

T-10410

T-10410

TEMPORARY

Name Wayne Snyder

By _____

Address 7160 South Myrtle Rd
Myrtle Creek, OR 97457
541-863-4153Change in POU POD

Date filed _____

Date of hearing _____

Place of hearing _____

Date of order 8-2-07 Vol. 73, page 27

Date for application of water _____

Proof mailed _____

Proof received _____

Certificate issued _____ Vol. _____, page _____

DESCRIPTION OF WATER RIGHT

Name of stream Myrtle CreekTrib. of South Umpqua River County of DouglasUse IR

Quantity of water _____ No. of acres _____

Name of ditch _____

Date of priority 1930In name of Wayne Snyder

_____ Adjudication, Vol. _____, page _____

App. No. 13236 Per. No. 9485 Cert. No. 11822

Certificate cancelled _____

Notation made on record by _____

FEES PAID

Date	Amount	Receipt No.
<u>6-19-07</u>	<u>153.00</u>	<u>88197</u>
TOTAL . . .		
	Cert. Fee	

FEES REFUNDED

Date	Amount	Check No.

REMARKS

NOTE
Douglas County 1036 SE Douglas Roseburg, OR 97470
LLD: Walter Bergmann 8473 South Myrtle Rd Myrtle Creek OR 97457



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

August 3, 2007

WAYNE L. SNYDER
7160 S MYRTLE RD
MYRTLE CREEK OR 97457

Reference: Temporary Transfer 10410

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 2007 irrigation season.

Sincerely,

Sarah Henderson

for Doug Parrow
Natural Resource Specialist

DP:sh

cc: Watermaster #15
Walter Bergmann (8473 South Myrtle Road, Myrtle Creek, OR 97457)
Douglas County (1036 SE Douglas, Roseburg, OR 97470)

Enclosure

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

In the Matter of Transfer Application	)	FINAL ORDER APPROVING A
T-10410, Douglas County	)	TEMPORARY CHANGE IN POINT OF
	)	DIVERSION AND 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

WAYNE L. SNYDER
7160 S MYRTLE RD
MYRTLE CREEK OR 97457

Findings of Fact

1. On June 19, 2007, Wayne L. Snyder filed an application to temporarily change the point of diversion and place of use under Certificate 11822 for a period of one year. The Department assigned the application number T-10410.
2. The portion of the right to be transferred is as follows:
Certificate: 11822 in the name of G. E. ENDICOTT (perfected under Permit S-9485)
Use: IRRIGATION of 8.0 ACRES
Priority Date: JANUARY 15, 1930
Rate: 0.11 CUBIC FOOT PER SECOND (cfs)
Limit/Duty: ONE-EIGHTIETH cfs per acre
Source: MYRTLE CREEK, tributary to SOUTH UMPQUA RIVER

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q
29 S	4 W	WM	22	SE NE

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
29 S	4 W	WM	22	SE NE	2.0
29 S	4 W	WM	22	NE SE	2.0
29 S	4 W	WM	23	SW NW	3.0
29 S	4 W	WM	23	NW SW	1.0

3. A change in point of diversion is necessary to convey the water to the proposed temporary place of use. Application T-10410 proposes to move the authorized point of diversion approximately 0.25 mile downstream from the existing authorized point of diversion to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
29 S	4 W	WM	21	SE NE	1950 FEET SOUTH AND 500 FEET WEST FROM THE NE CORNER OF SECTION 21

4. Transfer Application T-10410 proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
29 S	4 W	WM	21	SE NE	8.0

5. Notice of the application for temporary transfer was published on June 26, 2007, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
6. The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screening and/or by-pass device is necessary at the new point of diversion to prevent fish from entering the diversion and/or safely transport fish back to the body of water from which the fish were diverted and that the diversion is not currently equipped with an appropriate fish screening and/or by-pass device. This diversion may be eligible for screening cost share funds.
7. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10410.
9. The proposed change would not result in enlargement of the right.
10. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

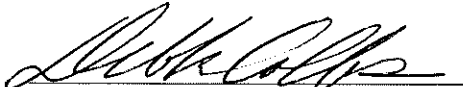
The temporary changes in point of diversion and place of use proposed in Transfer Application T-10410 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. The changes in point of diversion and place of use proposed in application T-10410 are approved.
2. The former place of use **shall not** be irrigated as part of this water right during the 2007 irrigation season.
3. The use shall revert to the authorized place of use at the end of the 2007 irrigation season. The authorization to use the new point of diversion shall be terminated concurrently.
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 Certificate 11822 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 Certificate 11822.
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. When required by the Department, the water user shall install, maintain and operate a headgate to control and regulate the quantity of water diverted. The type and plans of the headgate must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
9. When required by the Department, the water user shall install, maintain and operate an in-line flow meter, weir, or other suitable device for measuring and recording the quantity of water diverted. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
10. Prior to diverting water, the water user shall install a fish screening and/or by-pass device, as appropriate, at the new point of diversion consistent with the Oregon Department of Fish and Wildlife's (ODFW) design and construction standards. Prior to installation, the water user shall obtain written approval from ODFW that the required screen and/or by-pass device meets ODFW's criteria. The water user shall maintain and operate the fish screen and/or by-pass device, as appropriate, at the point of diversion consistent with ODFW's operational and maintenance standards.

11. The use of the remaining water right described by Certificate 11822 shall continue to be in accordance with the terms and conditions of Certificate 11822.

Dated at Salem, Oregon this 2nd day of August, 2007.


Phillip C. Ward, Director

Mailing Date: AUG 07 2007

Water Right Transfer Checklist

1 yr

Transfer T-10410

Transfer Specialist: Susan Douthit

Transfer Type: Temporary

Applicant Name/Address: Wayne Snyder; 7160 South Myrtle Rd; Myrtle Creek, OR 97457

Agent Name/Address: NONE

CWRE Name/Number: NONE

Rec Landowner Name/Address: Current LO: Walter Bergmann; 8473 South Myrtle Rd; Myrtle Creek, OR 97457

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Douglas County 1036 SE Douglas; Roseburg, OR 97470

Commentors: Name/Address: NONE

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	S 13236	S 9485	11822	☐ Yes ☒ No	temp
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: <u>06/19/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU/POD
Fees Pd: <u>183.00</u>	WM District: <u>15</u> ODFW District: <u>Sam Moyer</u>
Initial Notice: <u>06/22/07</u> <u>6/26</u>	WM Review sent: <u>06/22/07</u> ODFW Review sent: <u>06/22/07</u>
Acknowledgement Letter Sent ☒	GW Review sent: <u>NONE</u>

Processing Dates & Actions

Deficiency Contacts: na

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: <u> </u>	Reviewer: <u> </u>	Reviewer: <u> </u>
Date: <u> </u>	Date: <u> </u>	Date: <u> </u>
Coordinator: <u> </u>	Coordinator: <u> </u>	Coordinator: <u> </u>
Date: <u> </u>	Date: <u> </u>	Date: <u> </u>
Comments/Special Issues: <u>Received ODFW review via email 8/1/07</u>		

Special Order Volume: Vol 73 Pages 27 Final Order Signature Date: 8-2-07
 Notice of FO email'd to processors Susan

Application

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

Water right subject to transfer

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

Application Map

- ☒ The map has an original CWRE signature.
- ☒ The map size and scale accurate and appropriate per OAR 690-380-3100(1)(b)(c)&(d).
- ☒ All authorized and proposed POD's/POA's and POU's shown and clearly labeled.
- ☒ Metes and bounds for the POD's/POA's are properly described on the map.
- ☒ The POD/POA dimensions & 1/4 1/4 on map match the transfer application and certificate descriptions.
- ☒ Map acres match the tabulation on the certificate.
- ☒ Have final proof maps/deed maps for the rights. ☐ Application map matches certificate FPS.
- ☒ Have necessary aerial photos.

