to 1 cfs) | 1 | \$1,360 |
| | Types of change proposed: | | |
| | ☐ Place of Use X Character of Use ☐ Point of | RE | CEIVED |
| | Diversion/Appropriation | _ | 0 1 0000 |
| | Tanner of about beyon ellection | FB | 2 1 2023 |
| | Subtract 1 from the number in line 2a = 0 (2b) If only one change, this will be 0 | 10 | MAIDE |
| | Multiply line 2b by \$1090 and enter » » » » » » » » » » » » » » » » » » » | | WRD |
| 2 | » » » | 2 | 0 |
| | Number of water rights included in transfer 1 (3a) | | |
| | Subtract 1 from the number in 3a above: 0 (3b) If only one water right this will be 0 | | |
| 3 | Multiply line 3b by \$610 and enter » » » » » » » » » » » » » » » » » » » | 3 | 0 |
| 3 | | 3 | 0 |
| | Do you propose to add or change a well, or change from a surface water POD to a well? | | |
| | X No: enter 0 Yes: enter \$480 for the 1 st well to be added or changed 0 (4a) | | |
| | | | |
| | Do you propose to add or change additional wells? | | |
| | X No: enter 0 Yes: multiply the number of additional wells by \$410 0 (4b) | | |
| | Add line 4a to line 4b and enter » » » » » » » » » » » | | |
| 4 | >> >> >> | 4 | 0 |
| | Do you propose to change the place of use or character of use? No: enter 0 on line 5 | | |
| | | | |
| | X Yes: enter the cfs for the portions of the rights to be transferred (see below*):N/A (5a) | | |
| | Subtract 1.0 from the number in 5a above:(5b) | | |
| | If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » | | |
| | If 5b is greater than 0, round up to the nearest whole number: (5c) and | | |
| | multiply | | |
| | 5c by \$410, then enter on line 5 » » » » » » » » » » » » » » » » » | | |
| 5 | » » » » | 5 | 0 |
| 6 | Add entries on lines 1 through 5 above » » » » » » » » » Subtotal: | 6 | 1360 |
| | Is this transfer: | | |
| | necessary to complete a project funded by the Oregon Watershed | | |
| | Enhancement Board (OWEB) under ORS 541.932? | | |
| | endorsed in writing by ODFW as a change that will result in a net benefit to fish | | |
| | and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » | | |
| | If no box is applicable, enter 0 on line 7 » » » » » » » » » » » » » » » » » » | | |
| 7 | » » » | 7 | 0 |
| | Subtract line 7 from line 6 » » » » » » » » » » » » » » » » » | 1 | J |
| 8 | Transfer Fee: | 8 | 1,360 |
| | xample for Line 5a calculation to transfer 45.0 acres of Primary Certificate 12345 (total 1.25 cfs for 1 | | |

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

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

this example, blank 5a would be only 0.56 cfs, since both rights serve the same 45.0 acres. Blank 5b would be 0 and Line 5 would then also become 0).

| | Base Fee (includes change to one well) | - | \$990.0 |
|---|--|---|---------|
| 1 | | 1 | 0 |
| | Number of wells included in substitution (2a) Subtract 1 from the number in 2a above: (2b) If only one well this will be 0 Multiply line 2b by \$486 and enter » » » » » » » » » » » » » | | |
| 2 | » » | 2 | |
| | Add entries on lines 1 through 2 above » » » » » Fee for | | |
| 3 | Substitution: | 3 | |

NO WELLS

RECEIVED

OWRD SALEM, OREGON RECEIVED FEB 2 1 2023 OWRD

Part 4 of 5 - Applicant Information and

Applicant Information

| APPLICANT/BUSINESS NA Bureau of Land Mar | | | PHONE NO. (541)573-4438 | ADDITIONAL CONTACT NO. | | |
|--|-------------|----------------------------|----------------------------|------------------------|--|--|
| ADDRESS 28910 Hwy 20 W | | | FAX NO. | | | |
| CITY Hines | STATE OR | E-MAIL jakrauss@blm.gov | V | | | |
| Hines OR 97738 jakrauss@blm.gov BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. | | | | | | |

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

| AGENT/BUSINESS NAME | | | (544)572 4429 | ADDITIONAL CONTACT NO. | | |
|---|----|-------|-----------------|------------------------|--|--|
| Jana Krauss | | | (541)573-4438 | | | |
| ADDRESS 28910 Hwy 20 W | | | | FAX NO. | | |
| CITY Hines | OR | 97738 | JAKRAUSS@BLM.GO | v | | |
| BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED. | | | | | | |

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

Change the character of use from Fish Culture and Recreation to Livestock.

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

Check One Box

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

DEC 05 2022 OWRD SALEM, OREGON RECEIVED FEB 2 1 2023 OWRD

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By my signature below, I confirm that I understand:

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

| necessary to correct an error of the Department. | | | | | | | |
|--|--------------|----------------------|-----------------------|---------------------|-------------|--|--|
| (we) affirm that the information contained in this application is true and accurate. | | | | | | | |
| HOUSE WILLIAMORDA | 2 (| JAMA A ROA | USS Water Rig | hts specialist | 9/6/2025 | | |
| Applicant signature | | | Print Name (and T | itle if applicable) | Date | | |
| V | | | | | | | |
| Applicant signature | | | Print Name (and T | itle if applicable) | Date | | |
| Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? X Yes \sum No* | | | | | | | |
| *If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed. | | | | | | | |
| Check the following boxes th | at apply: | | | | | | |
| X The applicant is resp continue to be sent to | | | ange(s). Notices and | correspondence sho | ould | | |
| The receiving landow order is issued. Copic | | | | | he final | | |
| Both the receiving lar of notices and corres | | | | |). Copies | | |
| At this time, are the lands in | this transf | er application in th | ne process of being s | old? Yes X No | | | |
| If YES, and you know wh information table below. I assignment will have to be | f you do r | ot know who the | | | | | |
| If a property sells, the cer | rtificated v | vater right(s) locat | ed on the land belong | g to the new owner, | FEB 2 1 202 | | |
| unless a sale agreement https://www.oregon.gov/c | | | | | OWRD | | |
| RECEIVING LANDOWNER NAME PHONE NO. ADDITIONAL CONTACT NO. N/A | | | | | | | |
| ADDRESS FAX NO. | | | | | | | |
| CITY | STATE | ZIP | E-MAIL | | | | |
| Describe any special ownership circumstances: | | | | | | | |
| The confirming Certificate shall be issued in the name of: Applicant Receiving Landowner | | | | | | | |

