

T-13761

regular

T-13761

Name Laurd Goodman
Pamela Goodman
Address 14025 Bachelor view drive
Bend Oregon 97021

DESCRIPTION OF WATER RIGHT(s)

Name of Stream WellTrib. of Deschutes river BasinUse Irrigation County Deschutes

Quantity of water (CFS) _____ No. of Acres _____

Name of ditch _____

App# G 10400 Per # 69451 Cert # 104989 PR Date 6/24/1981

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

App# _____ Per # _____ Cert # _____ PR Date _____

Change in APDA
Date Filed 7/16/2021
Initial notice date 7/13/2021
DPD issued date _____
PD issued date 8/1/2025
PD notice date 8/5/2025
Date of FO 9/11/2025 Withdrawn Vol 135 Page 579

C-Date _____
COBU due date _____
COBU Received date _____
Certificate issued _____

FEES PAID		
Date	Amount	Receipt #
<u>7-6-2021</u>	<u>\$1570.00</u>	<u>135764</u>

FEES REFUNDED		
Date	Amount	Receipt #

Assignments: _____

Irrigation District _____

Agent _____

CWRE _____

CC's list City of bend
Deschutes county Planning

☐ - Oversized map - Location _____

**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 # **135764**

INVOICE # _____

RECEIVED FROM: Pamela I Goodman and
BY: Laird Goodman

APPLICATION	
PERMIT	
TRANSFER	<u>1-13761</u>

CASH: ☐ CHECK # 2737 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 1570.00

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 \$ 1570.00

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: **135764**

DATED: 7-6-2001 BY: Mindy Carlson















Oregon

Tina Kotek, Governor

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 11, 2025

Laird & Pamela Goodman
61025 Bachelor View Drive
Bend, OR 97702

ORDER ON WITHDRAWN APPLICATION

Reference: Transfer Application T-13761

The above referenced transfer application was withdrawn from the record of the Water Resources Department on September 11, 2025, by Special Order Volume 135, Page 579 (copy enclosed).

The transfer application is no further force or effect.

If you have any questions related to the withdrawal of this transfer, you may contact your caseworker, Scott Grew, by telephone at (503) 986-0890 or by e-mail at Scott.a.grew@water.oregon.gov.

Sincerely,

David V. Jones Jr
Water Right Services Support
Transfers and Conservation Section

cc: Jeremy T. Giffin, Watermaster Dist. # 11 (via email)
City of Bend Planning Division, Local Government

Enclosure

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application	)	FINAL ORDER WITHDRAWING
T-13761, Deschutes 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

LAIRD GOODMAN
61025 BACHELOR VIEW DRIVE
BEND, OR 97702

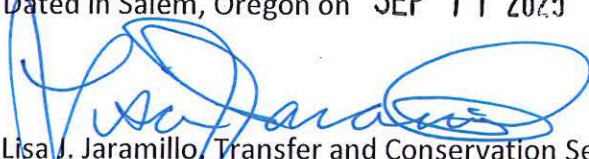
Findings of Fact

1. Transfer Application T-13761, in the name of Laird Goodman, was filed on July 6, 2021.
2. On August 27, 2025, the applicant submitted a written request asking that Transfer Application T-13761 be withdrawn.

Now, therefore, it is ORDERED:

Transfer Application T-13761, in the name of Laird Goodman, is withdrawn and of no further force or effect.

Dated in Salem, Oregon on **SEP 11 2025**



Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
Ivan Gall, Director
Oregon Water Resources Department

Mailing date: **SEP 12 2025**

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.

Re: FW: OWRD: Preliminary Determination for Transfer T 13761 has been completed

LG

LAIRD GOODMAN <lairdo1@comcast.net>

To ✓ GREW Scott A * WRD

Cc ● Trevor Grandy

↩ Reply

↩ Reply All

→ Forward

...

Wed 8/27/2025 9:46 AM

ⓘ This sender lairdo1@comcast.net is from outside your organization.

ⓘ You replied to this message on 8/27/2025 10:00 AM.

Good Morning Scott,

Thanks for clarifying. Again, only because of the exorbitant cost of installing (2) flow meters, I am reluctantly requesting that you withdraw my Transfer Application T-13761. Thanks for all of your help in navigating the process.

Laird

On 08/22/2025 2:09 PM PDT GREW Scott A * WRD <scott.a.grew@water.oregon.gov> wrote:

Hello Laird,

The Preliminary Determination Proposing Denial of your application does not make any changes to the existing water right certificate. It is still valid as is.

As far as a voluntary cancellation is concerned it is not necessarily better. It was simply an option. A voluntary withdrawal makes it so that it does not go on record as a denial. Though, in this case, the denial was simply because all the application requirements had not been met.



Oregon

Tina Kotek, Governor

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

August 1, 2025

VIA CERTIFIED MAIL AND E-MAIL

LAIRD GOODMAN
61025 BACHELOR VIEW DRIVE
BEND, OR 97702

SUBJECT: Water Right Transfer Application T-13761

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to deny application T-13761. This document is an intermediate step in the denial process; water may not be used legally as proposed in the transfer application until a Final Order approving the transfer has been issued by the Department. Please read this entire letter carefully to determine your responsibility for additional action.

A public notice is being published in the Department's weekly publication, simultaneously with issuance of the Preliminary Determination. The notice initiates a period in which any person may file either a protest opposing the decision proposed by the Department in the Preliminary Determination or a standing statement supporting the Department's decision. The protest period will end 30 days after the Department's notice.

If no protest is filed, the Department will issue a Final Order consistent with the Preliminary Determination. You should receive a copy of the Final Order about 30 days after the close of the protest period.

If a protest is filed, the application may be referred to a contested case proceeding. A contested case provides an opportunity for the proponents and opponents of the decision proposed in the Preliminary Determination to present information and arguments supporting their position in a quasi-judicial proceeding.

Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-13761
Jeremy T. Giffin, District 11 Watermaster (via e-mail)
Linda Lee Miller, CWRE # 47708

encs

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

In the Matter of Transfer Application	)	PRELIMINARY DETERMINATION
T-13761, Deschutes County	)	PROPOSING DENIAL OF AN ADDITIONAL
	)	POINT OF APPROPRIATION

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

LAIRD GOODMAN
61025 BACHELOR VIEW DRIVE
BEND, OR 97702

Findings of Fact

1. On July 6, 2021, Laird Goodman filed an application for an additional point of appropriation under Certificate 64989. The Department assigned the application number T-13761.
2. Notice of the application for transfer was published on July 20, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On November 20, 2024, the Department received correspondence from Josh Newton, Attorney for the Confederated Tribes of the Warm Springs Reservation of Oregon (Tribe). The Tribe does not object to the Department processing the Transfer Application T-13761, in accordance with applicable law, and the Department's customary practice.
4. On February 21, 2025, the Department sent a copy of the draft Preliminary Determination to the applicant, proposing to approve Transfer Application T-13761. The draft Preliminary Determination cover letter provided a deadline of March 23, 2025, for the applicant to respond and submit the required information. The applicant did not respond by the deadline and did not submit the required information to move forward with an approval.