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

- ☒ Only the authorized POD's/POA's and POU's to be transferred are listed.
- ☒ Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
- ☒ Marked on certificate the acreage being transferred, cancelled and remaining by 1/4 1/4.

Ownership

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

Evaluation (materials needed for peer reviewer in bold)

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

- | | | | |
|---------------------------------------|--|---|--|
| Reviews/comments/conditions received? | ☒ Watermaster | ☒ ODFW | ☐ GW |
| Headgate | ☒ When in the judgment | ☐ Prior to diverting | ☐ Existing and maintain |
| Measuring Devices | ☒ When in the judgment | ☐ Prior to diverting | ☐ Existing and maintain |

Injury: Y (N) Enlargement: Y (N)

Conditions to avoid enlargement/injury - *wa*

July 18, 2007

Transfers Section
Susan Douthit
Water Resource Department
725 Summer St. NE, Suite A
Salem, Or. 97301-1271

Re: Transfer 10410

The Oregon Department of Fish and Wildlife has the proposed water right transfer and offers the following comments.

This application is for a change in POD and place of use. ODFW feels that a change in place of use will have no impact on nearby streams and fish. The change in POD is a move downstream and will improve stream flows for approximately ¼ mile (difference between old POD and new POD). I will need to conduct a screen inspection on the pump prior to this permit being approved.

Feel free to contact me if you have any questions.

Sincerely,

Sam Moyers
Umpqua Assistant District Fish Biologist

rec'd
8-1
via
email
SD

Oregon Department of Fish and Wildlife
Water Right and Diversion Transfer Comment Form
(ODFW provides to WRD so that WRD can make findings according to statutory requirements.)

Reference Transfer #: 10410

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

- ☐ The Oregon Department of Fish and Wildlife (ODFW) believes this proposed transfer may injure an instream water right(s) on _____, tributary to _____. Because,
(Stream) _____

(Please attach any available supporting information.)

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

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

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

Note: This option will yield the following:

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

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

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

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

*Please return all 3 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1271*

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

*rec'd via email
8-1-07
JH*

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

Note: This option will yield the following:

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

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

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

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

Note: This option will yield the following:

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

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

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

Note: This option will yield the following:

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

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

Signature

Printed Name

Title

()

Phone



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-10410

Review Due Date: 7-21-2007

Applicant Name: Wayne Snyder

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

Reviewer(s): David S. Williams

Date of Review: Jul. 7, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☒ Yes ☐ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
South Myrtle Creek has been regulated for senior rights (pre-1930) during low water years (perhaps 2 out of every 10 years).
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: _____

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JUL 10 2007
WATER RESOURCES DEPT
STATE OF OREGON

10. What alternatives may be available for addressing any issues identified above: _____

11. Have headgate notices been issued for the source that serves the right? ☐ Yes ☒ No

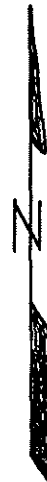
12. What water control and measurement conditions should be included in the transfer:

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

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JUL 10 2007

WATER RESOURCES DEPT
SALEM, OREGON



Parent's No. 9485

Water Rights Platcard Report

from

Meridian: WILLAMETTE Township: 29 South Range: 4 West Section: 22 Records per Page: 100 Search

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40):	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	Unknown QQ
Select Cert:37707 OR *		5/31/1968	DOMESTIC		38									*														
Additional Info: DARRELL MCGARVEY App: S44531 Permit: S33320 Cert: 37707																												
Select Permit:S 53958 *		11/27/2002	DOMESTIC											*														
Additional Info: TIM MCGARVEY App: S85359 Permit: S53958																												
Select Cert:66229 OR *		12/10/1981	DOMESTIC AND LIVESTOCK		38				*																			
Additional Info: MARK RICE App: S63110 Permit: S46659 Cert: 66229																												
Select Cert:76803 OR *		11/15/1991	DOMESTIC EXPANDED		38				*																			
Additional Info: ROBERT F SMITH App: S71994 Permit: S52147 Cert: 76803																												
Select Cert:70655 OR *		1/1/1993	FIRE PROTECTION																*	*								
Additional Info: WALTER R BERGMANN App: R76733 Cert: 70655																												
Select Cert:70655 OR *		1/1/1993	FISH AND WILDLIFE																*	*								
Additional Info: WALTER R BERGMANN App: R76733 Cert: 70655																												

Select	App:P 82479 *	1/28/1997	IRRIGATION						*										
	Additional Info: THEODORE KNUTZEN App: P82479																		
Select	Cert:8517 OR *	5/31/1927	IRRIGATION																
	Additional Info: ELBRIDGE W REDIFER App: S11519 Permit: S7995 Cert: 8517																		
Select	Cert:11822 OR CN	T9764, T9445	1/15/1930	IRRIGATION	CN														
	Additional Info: G ENDICOTT App: S13236 Permit: S9485 Cert: 11822																		
Select	Cert:21800 OR *		1/10/1952	IRRIGATION															
	Additional Info: JACK MARTIN App: S26778 Permit: S20939 Cert: 21800																		
Select	Cert:22967 OR *		7/31/1952	IRRIGATION	38														
	Additional Info: R D MCMURRY App: S27512 Permit: S21674 Cert: 22967																		
Select	Cert:36172 OR *		12/3/1964	IRRIGATION	7														
	Additional Info: WALTER/LUCILLE DAVIDSON App: S40450 Permit: S30152 Cert: 36172																		
Select	Cert:36172 OR *		12/3/1964	IRRIGATION	8														
	Additional Info: WALTER/LUCILLE DAVIDSON App: S40450 Permit: S30152 Cert: 36172																		
Select	Cert:36172 OR *		12/3/1964	IRRIGATION	38														
	Additional Info:																		

930 IRRIGATION

Acreage Legend:	12.25 Regular acreage	12.25 Acreage is on a canceled right	(12.25) Acreage is part of a transfer and has not been proven up on yet (inchoate)	[12.25] Acreage has been suspended	* Acreage is not specified
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Water Rights Platcard Report

Meridian: WILLAMETTE - Township: 29 - South - Range: 4 - West - Section: 23 - Records per Page: 100