| IRRIGATION DISTRICT NAME N/A | ADDRESS | |
|---|---------------------------------|---|
| CITY | STATE | ZIP |
| | of the rights supplied under a | a water service agreement or othentity. |
| ENTITY NAME N/A | ADDRESS | |
| CITY | STATE | ZIP |
| To meet State Land Use Consi | stency Requirements, you m | nust list all county, city, municipal |
| | within whose jurisdiction water | r will be diverted, conveyed or used |
| corporation, or tribal governments | within whose jurisdiction wate | er will be diverted, conveyed or used |
| corporation, or tribal governments ENTITY NAME | - | |
| corporation, or tribal governments ENTITY NAME Harney County | ADDRESS | |
| corporation, or tribal governments ENTITY NAME Harney County CITY | ADDRESS 450 N. Buena Vis | ta |
| | ADDRESS 450 N. Buena Vis | ta ZIP |

DEC 05 2022 OWRD SALEM, OREGON RECEIVED FEB 2 1 2023 OWRD

Part 5 of 5 - Water Right

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

RECEIVED

CERTIFICATE # C-62227

DEC 05 2022

Description of Water Delivery System

OWRD SALEM, OREGON

cubic feet per second (cfs) OR System capacity: a//A gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines, and sprinklers used to divert, convey, and apply the water at the authorized place of use. The current system is for Fish Culture and Recreation. There are no delivery systems in place. The current use is from the reservoir.

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

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

| POD/POA Name or Number | Is this POD/POA Authorized on the Certificate or is it Proposed? | If POA, OWR D Well Log ID# (or Well ID Tag # L- | Tν | wp | Rn | 9 | Sec | 7/2 | 1 1/4 | Tax Lot, DLC or Gov't Lot | Measured Distances (from a recognized survey corner) |
|------------------------------|--|---|----|----|----|---|-----|-----|-------|--|--|
| POD | XAuthorized Proposed | | 23 | S | 29 | Е | 13 | sw | NW | 200 | 2380' South and 390' East from the NW corner of Section 13 |
| POD | Authorized X Proposed | | 23 | S | 29 | Е | 13 | sw | NW | 200 | 2380' South and 390' East from the NW corner of Section 13 |
| | Authorized Proposed | | | | | | | | | | RECEIVED FEB 2 1 2023 |
| | Authorized Proposed | | | | | | | | | | OWRD |

| | all type(s) of change(s) proposed heses): | below (| change "CODES" are provided in |
|---|---|---------|--|
| | Place of Use (POU) | | Supplemental Use to Primary Use (S to P) |
| X | Character of Use (USE) | | Point of Appropriation/Well (POA) |
| | Point of Diversion (POD) | | Additional Point of Appropriation (APOA) |
| D | VA 10004 Downsont Transfer April | | - Barris 1/176 |

| | Additional Point of Diversion (APOD) | Substitution (SUB) |
|----------|--|--------------------------------------|
| | Surface Water POD to Ground Water POA (SW/GW) | Government Action POD (GOV) |
| Will all | of the proposed changes affect the entire | water right? |
| X Yes | Complete only the Proposed ("to" or "on" lar Use the "CODES" listed above to describe to | |
| ☐ No | Complete all of Table 2 to describe the porti | on of the water right to be changed. |

DEC 05 2022 OWRD SALEM, OREGON RECEIVED FEB 2 1 2023 OWRD Please use and attach additional pages of Table 2 as needed. See page 6 for instructions.

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

Table 2. Description of Changes to Water Right Certificate # C-62227

List the change proposed for the acreage in each 1/4 1/4. If more than one change is proposed, specify the acreage associated with each change.

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

| | | The | e lis | sting | AL that | THO appe | RIZEI ears or | O (the n the CHA | e "from" certific NGES | or "off" land ate BEFOR | ds) E PROPOS | SED | Proposed Changes | | | | | | PRO |)POS | SED (f | the "t | o" or " TER F | on" lands) PROPOSE | D CHAN | IGES |
|-----|----|-----|-------|-------|------------|-------------|------------------|-------------------------|------------------------------|-----------------------------------|------------------|----------|--|----|----|----|----|-----|-----|------|--------|----------------------|------------------|-----------------------|---|------------------|
| Tw | /p | Rr | | Sec | | art or | Tax Lot | Gvt Lot or DLC | Acres | Type of USE listed on Certificate | POD(s) or | Priority | (see "CODES" from previous page) | Tw | /p | Rr | ng | Sec | 1/4 | 1/4 | Tav | Gvt Lot or DLC | NO. | New Type of USE | POD(s)/ POA(s) to be used (from Table 1) | Priority Date |
| | | | | | - | | | | | | | | EXAMPLE | | | | | | p | | | | | , | , | |
| 2 | s | 9 | E | 15 | NE | NW | 100 | | 15.0 | Irrigation | POD #1 POD #2 | 1901 | POU/POD | 2 | s | 9 | E | 1 | NW | NW | 500 | 1 | 10.0 | | POD #5 | 1901 |
| 219 | | | | | | | | | | | | | | 2 | s | 9 | E | 2 | sw | NW | 500 | | 5.0 | | POD #6 | 1901 |
| 23 | S | 29 | E | 13 | SW | NW | 200 | | | Fish Culture & Recreation | POD | 1968 | USE | 23 | S | 29 | Е | 13 | sw | NW | 200 | | | Livestock | POD | 1968 |
| 23 | S | 29 | E | 13 | NW | NW | 200 | | | Fish Culture & Recreation | POD | 1968 | USE | 23 | S | 29 | E | 13 | NW | NW | 200 | | | Livestock | POD | 1968 |
| 23 | S | 29 | E | 14 | NE | NE | 200 | | | Fish Culture & Recreation | POD | 1968 | USE | 23 | S | 29 | E | 14 | NE | NE | 200 | | | Livestock | POD | 1968 |
| 23 | s | 29 | Е | 14 | SE | NE | 200 | | | Fish Culture & Recreation | POD | 1968 | USE | 23 | S | 29 | Е | 14 | SE | NE | 200 | | | Livestock | POD | 1968 |
| _ | | | | | | | | | | | | | | | | | | | | | RE | CEI | VED | | | |
| 1 | | | | | | | | | | | | | | | | | | | | | | | 2023 | | | |
| Z | | | | | | | | | | | | | | | | | | | | | | OW | | | | |