Pursuant to OAR 690-380-4030, any person may file a protest or standing statement within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, of this preliminary determination.

5. The right to be transferred is as follows:

Certificate: 64989 in the name of JACK C. LEWIS, JR. (perfected under Permit G-9451)
Use: IRRIGATION OF 6.0 ACRES
Priority Date: JUNE 24, 1981
Rate: 0.075 CUBIC FOOT PER SECOND
Limit/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.
Source: A WELL in the DESCHUTES RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	11 E	WM	13	NW NW	930 FEET SOUTH AND 1040 FEET EAST FROM THE NW CORNER OF SECTION 13

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	11 E	WM	13	SW NW	6.0

6. Transfer Application T-13761 proposes an additional point of appropriation approximately 0.27 mile southwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	11 E	WM	13	NW NW	POD 2 - 2150 FEET SOUTH AND 275 FEET EAST FROM THE NW CORNER OF SECTION 13

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), and OAR 690-380-2110(2)]

7. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
8. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-13761.
9. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
10. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
11. The proposed change, as conditioned, would not result in enlargement of the right.

12. The proposed change, as conditioned, would not result in injury to other existing water rights.
13. All other application requirements are not met.

Determination and Proposed Action

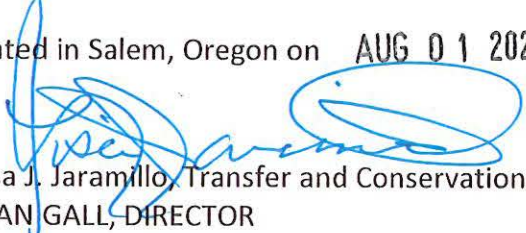
The additional point of appropriation proposed in Transfer Application T-13761 appears to not be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be denied.

If the required information is resolved, and Transfer Application T-13761 is approved, the final order will include the following:

1. *The additional point of appropriation proposed in Transfer Application T-13761 is approved.*
2. *The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 64989 and any related decree.*
3. *Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
4. *Water right Certificate 64989 is cancelled.*
5. *The quantity of water diverted at the new additional point of appropriation (POA 2), together with that diverted at the original point of appropriation (POA 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).*
6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
7. *Water use measurement conditions:*
 - 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 appropriation (new and existing).*
 - 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.*
8. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on **AUG 01 2025**


Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at scott.a.grew@water.oregon.gov or 503-986-0890.

Protests

Under the provisions of ORS 540.520(6) & (7) and OAR 690-380-4030, within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later, any person may file, jointly or severally, a protest expressing opposition of approval of the transfer application and disagreement with this Preliminary Determination or a standing statement in support of this Preliminary Determination. If this Preliminary Determination determines that a change in point of diversion or appropriation would result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050. Protests and standing statements must be received by the Water Resources Department within 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later.

Protests must be in writing and received in hard copy form with the appropriate statutory protest filing fee; protests cannot be filed by electronic mail. [OAR 690-002-0025(3) and 690-380-0100(9)]. The protest must include the following:

- The person's name, address, and telephone number;
- All reasonably ascertainable issues and all reasonably available arguments supporting the person's position by the close of the protest period. Failure to raise a reasonably ascertainable issue in a protest or failure to provide sufficient specificity to afford the Department an opportunity to respond to the issue may preclude consideration of the issue during the hearing;
- If you are the applicant, a protest fee of \$480 required by ORS 536.050; and
- If you are not the applicant, a protest fee of \$950 required by ORS 536.050 and proof of service of the protest upon the applicant.

Requests for Standing

Under the provisions of OAR 690-380-4030(5), the Department shall provide to persons who have filed standing statements as defined under OAR 690-380-0100(11) notice of any differences between the Department's Preliminary Determination and the Final Order, notice of a hearing on the application under OAR 137-003-0535, and an opportunity to request limited party status or party status in the hearing.

Requests for standing must be received in the Water Resources Department no later than 30 days after the last date of publication of the newspaper notice or the Department's weekly notice as prescribed by OAR 690-380-4020, whichever is later. Requests for standing must be in writing, and must include the following:

- The requester's name, mailing address and telephone number;
- If the requester is representing a group, association or other organization, the name, address and telephone number of the represented group;
- A statement that the requester supports the preliminary determination as issued.

After the protest period has ended, the Director will either issue a Final Order or schedule a contested case hearing. The contested case hearing will be scheduled only if a protest has been filed under OAR 690-380-4030. In accordance with OAR 690-380-4200, notice and conduct of the hearing shall:

- Be under the applicable provisions of ORS 183.310 to 183.550, pertaining to contested cases, and the hearing shall be held in the area where the rights are located unless all parties stipulate otherwise; and
- If a protest has asserted that a water right to be transferred has been forfeited through non-use, include the notice and procedures described in OAR 690-017-0500 to 690-017-0900.

If after hearing the Department issues a proposed Final Order finding that a change in point of diversion or appropriation will result in injury, the applicant may file a notification of intent to pursue approval of the transfer under OAR 690-380-5030 to 690-380-5050 within 15 days of receipt of the proposed order. Notwithstanding 690-002-0175, if the applicant files a notification of intent to pursue approval of the transfer under 690-380-5030 to 690-380-5050, the deadline for filing exceptions to the proposed order shall be 30 days after the Department provides notice to the parties that the transfer does not meet the requirements of 690-380-5030 to 690-380-5050.

If you do not request a hearing within 30 days after the close of the protest period, or if you withdraw a request for a hearing, notify the Department or the administrative law judge that

you will not appear, or fail to appear at a scheduled hearing, the Director may issue a final order by default. If the Director issues a Final Order by default, the Department designates the relevant portions of its files on this matter, including all materials that you have submitted relating to this matter, as the record for purpose of proving a *prima facie* case upon default.

You may be represented by an attorney at the hearing. Legal aid organizations may be able to assist a party with limited financial resources. Generally, partnerships, corporations, associations, governmental subdivisions, or public or private organizations are represented by an attorney. However, consistent with OAR 690-002-0020 and OAR 690-137-0555, an agency representative may represent partnerships, corporations, associations, governmental subdivisions or public, or private organizations if the Department determines that appearance of a person by an authorized representative will not hinder the orderly and timely development of the record in this case.