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select Cert:42809 OR CN Additional Info: MICHAEL D BROCHU App: S46886 Permit: S35055 Cert: 42809		4/14/1970	COMMERCIAL USES	CN						*														
Select Cert:75835 RR * Additional Info: MICHAEL D BROCHU App: S46886 Permit: S35055 Cert: 75835		4/14/1970	COMMERCIAL USES							*														
Select Cert:39246 CF * Additional Info: MRS F A MOAN App: S9966 Permit: S6647 Cert: 39246	T9337	12/29/1924	DOMESTIC												*									
Select Cert:39246 CF * Additional Info: MRS F A MOAN App: S9966 Permit: S6647 Cert: 39246	T9337	12/29/1924	DOMESTIC		38						*	*	*	*										
Select Cert:50800 OR * Additional Info: LEON DUPPER App: S57394 Permit: S43476 Cert: 50800		5/9/1978	DOMESTIC					*																
Select Cert:65335 OR * Additional Info: RAYMOND H MOOR App: S68668 Permit: S49687		2/7/1986	DOMESTIC EXPANDED		38									*										

Cert: 65335																				
Select	Inchoate: T 6945 CF (REG) *	4/14/1970	DOMESTIC INCLUDING LAWN AND GARDEN			(*)														
Additional Info: RONNIE R EISNER App: S46886 Permit: S35055																				
Select	Cert:70655 OR *	1/1/1993	FIRE PROTECTION																	
Additional Info: WALTER R BERGMANN App: R76733 Cert: 70655																				
Select	Cert:70655 OR *	1/1/1993	FISH AND WILDLIFE																	
Additional Info: WALTER R BERGMANN App: R76733 Cert: 70655																				
Select	Permit:S 41160 *	10/11/1976	IRRIGATION		5.7															
Additional Info: FRANCIS M SPENCER App: S54874 Permit: S41160																				
Select	Permit:S 48175 *	9/27/1983	IRRIGATION			1.9														
Additional Info: ANTHONY JAY SORRELL App: S66898 Permit: S48175																				
Select	Permit:S 51727 *	10/23/1990	IRRIGATION		4.5		0.5													
Additional Info: JACK R DUNSMORE App: S70793 Permit: S51727																				
Select	Cert:11822 OR CN	T9764, T9445	1/15/1930 IRRIGATION CN																	
Additional Info: G ENDICOTT App: S13236 Permit: S9485 Cert: 11822																				
Select	Cert:39246 CF *	T9337	12/29/1924 IRRIGATION																	
Additional Info: MRS F A MOAN App: S9966 Permit: S6647 Cert: 39246																				

Select	Cert:39246 CF *	T9337	12/29/1924	IRRIGATION	38				31.7	31.8	9.6	2.3							
	Additional Info: MRS F A MOAN App: S9966 Permit: S6647 Cert: 39246																		
Select	Cert:42488 OR *		9/16/1970	IRRIGATION			0.9												
	Additional Info: T A THOMPSON App: S47532 Permit: S35071 Cert: 42488																		
Select	Cert:42809 OR CN		4/14/1970	IRRIGATION	CN		0.6												
	Additional Info: MICHAEL D BROCHU App: S46886 Permit: S35055 Cert: 42809																		
Select	Cert:50800 OR *		5/9/1978	IRRIGATION		0.5													
	Additional Info: LEON DUPPER App: S57394 Permit: S43476 Cert: 50800																		
Select	Cert:57663 OR *		6/30/1975	IRRIGATION	4						0.1								
	Additional Info: RAYFORD L. ATKESON, JR. App: S53352 Permit: S39583 Cert: 57663																		
Select	Cert:57663 OR *		6/30/1975	IRRIGATION	38						4.2								
	Additional Info: RAYFORD L. ATKESON, JR. App: S53352 Permit: S39583 Cert: 57663																		
Select	Cert:64832 OR *		9/15/1980	IRRIGATION		0.9	2												
	Additional Info: JIMMIE L MORRIS App: S60670 Permit: S45394 Cert: 64832																		
Select	Cert:75835 RR *		4/14/1970	IRRIGATION			0.35												
	Additional Info:																		

subject

Acreege Legend:	12.25 Regular acreege	12.25 Acreege is on a canceled right	(12.25) Acreege is part of a transfer and has not been proven up on yet (inchoate)	[12.25] Acreege has been suspended	* Acreege is not specified
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**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

725 Summer St. N.E. Ste. A
SALEM, OR 97301-4172

(503) 986-0900 / (503) 986-0904 (fax)

RECEIPT # **88197**

INVOICE # _____

RECEIVED FROM: Snyders Greenhouse & Nursery
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-10410</u>

CASH: ☐ CHECK: # 8216 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 183.00

1083 TREASURY 4170 WRD MISC CASH ACCT

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

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER \$ _____ 0202 \$ _____
0203 GROUND WATER \$ _____ 0204 \$ _____

0205 TRANSFER \$ 183.00

WELL CONSTRUCTION

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

OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

TREASURY OTHER / RDX

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

RECEIPT: **88197**

DATED: 6-17-07

BY: [Signature]



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

Application for Water Right Transfer

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

1. TYPE OF TRANSFER APPLICATION

Please check one	
☐ Permanent Transfer	☐ Instream Transfer
☒ Temporary Transfer	☐ Permanent
• total number of years: <u>One</u>	☐ Time-Limited
(begin year: <u>3/1/2007</u>)	☐ Drought Transfer
(end year: <u>10/31/2007</u>)	☐ Other

2. APPLICANT INFORMATION

Name: Wayne Snyder

First

Last

Address: 7160 South Myrtle Road

Myrtle Creek

OR

97457

City

State

Zip

Phone: 541-863-4153

Home

Work

Other

Fax: _____ 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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SALEM, OREGON

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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.	13236	9485	11822
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (*Description of Proposed Change(s) to a Water Right*) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - ☒ Place of Use ☒ Point of Diversion ☐ Additional Point of Diversion
 - ☐ Character of Use ☐ Point of Appropriation ☐ Additional Point of Appropriation
 - ☐ Instream Transfer ☐ Surface Water source to Ground Water source
- Reason(s) for change(s): Temporarily change (through 10/31/2007) POD and POU to
allow use of an older right on lands regulated for an ISWR.

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.

7 HP pump to 4" mainline to 20+ rainbird sprinklers.

- System capacity: 0.12 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

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6. EVIDENCE OF BENEFICIAL WATER USE

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

7. AFFECTED DISTRICTS AND LOCAL GOVERNMENTS

- Are any of the water rights proposed for transfer located within or served by an irrigation or other water district? ☐ Yes ☒ No
- Will any of the water rights be located within or served by an irrigation or other water district after the proposed transfer? ☐ Yes ☒ No
- Is water for any of the rights supplied under a water service agreement or other contract for stored water with a federal agency or other entity? ☐ Yes ☒ No

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

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

Douglas County, 1036 SE Douglas, Roseburg, OR 97470

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8. LAND OWNERSHIP

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

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

Names of Current Landowner(s): Walter Bergmann
First Last

Address: 8473 South Myrtle Road

Myrtle Creek OR 97457
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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SALEM, OREGON**

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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: \$ 183.00
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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SALEM, OREGON

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

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

10. SIGNATURES

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

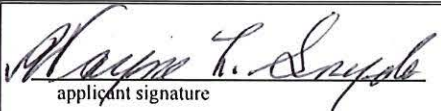
☒ In accordance with OAR 690-380-3000(13)(a), I (we) understand that prior to Department approval of a permanent transfer and upon my receipt of a draft Preliminary Determination for the proposed transfer, I (we) will be required [pursuant to OAR 690-380-4010(5)] to provide the following landownership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

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

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

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

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

 applicant signature	<u>Wayne Snyder</u> name (print)	<u>6-4-07</u> date
_____ applicant signature	_____ name (print)	_____ date

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WATER RESOURCES DEPT
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FS

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: 11822

1. TYPE OF CHANGE(S) PROPOSED

(Check *all* that apply.)