| F | or Place | of Use | or Chara | acter of U | se Chang | jes | | | | | |
|------------------------------|---|---|--|--------------------------------|--|---|--|---|---|--|--|
| | | | | t certificat | | | its or grou | ind water | registratio | ns associ | ated |
| | If YES, I | ist the | certificate | , water us | e permit, | or ground | water regi | stration n | umbers:_ | | |
| | a primar | y right ind wat | proposed | for transfe | er must be | e included | ch as an in in the trar in a groun | nsfer or be | cancelle | d. Any cha | ange |
| F | For Subst | | (ground v | water supp | olemental | irrigation | will be sub | stituted fo | or surface | water prir | nary |
| | | | A STATE OF THE PARTY OF THE PAR | ital Permit ertificate # | | cate # N/A | i | | R | ECEIV | 'ED |
| F | For a cha | | | | J. mail | Use to Pr | imary Irri | gation Us | e [| DEC 05 20 | 122 |
| | | | | cate to be | | | | | SA | OVVED LEM, OREG | ON |
| F | For a cha | nge in | point(s) | of approp | riation (w | rell(s)) or | additiona | l point(s) | of appro | priation: | |
| | ass ma | ociated p. | with the | correspon | ding well(| s) in Table | oroposed ve 1 above | and on the | | anying ap | |
| | | | | h for well l e.or.us/apr | - | | ent's web ult.aspx | page at: | | FEB 2 | 1 2023 |
| | AND/OR | 1 | | | | | | | | OW | /RD |
| | not eac lice | have a th requent nsed w | well log. ested info ell driller, | For <i>propo</i> rmation el | sed wells ement in t or certifie | not yet co the table. ed water ri | roposed wanstructed The Depaight examin | or built, portment rec | rovide "a l commends | pest estim you cons | ate" for sult a |
| Ar the tra wh ap | while 3. Construction of Point(s) of Appropriation my well(s) in this listing must be clearly tied to corresponding well(s) described in Table 1 and shown on the accompanying application map. Failure to provide the information will delay the processing of your ansfer application until it is received. The information is necessary for the department to assess whether the proposed well(s) will access the same source aquifer as the authorized point(s) of appropriation (POA). The Department is prohibited by law from approving POA changes that do not access the same source aquifer. | | | | | | | | | | |
| Au | POA ame or | Is well already built? es or No) | If an existing well: OWRD Well ID Tag No. | Total well depth | Casing Diameter | Casing Intervals (feet) | Seal depth(s) (intervals) | Perforated or screened intervals (in feet) | Static water level of completed well | Source aquifer (sand, gravel, | Well - specific rate (cfs or gpm). If less than full rate of |

(in feet)

Number

basalt, etc.)

water right

Land Use Information Form



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

NOTE TO APPLICANTS

In order for your application to be processed by the Water Resources Department (WRD), this Land Use Information Form must be completed by a local government planning official in the jurisdiction(s) where your water right will be used and developed. The planning official may choose to complete the form while you wait, or return the receipt stub to you. Applications received by WRD without the Land Use Form or the receipt stub will be returned to you. Please be aware that your application will not be approved without land use approval.

This form is NOT required if:

- 1) Water is to be diverted, conveyed, and/or used only on federal lands; OR
- 2) The application is for a water right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and <u>all</u> of the following apply:
 - The existing and proposed water use is located entirely within lands zoned for exclusive farm-use or within an irrigation district;
 - b) The application involves a change in place of use only;
 - The change does not involve the placement or modification of structures, including but not limited to water diversion, impoundment, distribution facilities, water wells and well houses; and
 - d) The application involves irrigation water uses only.

RECEIVED

FEB 2 1 2023

NOTE TO LOCAL GOVERNMENTS

OWRD

The person presenting the attached Land Use Information Form is applying for or modifying a water right. The Water Resources Department (WRD) requires its applicants to obtain land-use information to be sure the water rights do not result in land uses that are incompatible with your comprehensive plan. Please complete the form or detach the receipt stub and return it to the applicant for inclusion in their water right application. You will receive notice once the applicant formally submits his or her request to the WRD. The notice will give more information about WRD's water rights process and provide additional comment opportunities. You will have 30 days from the date of the notice to complete the land-use form and return it to the WRD. If no land-use information is received from you within that 30-day period, the WRD may presume the land use associated with the proposed water right is compatible with your comprehensive plan. Your attention to this request for information is greatly appreciated by the Water Resources Department. If you have any questions concerning this form, please contact the WRD's Customer Service Group at 503-986-0801.