Notice Regarding Servicemembers: Active-duty servicemembers have a right to stay proceedings under the federal Servicemembers Civil Relief Act. 50 U.S.C. App. §§501-597b. For more information contact the Oregon State Bar at 800-452-8260, the Oregon Military Department at 971-355-4127, or the nearest United States Armed Forces Legal Assistance Office through <http://legalassistance.law.af.mil>.

If you have questions about how to file a protest or if you have previously filed a protest and you want to know the status, please contact Will Davidson at 503-507-2749.

If you have questions about the Department or any of its programs, please contact our Water Resources Customer Service Group at 503-986-0900.

Address any correspondence to: Oregon Water Resources Department, Transfer and Conservation Section, 725 Summer Street NE, Suite A, Salem OR 97301-1266.

WATER RIGHT TRANSFER COVER SHEET

Transfer: T- 13761

Transfer Specialist: *Scott*

Transfer Type: Regular Transfer

Applicant: LAIRD & PAMELA GOODMAN 61025 BACHELOR VIEW DRIVE BEND, OR 97702 Email: _____ Phone: _____		Agent: ☐ N/A UNAVAILABLE Email: _____ Phone: _____	
Irrigation District: ☐ N/A Email: _____		CWRE: ☐ N/A Email: _____	
Affected Local Gov'ts: ☐ N/A City Of Bend Planning Division Email: _____		Affected Tribal Gov't: ☐ N/A UNAVAILABLE Email: _____	
Current Landowner if other than Applicant: ☐ N/A Email: _____		Receiving Landowner: ☐ N/A Email: _____	

Water Rights Affected

File Marked	App. File # or Decree Name	Permit	Certificate	RR/CR Needed	RR/CR Nos.
☐	G-10400	G-9451	64989	☐ Yes ☒ No	
☐				☐ Yes ☐ No	
☐				☐ Yes ☐ No	

Key Dates & Initial Actions: *TRIBE LETTER 11/20/24 [OK]*

Rec'd: July 6, 2021	Proposed Action(s): ADDITIONAL POINT OF APPROPRIATION	
Fees Pd: 1570.00	WM District: 11	ODFW District:
Initial Public Notice: July 20, 2021	WM Review sent:	ODFW Review sent:
Acknowledgement Letter Sent ☒		GW Review sent: ☐ N/A
County sent cc: of Ack Letter ☐	BOR notified (date): ☐ N/A	
Newspaper quote requested:	Request for news \$ sent:	News \$ received:
Request to publish sent:	Affidavit of publication received:	Last day of publication:

BEND BULLETIN NO RESPONSE NO R01

cmg
DPD
PD

Document	Drafted	Peer Review	Changes Made	Coordinator	Changes Made	Signature Bin	Signature Date
DPD	Date: <i>1/8/25</i> Initials: <i>Scott</i>	Date: <i>1/14/25</i> Initials: <i>John</i>	Date: _____ Initials: _____	Date: <i>1/30/25</i> Initials: <i>Scott</i>	Date: <i>2/21/25</i> Initials: <i>Scott</i>	CW Sent: <i>2/21/25</i>	N/A
PD	Date: <i>2/13/25</i> Initials: <i>Scott</i>	Date: <i>2/19/25</i> Initials: <i>John</i>	Date: _____ Initials: _____	Date: <i>3/11/25</i> Initials: <i>Scott</i>	Date: <i>3/11/25</i> Initials: <i>Scott</i>	Date: <i>3/11/25</i>	Date: <i>8/1/2025</i>
FO	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____ Initials: _____	Date: _____	Date: _____

Special Issues: _____

Special Order Volume: Vol. _____ Pages _____

**Notice of Preliminary Determination for
Water Right Transfer T-13761**

T-13761 filed by Laird Goodman, 61025 Bachelor View Drive, Bend, OR 97702, proposes an additional point of appropriation under Certificate 64989. The right allows the use of 0.075 cubic foot per second from a well in Sec. 13, T18S, R11E, WM for irrigation in Sec. 13, T18S, R11E, WM. The applicant proposes an additional point of appropriation in Sec. 13, T18S, R11E, WM. The Water Resources Department proposes to deny the transfer, based on the requirements of ORS Chapter 540 and OAR 690-380-5000.

Any person may file, jointly or severally, a protest or standing statement within 30 days after the last date of newspaper publication of this notice, MM/DD/YEAR. Call (503) 986-0935 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Thursday, July 24, 2025 12:22 PM
To: LAIRD GOODMAN
Cc: GIFFIN Jeremy T * WRD; GREW Scott A * WRD
Subject: RE: RE: FW: T-13761 - Issuance of Draft Preliminary Determination - Action Required!

Thank you for your messages Laird,

I cannot make any changes to this DPD. The Confederated Tribes of the Warm Springs Reservation of Oregon had reviewed the application along with the Watermaster and Groundwater reviews (with the metering conditions) and submitted a letter to the Department of no objection on November 20, 2024.

I will need your report of ownership and letter of agreement with the terms and conditions as listed in the Draft Preliminary Determination to move forward, otherwise I will have to deny the application as incomplete.

Please let me know how you would like to proceed.

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

From: LAIRD GOODMAN <lairdo1@comcast.net>
Sent: Wednesday, July 23, 2025 2:59 PM
To: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: Fwd: RE: FW: T-13761 - Issuance of Draft Preliminary Determination - Action Required!

Hi Scott,

I'm following up on the last (2) voicemails. I apologize for the delay but although Sam initially got back to me quickly, Jeremy was on vacation and there was a long pause in communications even after he got back. I stopped by this morning and spoke directly with Jeremy and after discussing the situation, he was open to foregoing the flowmeter requirement if it's not too late to do so from your end.

I can fill you in further although perhaps Jeremy is a better option. I think his main concern was that the application has already been approved, and if so, we can't change it at this point.

Thanks as always for your help (and patience).

Laird

----- Original Message -----

From: lairdo1 <lairdo1@comcast.net>
To: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Date: 06/17/2025 8:43 AM PDT
Subject: RE: FW: T-13761 - Issuance of Draft Preliminary Determination - Action Required!

Hi, Scott, Thanks for taking so much time to help me out yesterday.
We got cut off as I headed into the mountains but I got the gist.
I will either be moving forward or withdraw the application, on or before, July 18th.
I did put a call in to Sam this morning and will make that decision after talking to him.
Thanks again,
Laird

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Date: 6/16/25 10:14 AM (GMT-08:00)
To: lairdo1 <lairdo1@comcast.net>
Cc: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: RE: FW: T-13761 - Issuance of Draft Preliminary Determination - Action Required!