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

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2. CURRENT WATER RIGHT INFORMATION

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

☒ Certificated Right	11822	
	Certificate Number	Permit Number or Decree Name
☐ Adjudicated, Non-certificated Right		
	Name of Decree	Page Number
☐ Permit for which Proof has been Approved		
	Permit Number	Date Claim of Beneficial Use Submitted
☐ Transferred Right for which Proof has been Filed		
	Previous Transfer Number	Date Claim of Beneficial Use Submitted

- Name on Permit, Certificate, or Decree: G. E. Endicott
- County: Douglas
- Authorized Use(s) to be Affected by Transfer: Irrigation
- Priority Date(s): January 15, 1930

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: South Myrtle Creek

Tributary to: Myrtle Creek

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

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

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

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

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

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

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SALEM, OREGON**

▪ Certificate Number or other identifying number: 11822

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)
	South Myrtle Creek	29S	4W	WM	22	SENE		Not listed on certificate.
	South Myrtle Creek	29S	4W	WM	23	SWNW		Not listed on certificate.

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

☐ Yes ☒ No (Surface water source only.)

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

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

or

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

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

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

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

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▪ Certificate Number or other identifying number: 11822

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

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

Location of Existing Authorized Place of Use to be Affected:

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

[illegible]

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WATER RESOURCES DEPT
SALEM, OREGON

T 10410

▪ Certificate Number or other identifying number: 11822

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)
South Myrtle Creek	29S	4W	WM	21	SENE		1950' South & 500' West from NE corner Sec. 21

- 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: 11822

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)
South Myrtle Creek	29S	4W	WM	21	SENE		8.0

Remarks: Temporary transfer (through 10/31/2007) for eight acres of irrigation right.

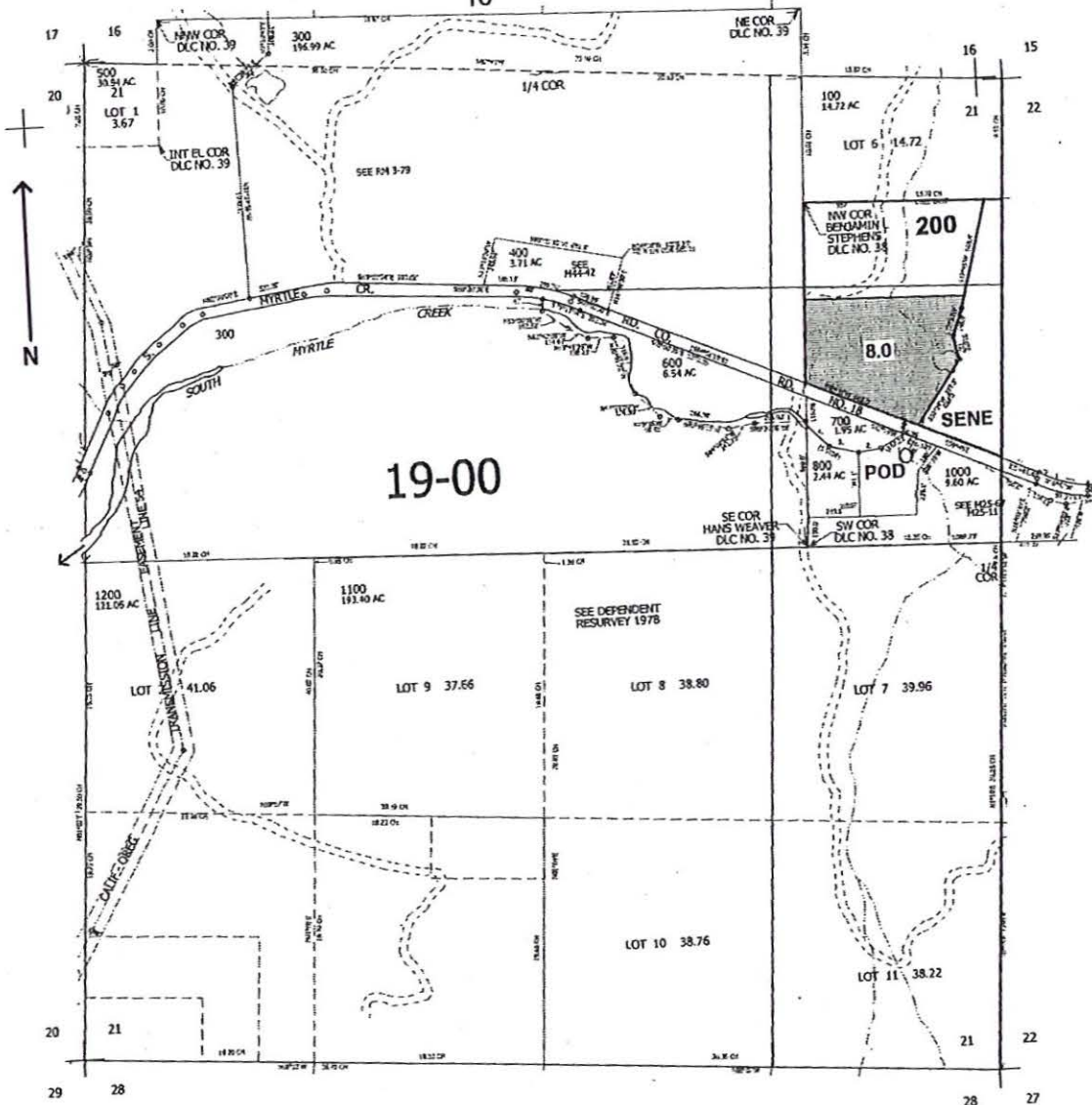
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JUN 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