Land Use # 62227 Information Form



OREGON Oregon Water Resources Department 725 Summer Street NE, Suite A Salem, Oregon 97301-1266 (503) 986-0900

| | | | | | MANAGEME | V()- | | | |
|--|------------------------------|------------|----------------|-------------------------------|--|-----------------------------|--------------|-----------|-----------------------|
| | | | | 90 | | | | | |
| City: 1 | ines | | Sta | ate: OR | Zip Code: 97 | 138 | Daytime | Phone: 5 | 141-573-4 |
| A. Land a | nd Locatio | <u>n</u> | | | | | | | |
| and/or use | d or develo | ped. Appl | icants for mu | unicipal use, | here water will be dive or irrigation uses withir ition requested below. | | | | |
| Township | Range | Section | %% | Tax Lot # | Plan Designation (e.g., Rural Residential/RR-5) | | Water to be: | | Proposed Land Use: |
| 235 | 29E | 13 | SWNW | 200 | | Diverted | ☐ Conveyed | Used | LIVESTOCK |
| | | | | | | Diverted | Conveyed | Used | |
| | | | | | | Diverted | Conveyed | Used | |
| | | | | | | Diverted | Conveyed | Used | |
| Type of ap | plication of Proplication to | be filed w | vith the Water | er Resources Right Transfe | | t Amendment nge of Water | or Ground Wa | | ation Modification |
| Source of v | water: R | eservoir/P | ond 🗆 G | Fround Water | Surface Water (| name) | | | |
| Estimated | quantity of | water ne | eded: 25 | 0 [| cubic feet per second [| gallons per | minute 💢 | acre-feet | |
| Intended u | se of water | | 2 | Commercial Quasi-Munic | The second secon | Dom Othe | estic for | 10c/ | usehold(s) |
| THE PERSON NAMED IN COLUMN TWO IS NOT THE OWNER. | TING I E GAM ! OVE | RT | HE RI | GHT : | 1968 ABA 1SES FISH AS WE AV | N CONE + RE LE TH | D BY | ORE | BLM |
| Note to ap | plicant: If th | ne Land U | se Informati | on Form can | not be completed while page and include it wit | you wait, p | | | |

Revised 2/8/2010

Department.

Land Use Information Form - Page 2 of 3

See bottom of Page 3. →

WR / FS

For Local Government Use Only

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

| rease check the appropriate box below ar | nd provide the requested information | | |
|---|---|---------------------|-------------------------------------|
| Land uses to be served by the proposed water by your comprehensive plan. Cite applicable | er uses (including proposed construction) are | allowed outri | ght or are not regulated |
| Land uses to be served by the proposed water as listed in the table below. (Please attach do Record of Action/land-use decision and acco periods have not ended, check "Being pursu | er uses (including proposed construction) invocumentation of applicable land-use approvempanying findings are sufficient.) If approva | olve discretion | already been obtained. |
| Type of Land-Use Approval Needed (e.g., plan amendments, rezones, conditional-use permits, etc.) | Cite Most Significant, Applicable Plan Policies & Ordinance Section References | Lan | d-Use Approval: |
| perints, etc.) | | ☐ Obtained ☐ Denied | ☐ Being Pursued ☐ Not Being Pursued |
| | | ☐ Obtained ☐ Denied | ☐ Being Pursued ☐ Not Being Pursued |
| | RECEIVED | ☐ Obtained ☐ Denled | ☐ Being Pursued ☐ Not Being Pursued |
| | FEB 2 1 2023 | Obtained Denied | ☐ Being Pursued ☐ Not Being Pursued |
| | OWRD | ☐ Obtained ☐ Denied | ☐ Being Pursued ☐ Not Being Pursued |
| ignature: Haway Cooky iovernment Entity: Haway Cooky iote to local government representative! Plea ign the receipt, you will have 30 days from the information Form or WRD may presume the lan comprehensive plans. | Phone (541) 573 - 6 se complete this form or sign the receipt be Water Resources Department's notice date | to return the co | ompleted Land Use |
| omprenensive plans. | | | Po |
| Receipt | for Request for Land Use Informati | | |
| oplicant name: BUREAU OF | LAND MANAGEMENT | | |
| ty or County: HARNY | Staff contact: JUV | A KR | AUSS |
| gnature: HMOLIKALIA | Phone: Date | | 5/23 |
| vised 2/8/2010 | 541-589-6 | 1613 | |
| vised 2/6/2010 | Land Use Information Form - Page 3 of 3 | | W |

Application for Water Right

Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.

Supporting documentation must be attached.

| state o | f Oregon | | |) | | | | | | | |
|---------|---------------|-----------|---------|----------|----------|---------|------------|--|----------------|-----------------------|------------|
| County | of HARM | M | |) | SS | | | | | | |
| Re | AQU ! | ruko | N | | in my o | apacity | as RA | NGELTHIC | MANA | SUMONT | SPECIALIS |
| mailing | address 2 | 8910 |) t | wy | 20 | W | HiN | ES ON | 97738 | | |
| elepho | one number | 541 | 15 | 73- | 440 | 00 | _ being | first duly swo | rn depose an | d say: | |
| 1. | My knowle | dge of th | ne exe | rcise or | status | of the | water rig | tht is based on | (check one): | RE | CEIVED |
| | Per | sonal ob | oservat | tion | | | Profes | sional expertis | e | FEE | 3 2 1 2023 |
| 2. | I attest that | : | | | | | | | | (| OWRD |
| | Wa Wa | ter was | used d | luring t | he prev | | | on the entire p | olace of use f | or | |
| | 1 | | | | | ; OR | | | | | |
| | A WA | knowle | dge is | specific | to the | use of | water at | the following | Gov't Lot | | ve years: |
| | Certificate # | Tow | nship | Ra | ange | Mer | Sec | % % | or DLC | Acres (if applicab | ole) |
| | 62227 | 7 23 | S | 29 | E | | 13 | SWNW | 200 | | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
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| | | | | | | | | | | | |
| | | | | | | | | | | | |
| OR | | | | | | | | | | | |
| | Confirming | Certifica | te#_ | | | has bee | n issued | within the pa | st five years; | OR | |
| | instream lea | se num | ber is: | | | (Not | te: If the | ne time within entire right pr eeded for the | oposed for | | m.): OR |
| | | ght is no | ot subj | ect to | forfeitu | re and | docume | ntation that a | | | |
| | Water has b | | | | | | | ersion or appro | | more than | |

(continues on reverse side)

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

| 0 = 1 | DX | Pul | la | h | 1 |
|-------|-------|-------|-------|-----|---|
| Sig | natu | re-of | Affia | nt | |
| 1/3 | OUR | FIAR | VER | 1 | |
| 15/ | | 常是 | 36 | 1/2 | |
| 3/16 | 方柱 | - 6 | A | 3 | |
| 1:10 | 20 A4 | - | 想: | | |

Signed and sworn to (or affirmed) before me this Brday of Juvan.