Laird,

I have still not received the Ownership report. The deadline of May 23rd has passed.

Please get that to me by June 30 or I will prepare a Preliminary Determination denying the application as incomplete.

Scott

Scott Grew

Transfer Specialist

Oregon Water Resources Department

503-986-0890

GREW Scott A * WRD

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Sent: Wednesday, July 23, 2025 2:59 PM
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Laird

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Hi, Scott, Thanks for taking so much time to help me out yesterday.
We got cut off as I headed into the mountains but I got the gist.
I will either be moving forward or withdraw the application, on or before, July 18th.
I did put a call in to Sam this morning and will make that decision after talking to him.
Thanks again,
Laird

Sent from my Verizon, Samsung Galaxy smartphone

----- Original message -----

From: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Date: 6/16/25 10:14 AM (GMT-08:00)
To: lairdo1 <lairdo1@comcast.net>
Cc: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: RE: FW: T-13761 - Issuance of Draft Preliminary Determination - Action Required!

Laird,

I have still not received the Ownership report. The deadline of May 23rd has passed.

Please get that to me by June 30 or I will prepare a Preliminary Determination denying the application as incomplete.

Scott

Scott Grew

Transfer Specialist

Oregon Water Resources Department

503-986-0890

From: lairdo1 <lairdo1@comcast.net>

Sent: Monday, May 5, 2025 12:14 PM

To: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>

Subject: RE: FW: T-13761 - Issuance of Draft Preliminary Determination - Action Required!

Thanks for answering all of my questions, Scott. The title request has been submitted to Amerititle and I will forward it to you as soon as we get it.

Laird

Sent from my Verizon, Samsung Galaxy smartphone

GREW Scott A * WRD

From: GREW Scott A * WRD
Sent: Friday, May 2, 2025 2:29 PM
To: lairdo1@comcast.net
Cc: GREW Scott A * WRD
Subject: FW: T-13761 - Issuance of Draft Preliminary Determination - Action Required!
Attachments: T-137961-dpd.pdf; T-13761 Measurement Cond Info.pdf

Just following up with this via e-mail.

Please get me the report of ownership and written acknowledgement by May 23, 2025 or a Preliminary Determination may be issued denying the application as incomplete.

Thank you,
Scott

Scott Grew
Transfer Specialist
Oregon Water Resources Department
503-986-0890

From: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Sent: Friday, February 21, 2025 1:37 PM
To: GIFFIN Jeremy T * WRD <Jeremy.T.GIFFIN@water.oregon.gov>
Cc: GREW Scott A * WRD <Scott.A.GREW@water.oregon.gov>
Subject: T-13761 - Issuance of Draft Preliminary Determination - Action Required!

February 21, 2025

LAIRD GOODMAN
61025 BACHELOR VIEW DRIVE
BEND, OR 97702

Reference: Water Right Transfer Application T-13761

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13761. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by insert 30-day due date here.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.



Oregon

Tina Kotek, Governor

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

February 21, 2025

LAIRD GOODMAN
61025 BACHELOR VIEW DRIVE
BEND, OR 97702

Reference: Water Right Transfer Application T-13761

Your water right transfer is in the first of three phases of processing. Enclosed is a draft of the Department's Preliminary Determination regarding Transfer Application T-13761. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved. Your response and submittal of the items outlined below are required by insert 30-day due date here.

Required items needing your immediate attention:

1. Please carefully review the Draft Preliminary Determination to verify that it accurately reflects the changes you intend to make and to become familiar with the proposed conditions.
2. **Respond in writing** by March 24, 2025, with acknowledgement that you agree to the proposed action and conditions.
3. If you find any errors, please let me know.
4. **REQUIRED:** You must submit a **Report of Ownership** for the lands where the water right is currently located (i.e., the FROM lands). This report:
 - a) Must be prepared by a title company;
 - b) Shall include a "prepared by" statement and the date the title company prepared the report printed on the cover sheet;
 - c) Must:
 - i. Be prepared no earlier than 3 months prior to the date of issuance of the Draft Preliminary Determination showing current ownership; **OR**
 - ii. Be prepared within 3 months of the date the water right conveyance agreement was recorded; **OR**
 - iii. Show ownership for the FROM land at the time a water right conveyance agreement was recorded.

If water right conveyance agreements are involved, it is helpful to provide copies of those agreements along with the Report of Ownership.

IMPORTANT: In order for the Department to clearly understand the date that the title company prepared the Report of Ownership, the title company must indicate/state the date that they prepared the report on the coversheet and/or first page of the report.

- d) Must include a list of owners at the time the report was generated; **AND**
- e) Must include a legal description of the property where the water right to be transferred is currently located (i.e., the FROM lands).
5. You must provide a notarized statement of consent signed by any landowner listed in the Report of Ownership who is not already included in the transfer application. The Department's statement of

consent form (**Consent By Deeded Landowner**) is available at:
https://www.oregon.gov/OWRD/WRDFormsPDF/consent_to_transfer_form.pdf

6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges.

Conditions of your water right...

The Watermaster has required a water measurement device(s) at the new diversion point(s) prior to diversion of water. Enclosed is a contact information sheet to assist you in pursuing additional information or approval of the required (or alternate) device(s).

Please note the proposed date by which all conditions must be met: October 1, 2026. If the required completion date is insufficient to comply with any of the conditions, you may request more time, at no cost to you, during this stage of processing. **Please let me know by the comment deadline if you will need more time and explain the reasons why.**

What happens next...

Once the Preliminary Determination is issued a publication period is required. Because there is more than ¼ mile between the new and the authorized point of appropriation the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice. As outlined in OAR 690-380-4020(3), publication costs include both the direct cost of the notice and indirect processing costs (not to exceed 20% of the direct costs).

Issuance of the Preliminary Determination will occur shortly after we receive:

1. Your written response to the conditions and proposed action in the Draft Preliminary Determination (e-mail is acceptable); and
2. The Report of Ownership, including affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application. The title company must indicate/state the date that they prepared the ownership report on the coversheet and/or first page of the report.

If we do not receive the items listed above by March 24, 2025, a Preliminary Determination may be issued denying the application as incomplete.

Please contact me at scott.a.grew@water.oregon.gov or 503-986-0890 if I may be of assistance.