I 10410

SEC. 21 T. 29S. R. 4W. W.M.
DOUGLAS COUNTY
Scale: 1" = 1000'
PERMIT 9485
TO



POD is located 1950 ft. S. and 500 ft. W. from the NE corner of Sec. 21

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JUN 19 2007

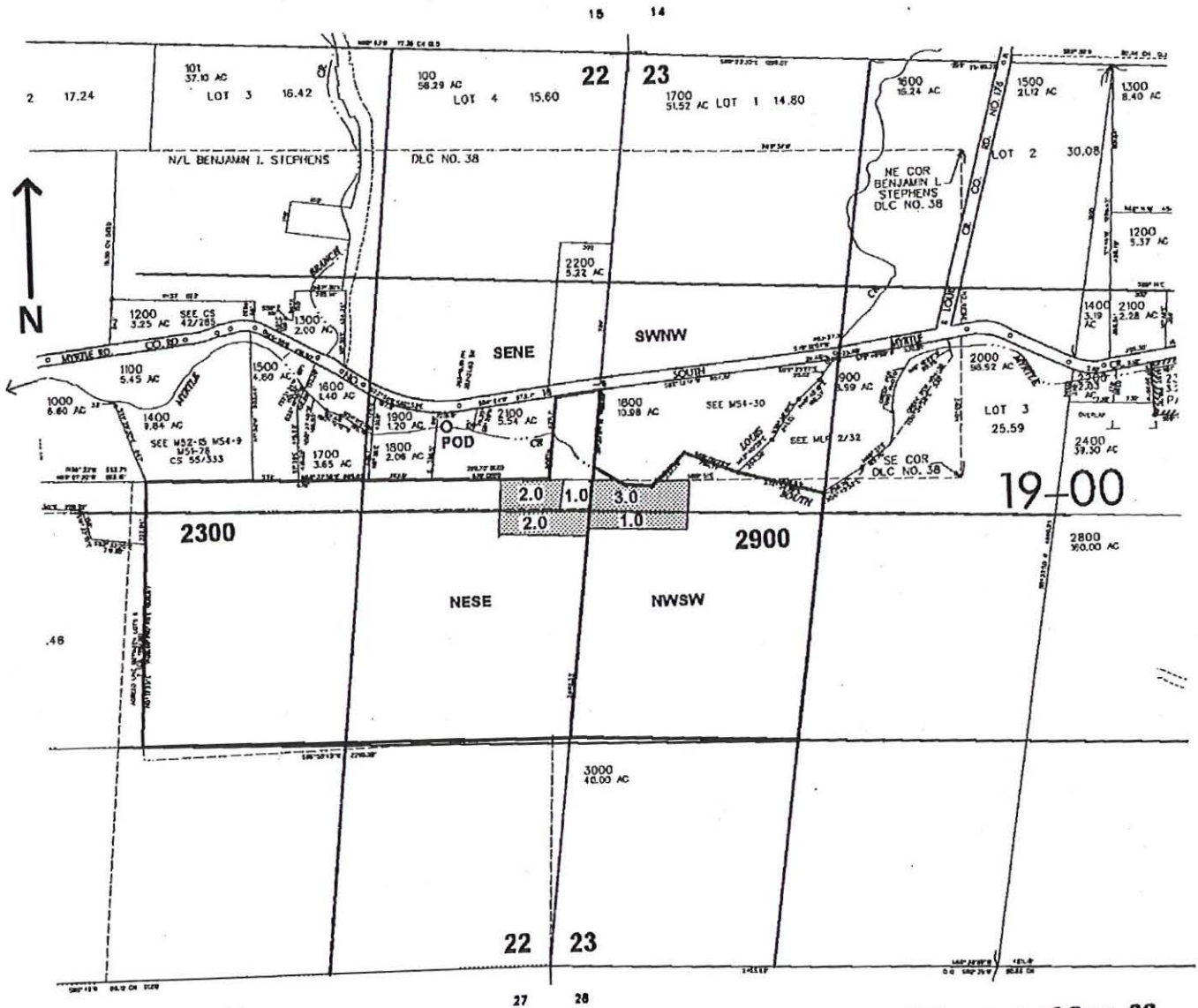
WATER RESOURCES DEPT
SALEM, OREGON

10410

T.29S. R.4 W. W.M.
DOUGLAS COUNTY
Scale: 1" = 1000'

PERMIT 9485

FROM



POD of record is located S. 22 deg., 34 min. W., 2256.5 ft. from the NE corner of Sec. 22

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WATER RESOURCES DEPT
SALEM, OREGON

2 10410

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

State of Oregon)
) ss
 County of Douglas)

I, David S. Williams, in my capacity as District 15 Watermaster,
 mailing address 1036 SE Douglas, Roseburg, OR 97470
 telephone number (541) 440-4255, 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)
29	S	4	W	WM	21	SENE		8.0/9.0

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JUN 19 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):
Irrigation of 8.0/9.0 acres on Tax Lot 200, SE¼NE¼, Section 21, T29S, R4W as covered by
Drought Transfers T-8843 & T-9185 and Temporary Transfers T-9445, T-9764 & T-9902.

5. The water delivery system used to apply water as authorized by the right is described below:
7.5 HP pump with 4" mainline and 18 rainbird sprinklers.

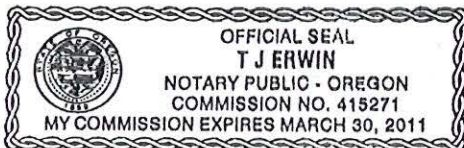
6. One or more of the following documentation supporting the above statements is attached:

- ☐ 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: I have documented water use on the subject property under the above noted
transfers during my regulation on South Myrtle Creek.

David Williams
Signature of Affiant

6-4-2007
Date

Signed and sworn to (or affirmed) before me this 4th day of June, 2007.



T J Erwin
Notary Public for Oregon

My Commission Expires March 30, 2011

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

Supplemental Form B

RECEIVED

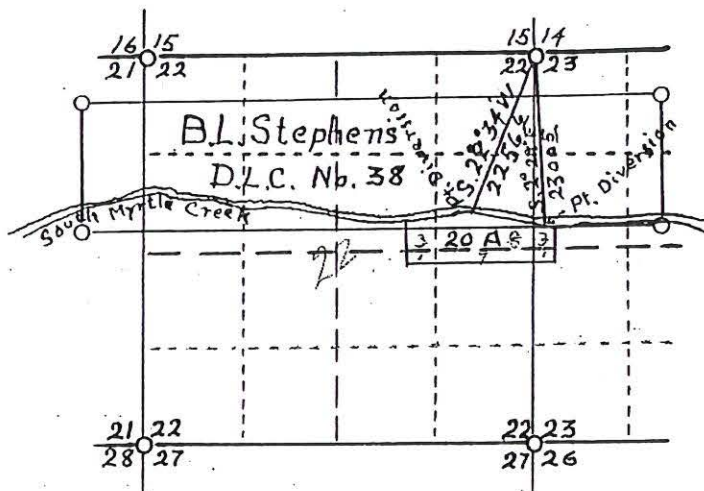
- 2 -

JUN 19 2007

Affidavit Attesting to the Use of Water

WATER RESOURCES DEPT
SALEM, OREGON

T 10410



MAP OF G.E. ENDICOTT WATER FILING IN

SEC. 22-23 T.29S. R.4W. W.M.

Douglas County, Oregon.
Office of

H. L. Eppstein Co. Surveyor

CERTIFICATE OF SURVEYOR

I, H. L. Eppstein, of Roseburg, Oregon, do hereby certify that this map was made from notes taken during an actual survey under my immediate supervision, and that it correctly represents the work described in the accompanying application together with the location of streams and other ditches in the immediate vicinity.

H. L. Eppstein
Registered Professional Engr.

License No. 1011

Nov. 8, 1920.