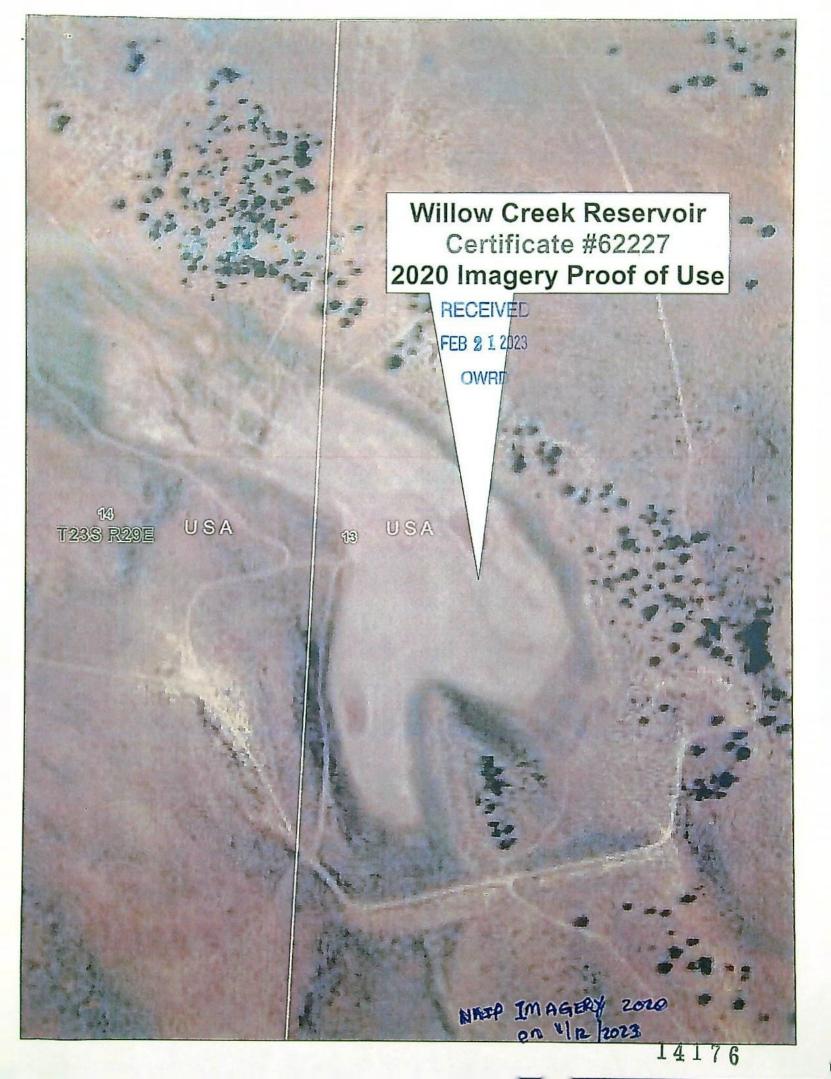
Robinson, Harney County Clerk

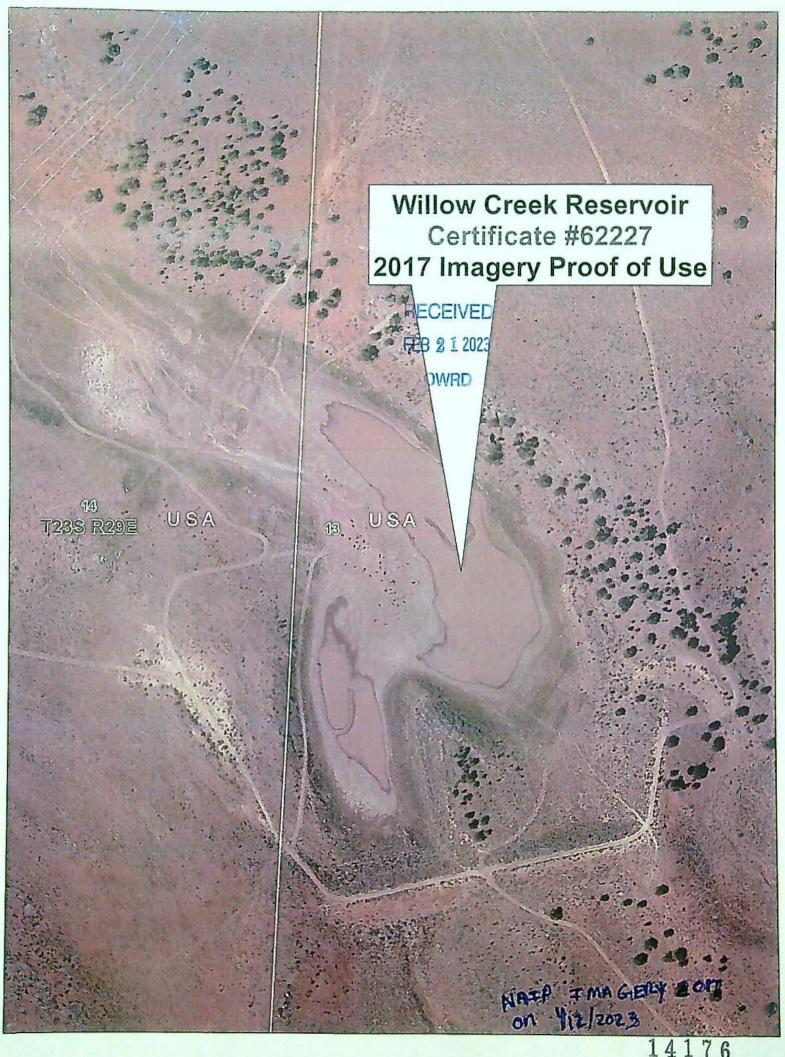
Notary Public for Oregon

Notarial Official as per ORS 194.255 (1)(c)