Sincerely,

Scott Grew

Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-1376
Jeremy T. Giffin, District 11 Watermaster (*via e-mail*)
Linda Lee Miller, CWRE # 47708
encs

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

In the Matter of Transfer Application
T-13761, Deschutes County

)
)
)
)
)

D R A F T

PRELIMINARY DETERMINATION
PROPOSING APPROVAL OF AN
ADDITIONAL POINT OF APPROPRIATION

Authority

Oregon Revised Statutes (ORS) 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to transfer the point of appropriation, place of use, or character of use authorized under an existing water right. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

LAIRD GOODMAN
61025 BACHELOR VIEW DRIVE
BEND, OR 97702

Findings of Fact

1. On July 6, 2021, Laird Goodman filed an application for an additional point of appropriation under Certificate 64989. The Department assigned the application number T-13761.
2. Notice of the application for transfer was published on July 20, 2021, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. On November 20, 2024, the Department received correspondence from Josh Newton, Attorney for the Confederated Tribes of the Warm Springs Reservation of Oregon (Tribe). The Tribe does not object to the Department processing the Transfer Application T-13761, in accordance with applicable law, and the Department's customary practice.

4. The right to be transferred is as follows:

Certificate: 64989 in the name of JACK C. LEWIS, JR. (perfected under Permit G-9451)
Use: IRRIGATION OF 6.0 ACRES
Priority Date: JUNE 24, 1981
Rate: 0.075 CUBIC FOOT PER SECOND

Limit/Duty: The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

Source: A WELL in the DESCHUTES RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	11 E	WM	13	NW NW	930 FEET SOUTH AND 1040 FEET EAST FROM THE NW CORNER OF SECTION 13

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
18 S	11 E	WM	13	SW NW	6.0

5. Transfer Application T-13761 proposes an additional point of appropriation approximately 0.27 mile southwest from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
18 S	11 E	WM	13	NW NW	POD 2 - 2150 FEET SOUTH AND 275 FEET EAST FROM THE NW CORNER OF SECTION 13

Transfer Review Criteria [OAR 690-380-0100(14), OAR 690-380-4010(2), and OAR 690-380-2110(2)]

6. Water has been used within the last five years according to the terms and conditions of the right. There is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
7. A water delivery system sufficient to use the full amount of water allowed under the existing right was present within the five-year period prior to submittal of Transfer Application T-13761.
8. The water right is subject to transfer as defined in ORS 540.505(4) and OAR 690-380-0100(14).
9. The proposed point of appropriation develops groundwater from the same aquifer as the authorized point of appropriation, as required by OAR 690-380-2110(2).
10. The proposed change, as conditioned, would not result in enlargement of the right.
11. The proposed change, as conditioned, would not result in injury to other existing water rights.
12. All other application requirements are met.

Determination and Proposed Action

The additional point of appropriation proposed in Transfer Application T-13761 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-13761 is approved, the final order will include the following:

- 1. The additional point of appropriation proposed in Transfer Application T-13761 is approved.*
- 2. The right to the use of the water is restricted to beneficial use at the place of use described and is subject to all other conditions and limitations contained in Certificate 64989 and any related decree.*
- 3. Approval of this transfer application does not constitute nor grant legal access onto or through another person's property for purposes of accessing the new point of appropriation.*
- 4. Water right Certificate 64989 is cancelled.*
- 5. The quantity of water diverted at the new additional point of appropriation (POA 2), together with that diverted at the original point of appropriation (POA 1), shall not exceed the quantity of water lawfully available at the original point of appropriation (POA 1).*
- 6. Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*
- 7. Water use measurement conditions:*
 - 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 appropriation (new and existing).*
 - 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.*
- 8. Full beneficial use of the water shall be made, consistent with the terms of this order, on or before **October 1, 2026**. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

9. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated in Salem, Oregon on

D R A F T

Lisa J. Jaramillo, Transfer and Conservation Section Manager, for
IVAN GALL, DIRECTOR
Oregon Water Resources Department

This draft Preliminary Determination was prepared by Scott Grew. If you have questions about the information in this document, you may reach him at scott.a.grew@water.oregon.gov or 503-986-0890.

Oregon Water Resources Department

Measurement Condition Information for the Applicant (To be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T- 13761



In order to avoid enlargement of the right or injury to other rights, a **totalizing flowmeter** will be required to be installed **prior to diversion of water**, as a condition of this transfer:



at each point of diversion/appropriation (new and existing) **OR**



at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: **Jeremy Giffin**

District: **11**

Address: **231 SW Scalehouse Lp STE 103**

City/State/Zip: **Bend, OR 97702**

Phone: **541-306-6885**

Email: **Jeremy.T.Giffin@Oregon.gov**

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device T- (to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable alternate measurement device:

Watermaster signature

District

Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

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

Groundwater Transfer Review Summary Form

Transfer/PA # T- 13761

GW Reviewer Joe Kemper Date Review Completed: 9/26/2023

Summary of Same Source Review:

☐ The proposed change in point of appropriation is not within the same aquifer as per OAR 690-380-2110(2).

Summary of Injury Review:

☐ The proposed transfer will result in another, existing water right not receiving previously available water to which it is legally entitled or result in significant interference with a surface water source as per 690-380-0100(3).

Summary of GW-SW Transfer Similarity Review:

☐ The proposed SW-GW transfer doesn't meet the definition of "similarly" as per OAR 690-380-2130.

This is only a summary. Documentation is attached and should be read thoroughly to understand the basis for determinations.



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

Ground Water Review Form:

- ☒ Water Right Transfer
☐ Permit Amendment
☐ GR Modification
☐ Other

Application: T-13761

Applicant Name: Laird and Pamela Goodman

Proposed Changes: ☐ POA ☒ APOA ☐ SW→GW ☐ RA
☐ USE ☐ POU ☐ OTHER

Reviewer(s): Joe Kemper

Date of Review: 9/26/2023

Date Reviewed by GW Mgr. and Returned to WRSD: JTI 6/21/24

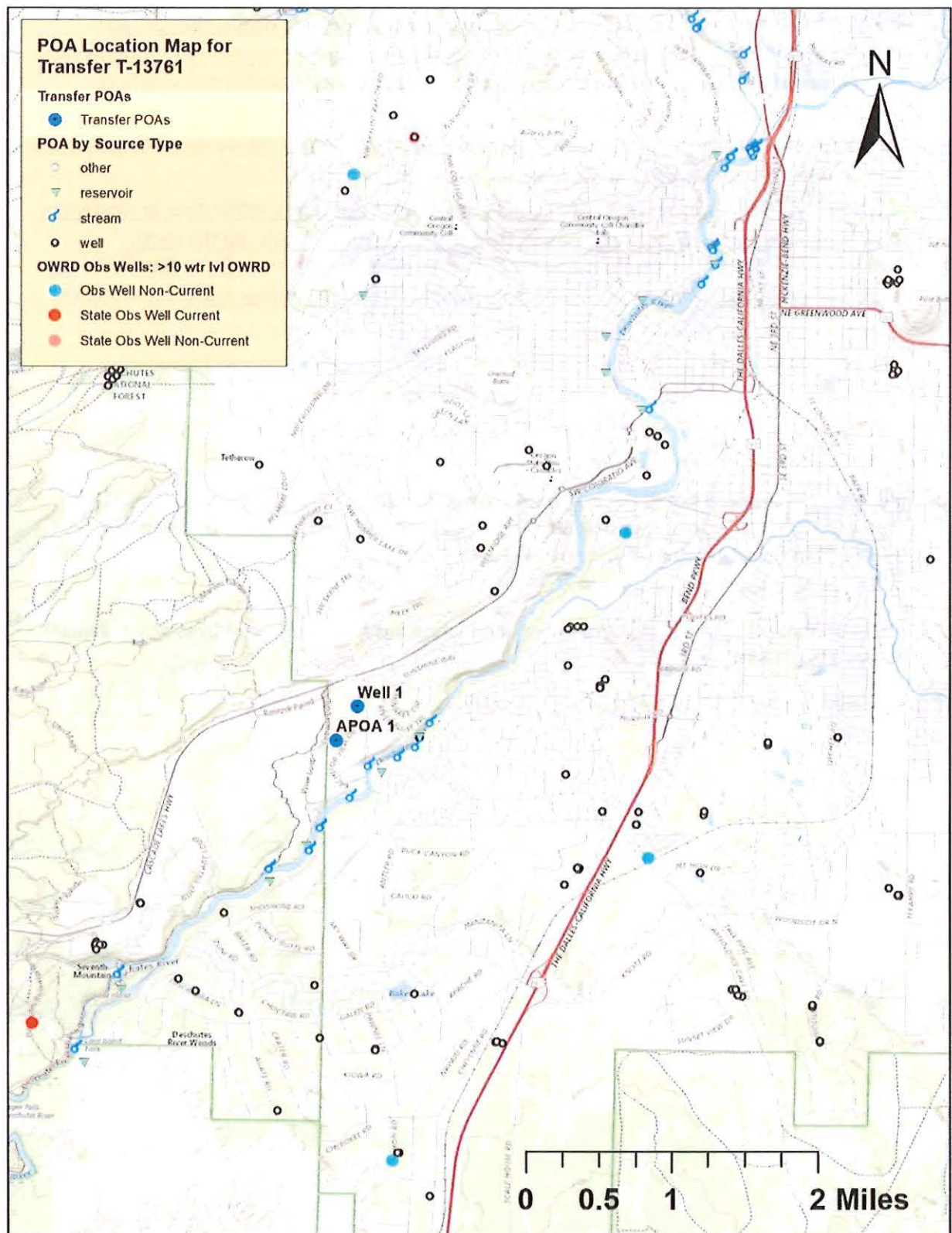
The information provided in the application is insufficient to evaluate whether the proposed transfer may be approved because:

- ☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.
- ☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.
- ☐ Other _____

-
1. Basic description of the changes proposed in this transfer: Originating certificate 64989 authorizes 6 acres of irrigation at 0.075 cfs from DESC 5252. The current valid POA, DESC 5252 is on a shared well agreement with an adjacent landowner and does not meet current irrigation needs. The transfer proposes to add DESC 61726 as an APOA to certificate 64989.
 2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments: DESC 5252 (455-ft deep) accesses the Deschutes regional groundwater system, specifically the recent Cascades Quaternary volcanics just west of Bend near the principle recharge zone. DESC 61726 (470-ft deep) is located approximately 1450 feet from DESC 5252 and also accesses the Deschutes regional groundwater system.
 3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☐ Yes ☒ No NA
b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): NA
 4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: The proposed change will move groundwater production slightly closer to adjacent groundwater users. This will increase well-to-well interference.

- b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: Considering the considerable depth, storage, and permeability of the target aquifer along with the relative distance to adjacent groundwater users to the north, it is unlikely that any increased well-to-well interference would be significant enough to meet the current definitions of injury.
5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☐ Yes ☒ No Comments: The target aquifer does not start contributing groundwater flow to the streams until near the Lower Bridge area about XX miles to the north. Additionally, the APOA would move groundwater production further from that discharge area. The proposed change would have a negligible impact on surface water interference.
- b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
Stream: _____ ☐ Minimal ☐ Significant
Stream: _____ ☐ Minimal ☐ Significant
Provide context for minimal/significant impact: NA
6. For SW-GW transfers, will the proposed change in point of diversion affect the surface water source similarly (as per OAR 690-380-2130) to the authorized point of diversion specified in the water use subject to transfer?
☐ Yes ☐ No Comments: NA
7. What conditions or other changes in the application are necessary to address any potential issues identified above: NA
8. Any additional comments: NA

Transfer Map



Watermaster Review Form: Water Right Transfer



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

Transfer Application: T-13761

Review Due Date: 08/13/2021

Applicant Name: Laird & Pamela Goodman

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

Reviewer(s): Giffin

Date of Review: 07/15/2021

1. Do you have evidence 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 of regulation on the source that serves this (or these) right(s) that has involved the transferred right(s) and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred:
3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
4. In your estimation, after the proposed change, would distribution of water for the right(s) result in regulation of other water rights that would not have occurred if use under the original right(s) was/were maximized? ☐ Yes ☒ No If "Yes", explain:
5. In your estimation, if the proposed change is approved, are there upstream water rights that would be affected? ☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected:

6. Check here ☐ if it appears that downstream water rights benefit from return flows resulting from the current use of the transferred right(s)? If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most:

☒ N/A

7. 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:

☒ N/A

8. For instream transfers that propose protection of a reach beyond the mouth of the source stream:

☒ N/A Would the quantity be measureable into the receiving stream consistent with OAR 690-077-0015(8)? ☐ Yes ☐ No

9. For POU changes: ☒ N/A Is it likely the original place of use would continue to receive water from the same source? ☐ Yes ☐ No If "Yes", explain:

10. For POU or USE changes: ☒ N/A In your best judgment, 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:

11. For POU changes that involve micro-irrigation: ☒ N/A

- a. Has the applicant made changes (absent a transfer) to convert to micro-irrigation within the current place of use boundary of the water right proposed for transfer, and previously demonstrated to the Department through monitoring and site inspections by the Watermaster that the proposed transfer will not result in injury or enlargement?

☐ Yes ☐ No If "Yes", explain:

- b. Has a temporary transfer of this nature been previously filed and approved on the same lands (or portions thereof) as those lands involved in this transfer?