Application No. 13236

Permit No. 9485

RECEIVED

JUN 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

* - - Property Data Selection Menu - -

Owner: BERGMANN, WALTER R

Prop ID : R56175 (11442.00) (168721) 8473 S MYRTLE RD

Map Tax Lot: 29-04W-22-02300 MYRTLE CREEK, OR 97457

Legal : ACRES 84.00, (1) PT M&B V106 P421

LTS 5-6: (2) PT M&B V79 P97 LESS PT*

Situs : 8473 SOUTH MYRTLE RD Year Built : 2002

MYRTLE CREEK, OR 97457 Living Area: 2560

Name(s) : 2006 Roll Values

Code Area : 01900	RMV Land Non-LSU	\$	0 (+)
Sale Info :	RMV Land LSU	\$	221,211 (+)
Deed Type : WD	RMV Improvements	\$	297,097 (+)
Instrument: 68-6805	RMV Total	\$	518,308 (=)
	Land LSU	\$	26,768
2006 Tax Status * No Taxes Due *	Total Exemptions	\$	0
Current Levied Taxes : 1,481.47	M5 Net Value	\$	331,221
Special Assessments : 130.18	M50 Assd Value	\$	217,825
2007-08 SB125 Taxes :			

(AD) Alt Disp (O)wnership	(Y) primary (H)istory	(SE)condary (W) Spec Assmt	(L)and/Impr (.) More
------------------------------	--------------------------	-------------------------------	-------------------------

Enter Option from Above or <RET> to Exit: __

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JUN 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

I 10410

REVISED ON
6-24-02

29 4 22



29 4 22

RECEIVED
JUN 19 2007
WATER RESOURCES DEPT
SALEM, OREGON

KNOW ALL MEN BY THESE PRESENTS, That EZMOND L. LEWIS and IRENE H. LEWIS, Husband and Wife

in consideration of Ten and no/100ths-----Dollars,
and other good and valuable consideration.
to them paid by WALTER R. BERGMANN and PATRICIA BERGMANN, Husband and
Wife
do hereby grant, bargain, sell and convey unto said WALTER R. BERGMANN and PATRICIA
BERGMANN, Husband and Wife, their
heirs and assigns, all the following real property, with the tenements, hereditaments and appurtenances situated
in the County of Douglas and State of Oregon, bounded and described as follows, to-wit:

Parcel 1. Lots 5 and 6, Section 22, Township 29 South, Range 4 West, Willamette Meridian, Douglas County, Oregon.

Parcel 2. The following described property in Section 22, Township 29 South, Range 4 West, Willamette Meridian, Douglas County, Oregon: Beginning at the intersection of the South boundary of the Benjamin L. Stephens Donation Land Claim No. 38 and the section line between Sections 22 and 23, said township and range, thence West along the said claim line 250 feet; thence North 200 feet to the center line of South Myrtle Creek; thence upstream along said center line to the east line of Section 22; thence South along said section line, 55 feet to the place of beginning.

Together with an easement for road purposes over the following described parcel: Beginning at a point 55 feet North of the intersection of the south boundary of Claim No. 38 and the east line of Section 22, above described, being in the center of South Myrtle Creek; thence North along said section line 400 feet to the County Road No. 18; thence Westerly along the south line of said County Road 20 feet; thence South parallel with the east line of said Section 22 to the center of South Myrtle Creek; thence upstream along said center line to the place of beginning.

Parcel 3. Lot 4, Section 23, Township 29 South, Range 4 West, Willamette Meridian, Douglas County, Oregon. Excepting from the above described property that part sold to Douglas County for road purposes by deed recorded in Volume 249, Page 534, Deed Records of Douglas County, Oregon.

To Have and to Hold, the above described and granted premises unto the said Walter R. Bergmann and Patricia Bergmann, husband and wife

heirs and assigns forever.

And Ezmond L. Lewis and Irene H. Lewis, husband and wife

the grantor
above named do covenant to and with the above named grantees, their heirs and assigns that
they are lawfully seized in fee simple of the above granted premises, that the above granted premises
are free from all encumbrances.

and that they will and their heirs, executors and administrators, shall warrant and forever defend the
above granted premises, and every part and parcel thereof, against the lawful claims and demands of all
persons whomsoever,

Witness their hands and seals this 30 day of April, 1964.

Ezmond L. Lewis (SEAL)

Irene H. Lewis (SEAL)

(SEAL)

(SEAL)

10410

STATE OF OREGON,

County of Douglas

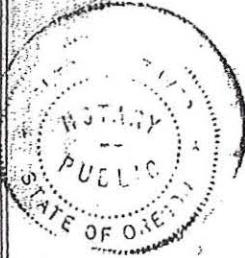
BE IT REMEMBERED, That on this 30 day of April, 1964, before me, the undersigned, a Notary Public in and for said County and State, personally appeared the within named EDMOND L LEWIS & IRENE H. LEWIS

known to me to be the identical individual & described in and who executed the within instrument and acknowledged to me that THEY executed the same freely and voluntarily.

IN TESTIMONY WHEREOF, I have hereunto set my hand and affixed my official seal the day and year last above written.

Ellen J. Zuercher
Notary Public for Oregon.
My Commission expires

My Commission Expires May 20, 1966



88-6505 309d

WARRANTY DEED

(FORM NO. 102)

STEVENS-HERR LAW FIRM, CO., PORTLAND, ORE.

STATE OF OREGON,

County of Douglas

I certify that the within instrument was received for record on the 24th day of June, 1968, at 11:15 a.m., and recorded in book 410 on page 677, Record of Deeds of said County.

Witness my hand and seal of County affixed.

G. D. Myllanbeck

County Clerk-Recorder.

Barbara W. Wagoner
Deputy.

WHEN RECORDED RETURN TO

RECORDS

*So Myrtle Rd. Box 246
Myrtle Creek, Ore*

97457

RECEIVED

JUN 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

10410

*

- - Property Data Selection Menu - -

Owner: BERGMANN, WALTER R
 Prop ID : R56336 (11446.00) (168721) 8473 S MYRTLE RD
 Map Tax Lot: 29-04W-23-02900 MYRTLE CREEK, OR 97457
 Legal : ACRES 38.00, MS X# 239303, (1) M&B
 INST 74-12014 (2) PT INST 295300: L*

Situs : 8471 SOUTH MYRTLE RD
 MYRTLE CREEK, OR 97457

Year Built :

Living Area:

Name(s) :

2006 Roll Values

Code Area : 01900

RMV Land Non-LSU \$ 57,165 (+)

Sale Info :

RMV Land LSU \$ 49,760 (+)

Deed Type : WD

RMV Improvements \$ 1,123 (+)

Instrument: 74-12014

RMV Total \$ 108,048 (=)

2006 Tax Status * No Taxes Due *

Land LSU \$ 8,297

Current Levied Taxes : 167.83

Total Exemptions \$ 0

Special Assessments : 77.98

M5 Net Value \$ 69,330

2007-08 SB125 Taxes :