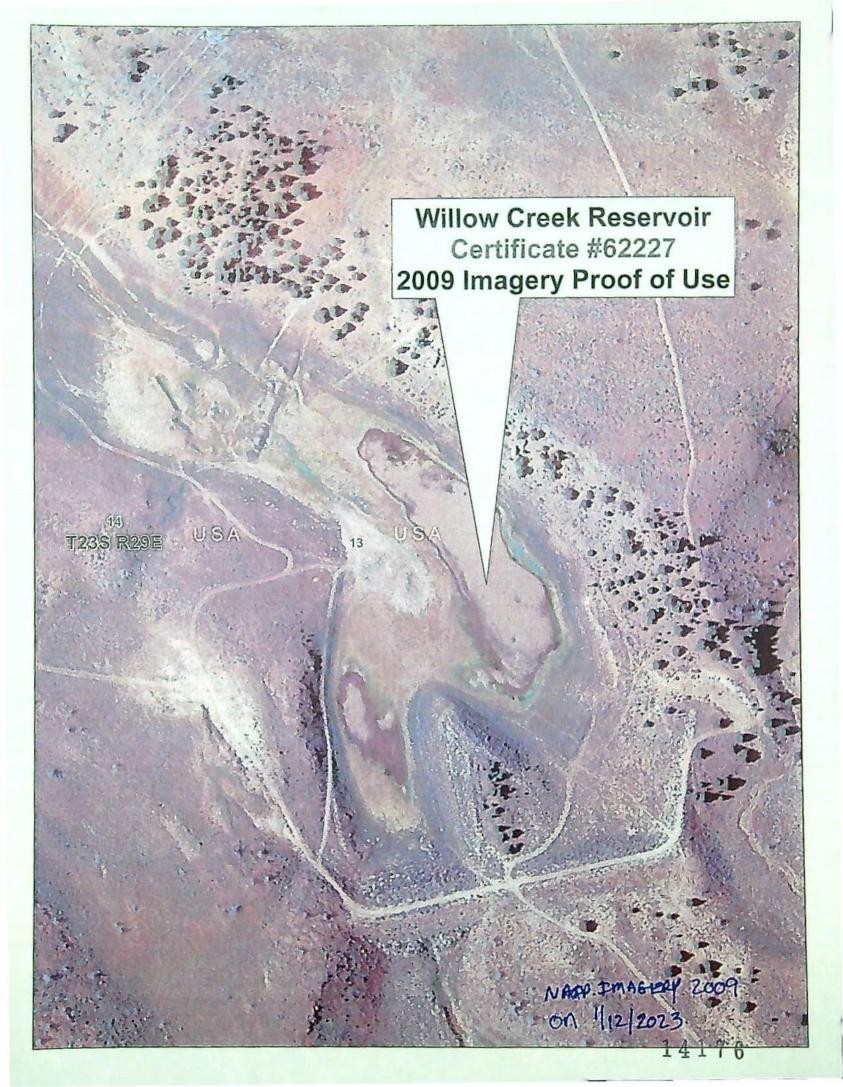
My Commission Expires: pomlay elected office

| • | | 1 |
|---|--|-------------------------------|
| Supporting Documents | Examples | |
| Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate) | Copy of confirming water right certificate that shows issue date | |
| Copies of receipts from sales of irrigated crops or for expenditures related to use of water | Power usage records for pumps associated with irrigation use Fertilizer or seed bills related to irrigated crops Farmers Co-op sales receipt | |
| Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers | IDS Form Linear Doduction Report | ECEIVED B 2 1 2023 OWRD |
| Aerial photos containing sufficient detail to establish location and date of photograph Resevoir constructed an in use on BLM Land Since 1968. | Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU –www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com | |
| Approved Lease establishing beneficial use within the last 5 years | Copy of instream lease or lease number | |





Willow Creek Reservoir Certificate #62227 2016 Imagery Proof of Use FEB 2 1 2023 OWRD 94 USA USA T23S R29E NATP IMA GERY 2016 on 1/12/2023



Application for Water Right

Transfer

Evidence of Use Affidavit



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

Please print legibly or type. Be as specific as possible. Attach additional pages if you need more spacing.

Supporting documentation must be attached.

| state o | of Oregon | | |) | | | | | | | |
|---------|---------------------------------|----------|---|----------|--------|--|-----------|--|--|--------------------------|---------|
| County | of HARA | かり | |) | SS | | | | | | |
| J7 | INA KR | AUS | 5 | | in my | capacity | v as l | THER RIC | SHTS SPE | CINCUST BUE | ens ois |
| mailin | g address 28 | 910 | The | 40 | 10 / | i) | Hin | es or | 9713 | 8 | 130 |
| | one number (| | | | | | | | | | |
| 1. | My knowledg | ge of th | ne exe | rcise or | status | of the | water ri | ght is based o | n (check one): | RECE | IVED |
| | Perso | onal ob | serva | tion | | X | Profes | sional experti | se | FEB 2 | 1 2023 |
| 2. | I attest that: | | | | | | | | | OW | BU |
| | Wate | er was | used c | luring t | he pre | vious fi | ve years | on the entire | place of use f | or | 1110 |
| | 1 | | | | | | | | | | |
| | My k | nowle | dge is | specific | to the | use of | water at | t the following | | thin the last five year | 'S: |
| | Certificate # | Tow | nship | Ra | inge | Mer | Sec | 14 14 | Gov't Lot or DLC | Acres (if applicable) | |
| | (222t) | 23 | S | 29 | E | | 13 | SWNW | 200 | _ | |
| | | | | | | | | | | | |
| | | | | | | | | | | | |
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| | | | | | | | | | | | |
| OR | | | | | | | | | | | |
| | Confirming Co | ertifica | te#_ | | | has be | en issued | d within the p | ast five years; | OR | |
| | | | | | | | | | n the last five | years. The | |
| | instream leas transfer was i | | | | | | | | | eased instream.); OF | |
| | | | STATISTICS OF THE PARTY OF THE | | | | | entation that | a presumption | of forfeiture for no | n-use |
| | would be reb | | | | | V. Transfer Line | | arsion or appr | anriation for | more than | |
| | 10 years for C | | | | | The second of th | | A STATE OF THE PARTY OF THE PAR | The American Street of the Contract of the Con | more triali | |
| | | | | | | | | | | | |