☐ Yes ☒ 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. Are there other issues not identified through the above questions that should be considered in determining whether the change "can be effected without injury to other rights"?

☐ Yes ☒ No 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- 13761



In order to avoid enlargement of the right or injury to other rights, a totalizing flowmeter will be required to be installed prior to diversion of water, as a condition of this transfer:



at each point of diversion/appropriation (new and existing) **OR**



at each new point of diversion/appropriation.

For additional information, or to obtain approval of a different type of measurement device, the applicant should contact the area Watermaster:

Watermaster name: Jeremy Giffin

District: 11

Address: 231 SW Scalehouse Lp STE 103

City/State/Zip: Bend, OR 97702

Phone: 541-306-6885

Email: Jeremy.T.Giffin@Oregon.gov

Note: If a device other than the one specified in the Preliminary Determination or Final Order is approved by the Watermaster, fill out and mail the form below to the Salem office.

Approval of an Alternate Measurement Device

T-

(to be filled out after consultation with the applicant, or after a site visit)

On behalf of the Director, I authorize use of the following suitable **alternate measurement device**:

Watermaster signature

District

Date

If this form is used for approval of an alternative measurement device, it must be mailed to:

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



BBK

BEST BEST & KRIEGER LLP
ATTORNEYS AT LAW

Alison K. Toivola
Of Counsel
(541) 318-9836
alison.toivola@bbklaw.com

November 20, 2024

VIA E-MAIL ONLY:

JEREMY.T.GIFFIN@WATER.OREGON.GOV

ANN.L.REECE@WATER.OREGON.GOV

SARAH.A.HENDERSON@WATER.OREGON.GOV

Jeremy Giffin
Watermaster - District 11
Oregon Water Resources Department
231 SW Scalehouse Loop, Suite 103
Bend, OR 97702

Ann Reece
Sarah A. Henderson
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, OR 97301

Re: Transfer Applications T-13761, T-13982, and T-14105

Dear Mr. Giffin, Ms. Reece, and Ms. Henderson:

We represent the Confederated Tribes of the Warm Springs Reservation of Oregon ("Tribe"). The Department of Water Resources ("Department") has provided the Tribe with certain information concerning several transfer applications. This letter pertains to: T-13761, which is further identified in Appendix A hereto; T-13982, which is further identified in Appendix B hereto; and T-14105, which is further identified in Appendix C hereto (collectively, the "Applications"). The Applications are available at the following link: <https://www.imanageshare.com/pd/7krPXZWtyV1>.

The Tribe has reviewed the Applications, along with any additional information about the Applications provided by the Department. Based on that information, the Tribe does not object to the Department processing the Applications in accordance with applicable law, and the Department's customary practice. The Tribe expressly reserves, and does not waive, all rights, claims, and defenses that it may possess in connection with the Applications, including, but not limited to, whether the Applications violate the Treaty of June 25, 1855, with the Tribes of Middle Oregon, 12 Stat. 963, or the Confederated Tribes of the Warm Springs Reservation Water Rights Settlement Agreement, dated November 17, 1997, as amended.

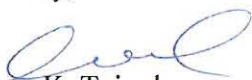
Best Best & Krieger LLP | 360 SW Bond Street, Suite 400, Bend, Oregon 97702
Phone: (541) 382-3011 | Fax: (541) 388-5410 | bbklaw.com

12805.12126\42871526.1

Jeremy Giffin
Ann Reece
Sarah A. Henderson
November 20, 2024
Page 2

Please let us know if you have any questions.

Sincerely,


Alison K. Toivola
for BEST BEST & KRIEGER LLP

AKT

cc: Robert A. Brunoe
Austin Smith, Jr.
Brad Houslet
Josh Newton, Esq.



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

July 14, 2021

LAIRD & PAMELA GOODMAN
61025 BACHELOR VIEW DRIVE
BEND, OR 97702

Reference: Application T- 13761

On July 6, 2021, we received your water right Transfer application. The application was accompanied by \$1570.00. Our receipt number 135764 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. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well or as the original POD.

This application may 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 from the new point of appropriation 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) 986-0815.

Cc: Watermaster Dist. #11 (*via email*)
City of Bend
Deschutes County Planning

Enclosure

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist



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

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.

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☐ Part 2 – Completed Transfer Application Map Checklist.
- ☐ Part 3 – Application Fee, payable by check to the Oregon Water Resources Department, and completed Fee Worksheet, page 3. Try the new online fee calculator at:
http://apps.wrd.state.or.us/apps/misc/wrd_fee_calculator. If you have questions, call Customer Service at (503) 986-0801.

☒ Part 4 – Completed Applicant Information and Signature.

☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred?** 1 **List them here:** 64989

Please include a separate Part 5 for each water right. (See instructions on page 6)

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Attachments:

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

(For Staff Use Only)

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

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

Other/Explanation _____

Staff: _____ 503-986-0_____

Date: ____/____/____

Van Lanninghan
Partially helped
w/ APP 541-306-3487

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

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

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

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	\$1,160	
	Types of change proposed: ☐ Place of Use ☐ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = <u>1</u> (2a) Subtract 1 from the number in line 2a = <u>0</u> (2b) If only one change, this will be 0 Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »				RECEIVED MAR 17 2021 OWRD
2	Multiply line 2b by \$930 and enter » » » » » » » » » » » » » » » »		2	<u>0</u>	
	Number of water rights included in transfer <u>1</u> (3a) Subtract 1 from the number in 3a above: <u>0</u> (3b) If only one water right this will be 0 Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »				
3	Multiply line 3b by \$520 and enter » » » » » » » » » » » » » » » »		3	<u>0</u>	
	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 » ☒ Yes: enter \$410 »				
4	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 multiply 5c by \$350, then enter on line 5 » » » » » » » » » » » » » » » »				RECEIVED JUL 06 2021 OWRD
5	Add entries on lines 1 through 5 above » » » » » » » » » » » » » » » » Subtotal:		5	<u>0</u>	
6	Add entries on lines 1 through 5 above » » » » » » » » » » » » » » » » Subtotal:		6	<u>1570</u>	
	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	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:		7	<u>0</u>	
8	Subtract line 7 from line 6 » » » » » » » » » » » » » » » » Transfer Fee:		8	<u>1570</u>	

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

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	1	\$840.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 2a above: _____ (2b) <i>If only one well this will be 0</i>		
2	Multiply line 2b by \$410 and enter » » » » » » » » » » » » » » » »	2	
3	Add entries on lines 1 through 2 above » » » » » » Fee for Substitution:	3	

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME <u>LAIRD</u>		PHONE NO. <u>503-805-6207</u>	ADDITIONAL CONTACT NO. <u>503-830-5571</u>
ADDRESS <u>61025 Bachelor View Rd</u>			FAX NO.
CITY <u>BEND</u>	STATE <u>OR</u>	ZIP <u>97702</u>	E-MAIL <u>lairda1@comcast.net</u>
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		PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS			FAX NO.
CITY	STATE	ZIP	E-MAIL
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.			