M50 Assd Value \$ 24,676

(AD) Alt Disp
 (O)wnership

(Y) primary
 (H)istory

(SE)condary
 (W) Spec Assmt

(L)and/Impr
 (.) More

Enter Option from Above or <RET> to Exit: __

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JUN 19 2007

WATER RESOURCES DEPT
 SALEM, OREGON

T 10410

SEC. 23 T.29S. R.4 W. W.M.
DOUGLAS COUNTY

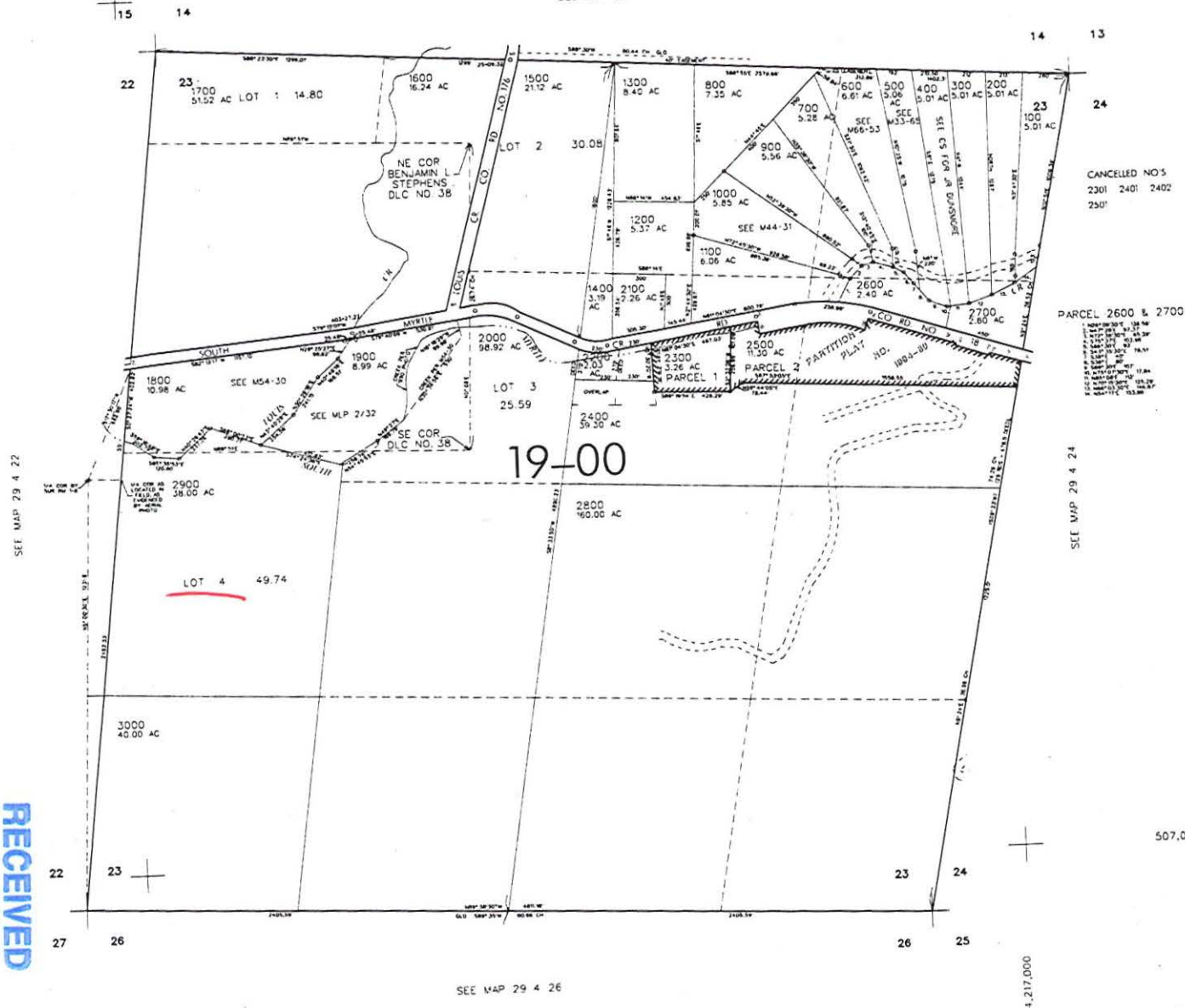
REVISED ON
7-31-03

29 4 23

THIS MAP WAS PREPARED FOR
ASSESSMENT PURPOSE ONLY

1"=400'

SEE MAP 29 4 14



29 4 23

RECEIVED

JUN 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

SEE MAP 29 4 26

4,217,000

507,000

1967

KNOW ALL MEN BY THESE PRESENTS, That FRANK E. GUIDO and NINA N. GUIDO,
husband and wife

hereinafter called grantor,
for the consideration hereinafter stated, does hereby remise, release and quitclaim unto
WALTER R. FERGAMAN and PATRICIA FERGAMAN, husband and wife

hereinafter called grantee, and unto grantee's heirs, successors and assigns all of the grantor's right, title and interest
in that certain real property with the tenements, hereditaments and appurtenances thereunto belonging or in any-
wise appertaining, situated in the County of Douglas, State of Oregon, described as follows, to-wit:

All that portion of the J. E. Stephen Donation Land Claim No. 38,
in Section 23, Township 29 South, Range 4 West, Willamette Meridian,
Douglas County, Oregon, lying south of Myrtle Creek Road and lying
west and south of the following described line: Beginning at a
point on the southerly right of way line of South Myrtle Creek Road
which bears North 17° 37' 17" East 662.93 feet from the quarter
corner common to Sections 22 and 23, Township 29 South, Range 4
West, Willamette Meridian, thence South 0° 27' 24" West 402.82 feet
to the center line of South Myrtle Creek; thence along said center
line South 59° 16' 48" East 202.79 feet; South 85° 35' 53" East
120.60 feet; North 40° 26' 43" East 237.26 feet; South 68° 00' 23"
East 290.71 feet, and South 74° 24' 36" East to a point on the east-
erly line of said Government Lot 4.

RECEIVED

JUN 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantee and grantee's heirs, successors and assigns forever.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ none.

However, the actual consideration consists of or includes other property or value given or promised which is
part of the consideration (indicate which).^⓪

In construing this deed the singular includes the plural as the circumstances may require.

Witness grantor's hand this 29th day of August, 1974.

STATE OF OREGON, County of Douglas) ss. August 29, 1974.
Personally appeared the above named Frank E. Guido and Nina N. Guido

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

Before me:

Notary Public for Oregon

My commission expires April 17, 1977

NOTE: Difference between the symbols ⓪, if not applicable, should be deleted. See Chapter 462, Oregon Laws 1967 as amended by the 1967 Special Session.

QUITCLAIM DEED

TO

AFTER RECORDING RETURN TO

WALTER R. FERGAMAN
629 E. MAIN ST.
SEASIDE, OREGON

(DON'T USE THIS
SPACE! RESERVED
FOR RECORDING
LABEL IN COUN-
TIES WHERE
USED.)

STATE OF OREGON,

County of Douglas

I certify that the within instru-
ment was received for record on the
30th day of Aug., 1974,
at 2:25 o'clock P.M. and recorded
in book 554 on page 136.
Record of Deeds of said County.

Witness my hand and seal of
County affixed.

G. D. Mylilenbeck

County Clerk Title

By Mylilenbeck Deputy



Oregon Water Resources Department
Land Use Information Form

THIS FORM IS NOT REQUIRED IF: 1) water is to be diverted, conveyed, and/or used only on federal lands; or 2) the application is for a water-right transfer, allocation of conserved water, exchange, permit amendment, or ground water registration modification, and all of the following apply: a) only the place of use is proposed for change, b) there are no structural changes, c) the use of water is for irrigation, and d) the use is located in an irrigation district or exclusive farm-use zone.