(continues on reverse side)

FISH CULTURE +

| 3. | The water | right was us | sed for: (e.g. | crons | nasture | etc)· | |
|----|-----------|-----------------|----------------|----------|----------|--------|--|
| | c water | HELLE MAN OF M. | seu ioi. (e.g. | , clops, | pasture, | elc.j. | |

 I understand that if I do not attach one or more of the documents shown in the table below to support the above statements, my application will be considered incomplete.

| Dann | 91 | Ami | IM |
|-----------|------------|-----|----|
| Signature | of Affiant | VW | |

Date

COURT HARNEL CO.

Signed and sworn to (or affirmed) before me this 31 day of 100 day of 2023.

Derrin Robinson, Harney County Clerk

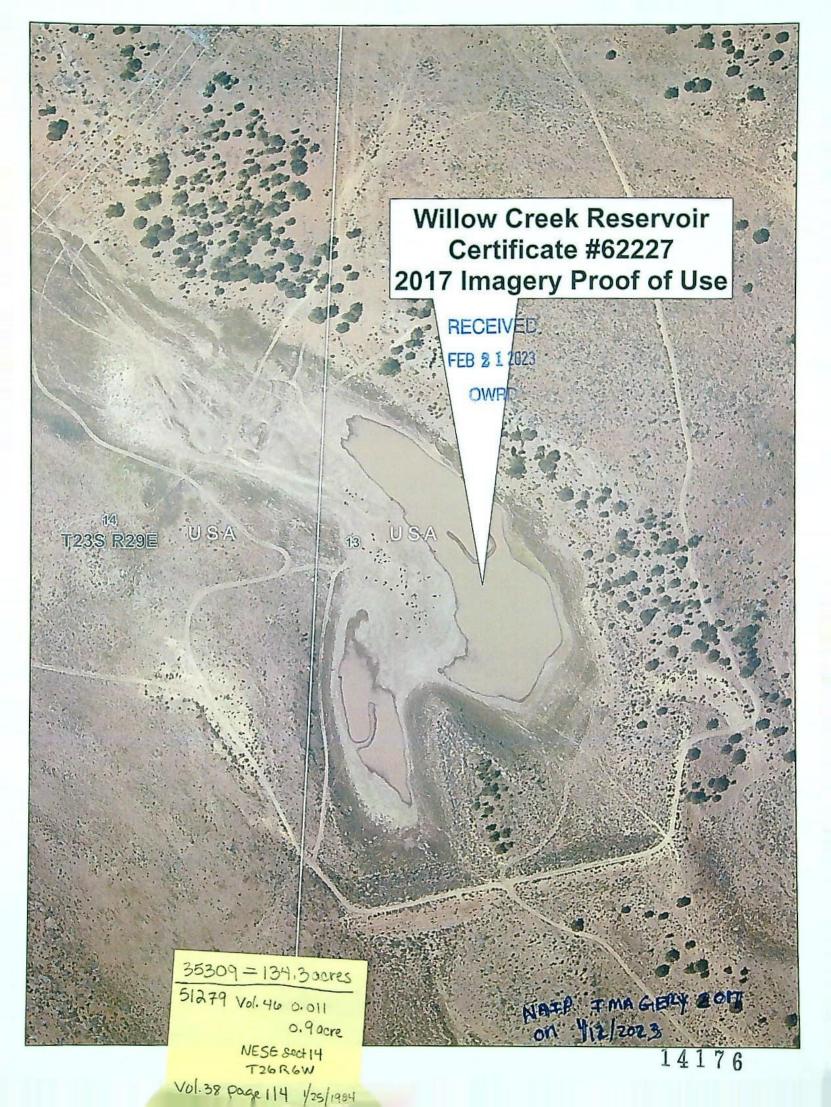
Notary Public for Oregon

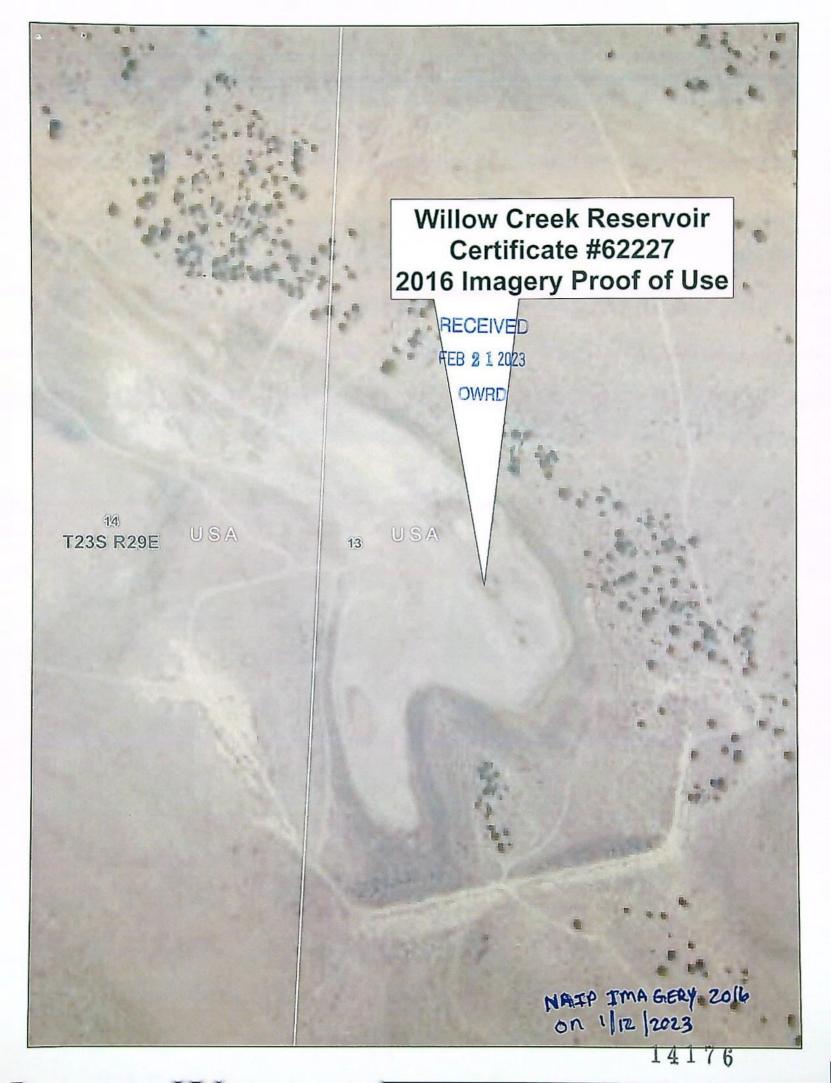
Notarial Official as per ORS 194.255 (1)(c)