Applicant Name: Wayne Snyder
Mailing Address: 7160 South Myrtle Road
City: Myrtle Creek State: OR Zip: 97457 Day Phone: 541-863-4153

This application is related to a Measure 37 claim. ☐ Yes ☒ No

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g. Rural Residential/RR-5)	Water to be:	Proposed Land Use:
29S	4W	21	SENE	200		☒ Diverted ☒ Conveyed ☒ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	
						☐ Diverted ☐ Conveyed ☐ Used	

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

B. Description of Proposed Use

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

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

Source of water: ☐ Reservoir/Pond ☐ Ground Water ☒ Surface Water (name) South Myrtle Creek

Estimated quantity of water needed: 0.10 ☒ cubic feet per second ☐ gallons per minute ☐ acre-feet

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

Briefly describe: Temporary transfer for eight acres of irrigation.

Note to applicant: If the Land Use Information Form cannot be completed while you wait, please have a local government representative sign the receipt below and include it with the application filed with the Water Resources Department.

Receipt for Request for Land Use Information

State of Oregon
Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301-1266

RECEIVED

JUN 19 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

T 10410

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In that case, only the city planning agency must complete this form.

This deals only with the local land-use plan. Do not include approval for activities such as building or grading permits.

Please check the appropriate box below and provide the requested information

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

Type of Land-Use Approval Needed (e.g. plan amendments, rezones, conditional-use permits, etc.)	Cite Most Significant, Applicable Plan Policies & Ordinance Section References	Land-Use Approval:	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursued

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

DOUGLAS COUNTY PLANNING DEPARTMENT
ROOM 106, JUSTICE BUILDING
DOUGLAS COUNTY COURTHOUSE
ROSEBURG, OR 97470

WORK SHEET

Name: G. WAYNE BATES Title: EIS
Signature: G. Wayne Bates Phone: 440-4289 Date: 6-4-07
Government Entity: Douglas County Planning Department

Note to local government representative: Please complete this form or sign the receipt below and return it to the applicant. If you sign the receipt, you will have 30 days from the Water Resources Department's notice date to return the completed Land Use Information Form or WRD may presume the land use associated with the proposed use of water is compatible with local comprehensive plans.

Receipt for Request for Land Use Information

Applicant name: _____
City or County: _____ Staff contact: _____
Signature: _____ Phone: _____ Date: _____

RECEIVED

JUN 19 2007

WATER RESOURCES DEPT
SALEM, OREGON

AFFIDAVIT
GRANTING PERMISSION FOR A TEMPORARY WATER RIGHT TRANSFER

State of Oregon)
) ss
County of Douglas)

I, Walter R. Bergmann, residing at 8473 South Myrtle Road, Myrtle Creek, Oregon 97457, phone number 541-863-4649, being first duly sworn, depose and say:

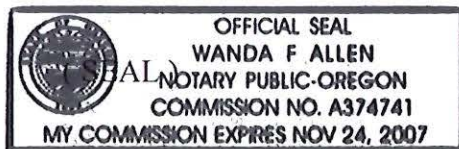
1. I am the legal owner of the property(s) described as Tax Lots 2300 & 2900, Sections 22 & 23, Township 29 S., Range 4 W., of the Willamette Meridian, in Douglas County, Oregon.
2. Water right certificate number 11822 issued to G. E. Endicott with a date of priority of January 15, 1930 for the use of 0.10 cubic foot per second of water from South Myrtle Creek for the purpose of irrigation on eight acres is appurtenant to the property heretofore described.
3. I hereby grant permission for the Temporary Transfer of the above described right to property located at T29S, R4W, Section 21, Tax Lot 200 owned by Wayne L. and Hilda Snyder.

Walter R. Bergmann
Signature of Legal Owner

8 June 2007
Date

Sworn to and subscribed before me this 8th day of June 2007.

Wanda F. Allen
Notary Public for the State of Oregon



My commission expires: 11-24-07

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JUN 19 2007

**WATER RESOURCES DEPT
SALEM, OREGON**

1 10410

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

Temporary Transfer Application – OAR 690-380 3000 & 3100

Completeness Checklist

Applicant's Name: _____

Wayne Snyder

(Form last revised: March 13, 2007)

Section A – Status of Right

Is this a Water Right that can be transferred?

[OAR 690-380-0100(14)]

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

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

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

Section B – Type of Change

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

[ORS 540.523]

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

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

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

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

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

Section C - Fees

Have the appropriate fees been paid?

Total Required Fees:

183.00

Fee Schedule – ORS 536.050(1)(i)

Total Fees Paid:

183.00

\$175 - Base (1st CFS of water)

+ \$ 1 - Per acre of land irrigated

Fees Due (if any):

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

Refund Due (if any):

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

Section D – Completeness

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

Is the Temporary Transfer application complete?

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

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

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

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

- Type of transfer application clearly marks Temporary and indicates the number of years.

(Page 1)

- Applicant's name, mailing address and contact information.

(Page 1)

- Agent's name, mailing address and contact information, if applicable.

(Page 1)

- Are the water rights to be affected by this temporary transfer listed?

(Page 2)

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

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

OK	• Is there a box checked in #2?	(Page 1)
OK	• Does the description of POU on page 4 of the supplemental form A application, match authorized POU in question #3?	(Page 1)
OK	• In question #4 and #5 are they filled out.	(Page 2)
OK	• Is there a box checked in #6?	(Page 2)
OK	• Is the #6 supporting documentation included with application?	(Page 2)
OK	• Is there an original signature of the notary and notary stamp?	(Page 2)
	Return back to Page 3 of transfer application	
OK	• Affected districts and local governments. If within a district/local government jurisdiction, ensure that name & mailing address is provided. And agreement with district to deliver water to "To" lands	(Page 3)
OK	• Is the applicant the Landowner of the "from" and "to" Lands? YES NO If NO The applicant must list current landowner name & address. And include a notarized statement granting consent to the transfer from each landowner.	(Page 4)
OK	• Who will be responsible for completion of the changes? Is a box checked? If no box is checked the applicant or agent must be contacted.	(Page 4)
OK	• Map..... ___ if more than 3 rights are included in transfer, is there a separate map for each water right? ___ If larger than 8 ½ X 14 - then 3 copies of map is needed & an electronic pdf of map ___ north arrow ___ size & scale ___ other: _____ ___ authorized acreage per ¼ ¼ matches the water right ___ authorized POD/POA and POU (<i>clearly shown, labeled & matches application listing</i>) ___ point plotted for the authorized POD/POA agrees with location coordinates on supplemental form A and WR ___ proposed POD/POA and/or POU (<i>clearly shown, labeled & matches application "proposed" listing</i>) ___ location coordinates accurately describe the point identified as the proposed POD/POA	(Page 5)
OK	• Land Use form, <i>if applicable</i> . Is the form signed by the local planning department staff? May be needed if the POD/POA or POU is moving a great distance <u>and</u> off of land originally involved in WR.	(Page 5)
NA	• If a groundwater right is involved, are the well logs or a description included.	(Page 5)
OK	• Is a copy of the current deed included for the From lands?	(Page 5)
OK	• Signature(s) of applicant(s): Are one of the boxes checked? (not needed for Temporary Transfer) <u>All</u> applicants listed on page 1 of the application <u>must</u> sign the application.	(Page 6)
WRD Completeness Reviewer's Name: <u>S. Henderson</u> Date: <u>6.19.07</u>		