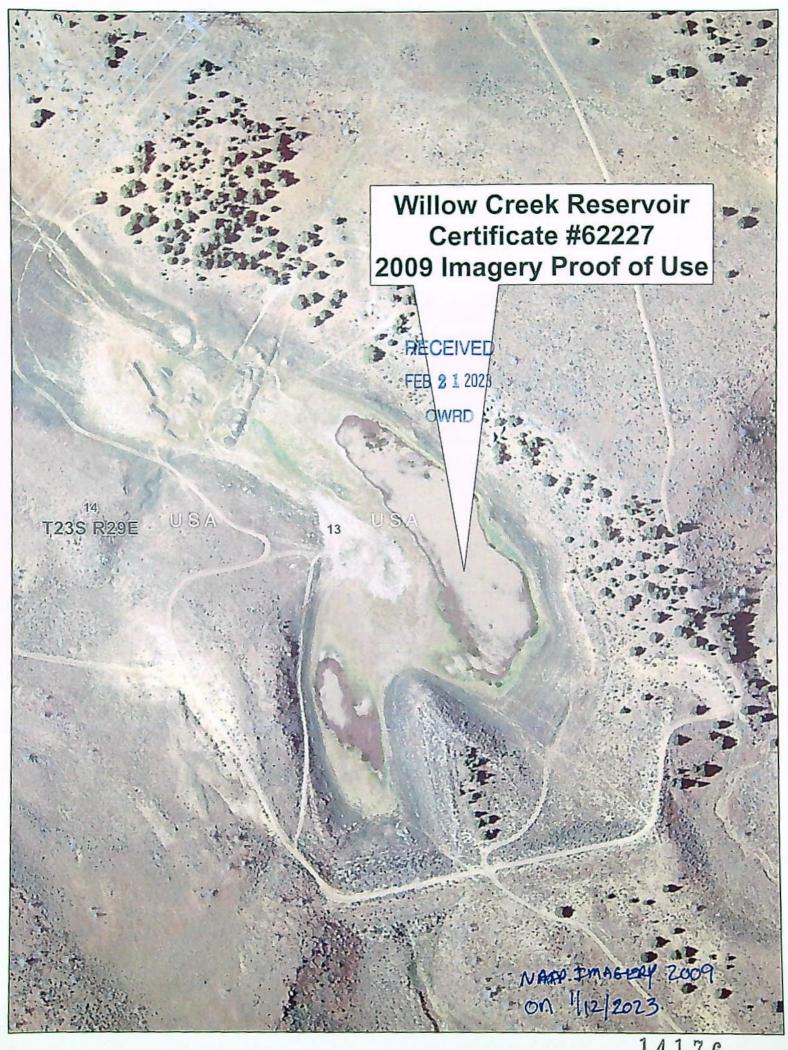
My Commission Expires: upulary clected office

| Supporting Documents | Examples | |
|---|--|----------------------------|
| Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate) | Copy of confirming water right certificate that shows issue date | re |
| Copies of receipts from sales of irrigated crops or for expenditures related to use of water | Power usage records for pumps associated with irrigation use Fertilizer or seed bills related to irrigated crops Farmers Co-op sales receipt | |
| Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers | IRS Farm Usage Deduction Report Agricultural Stabilization Plan | CEIVED 2 1 2023 DWRD |
| Aerial photos containing sufficient detail to establish location and date of photograph Reservoir Constructed and in Use on BLM Land Since 1968 | Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU –www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com | |
| Approved Lease establishing beneficial use within the last 5 years | Copy of instream lease or lease number | |

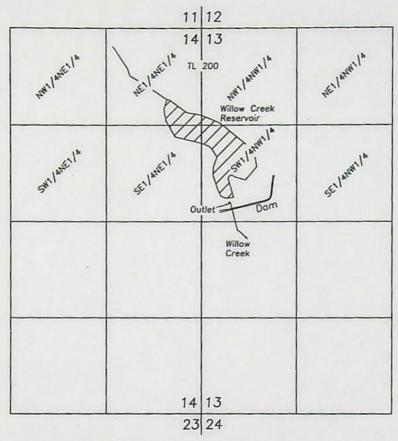








Harney County, Oregon T23S, R29E, W.M.





Outlet is located 2380' South & 390' East of the NW corner of Section 13.

Measuring device is located 45' South of the outlet

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APPLICATION MAP FOR CHANGE OF USE C - 62227

May 26, 2022

LEGEND



C-62227 Priority 9/30/1968

A portion of Tax Lot 23-29 TL200

NOTE: Tax Lot 200 is owned by the BLM and is more that 21,200 acres. Therefore only a portion of the tax lot can be shown.

NOTE: The preparation of this map was for the purpose of identifying the location of the proposed water right and has no intent to provide dimensions or location of property ownership lines.

For

Bureau of Land Management 28910 Hwy 20 W

Hines, OR 97738

Carl Stout STATE OF OREGO May 16, 1995

14176



FEB 2 1.2023
OWRD

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