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

PREVIOUS WELL IS ONSHARED WELL AGREEMENT AND IS OUTDATED AND OFF PROPERTY. NEW WELL WAS DRILLED IN OCTOBER ON PHYSICAL PROPERTY. I WILL BE USING BOTH WELLS TO IRRIGATE PROPERTY

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

Check One Box

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

By my signature below, I confirm that I understand:

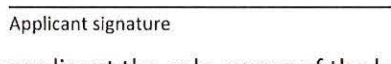
- Prior to Department approval of the transfer application, I may be required to submit payment to the Department for publication of a notice in a newspaper with general circulation in the area where the water right is located, once per week for two consecutive weeks. If more than one qualifying newspaper is available, I suggest publishing the notice in the following newspaper: BEND BULLETIN
- 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).

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


Applicant signature

LAIRD GOODMAN
Print Name (and Title if applicable)

11/22/19
Date


Applicant signature

Print Name (and Title if applicable)

Date

Is the applicant the sole owner of the land on which the water right, or portion thereof, proposed for transfer is located? ☐ Yes ☐ No If NO, include signatures of all deeded landowners (and mailing and/or e-mail addresses if different than the applicant's) or attach affidavits of consent (and mailing and/or e-mail addresses) from all landowners or individuals/entities to which the water right(s) were conveyed.

Check the following boxes that apply:

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

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

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

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

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

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
ADDRESS				FAX NO.
CITY	STATE	ZIP	E-MAIL	

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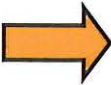
Describe any special ownership circumstances here:

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

IRRIGATION DISTRICT NAME	ADDRESS		
CITY	STATE	ZIP	

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

ENTITY NAME	ADDRESS		
CITY	STATE	ZIP	

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

ENTITY NAME Deschutes Co	ADDRESS 1300 NW WALL ST		
CITY BEND	STATE OR	ZIP 97701	

ENTITY NAME City of Bend	ADDRESS 710 NW WALL ST		
CITY BEND	STATE OR	ZIP 97701	13761

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 64989

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Description of Water Delivery System

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

20 gallons per minute (gpm)

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OWRD OWRD

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

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

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

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1	☒ Authorized ☐ Proposed	DESC 5252	18	11	13	NW NW	17	930' S & 1040' E from NW of S13
2	☐ Authorized ☒ Proposed	DESC 61726	18	11	13	SW NW	1702	2150' S & 275' E from NW of S13
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

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

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

☒ Yes Complete only the Proposed ("to" or "on" lands) section of Table 2 on the next page. Use the "CODES" listed above to describe the proposed changes.

☐ No Complete all of Table 2 to describe the portion of the water right to be changed.

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

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

Table 2. Description of Changes to Water Right Certificate # 64989

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

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.										Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.										
Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp	Rng	Sec	¼ ¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date	
EXAMPLE																					
2	S	9	E 15 NE NW	100		15.0	Irrigation	POD #1 POD #2	1901	POU/POD	2	S	9	E 1 NW NW	500	1	10.0		POD #5	1901	
											2	S	9	E 2 SW NW	500		5.0		POD #6	1901	
18	S	11	E 13 SW NW	1702		6.0	Irrigation	POD #1	1981	APDA	18	S	11	E 13 SW NW	1702		6.0	—	2	1981	
TOTAL ACRES:						6.0					TOTAL ACRES:						6.0				

Additional remarks:

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Certificate # 64989

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: _____.

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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

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

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

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

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L- _____	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well-specific rate (cfs or gpm). If less than full rate of water right
2	yes	135207	470	8"	1.5-385	1-470	450-470	385	Basalt aquifer	20gpm

13761

STATE OF OREGON
COUNTY OF DESCHUTES
CERTIFICATE OF WATER RIGHT

RECEIVED

MAR 17 2021

OWRD

THIS CERTIFICATE ISSUED TO

JACK C. LEWIS, JR.
P.O. BOX 283
BEND, OREGON 97709

confirms the right to use the waters of A WELL in the DESCHUTES RIVER BASIN for the purpose of IRRIGATING 6.0 ACRES.

This right has been perfected under Permit G-9451. The date of priority is JUNE 24, 1981. This right is limited to 0.075 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 NW 1/4, SECTION 13, T 18 S, R 11 E, W.M.; 930 FEET SOUTH AND 1040 FEET EAST FROM THE NW CORNER OF SECTION 13.

The amount of water used for irrigation under this right, together with the amount secured under any other right existing for the same lands, is limited to a diversion of ONE-EIGHTIETH of one cubic foot per second (or its equivalent) and 3.0 acre-feet for each acre irrigated during the irrigation season of each year.

This right shall conform to any reasonable rotation system ordered by the proper state officer.

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

SW 1/4 NW 1/4 6.0 ACRES
SECTION 13
TOWNSHIP 18 SOUTH, RANGE 11 EAST, W.M.

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The right to use water for the above purpose is restricted to beneficial use on the lands or place of use described.

WITNESS the signature of the Water Resources Director, affixed this date NOVEMBER 19, 1990.

WILLIAM S. YOUNG

Water Resources Director

Recorded in State Record of Water Right Certificates numbered 64989.

G-10400.DLM

13761

new POA #2

STATE OF OREGON
WATER SUPPLY WELL REPORT
(as required by ORS 537.765 & OAR 690-205-0210)

DESC 61726

9/18/2019

WELL I.D. LABEL# 135207

START CARD # 1044891

ORIGINAL LOG #

(1) LAND OWNER

Owner Well I.D.

First Name JACK

Last Name LEWIS

Company

Address 61025 BACHELOR VIEW RD

City BEND

State OR

Zip 97701

(2) TYPE OF WORK

☒ New Well ☐ Deepening ☐ Conversion☐ Alteration (complete 2a & 10) ☐ Abandonment (complete 5a)

(2a) PRE-ALTERATION

Casing: Dia + From To Gauge Stl Plstc Wld Thr

Material From To Amt sacks/lbs

Seal:

(3) DRILL METHOD

☒ Rotary Air ☐ Rotary Mud ☐ Cable ☐ Auger ☐ Cable Mud☐ Reverse Rotary ☐ Other

(4) PROPOSED USE

☒ Domestic ☐ Irrigation ☐ Community☐ Industrial/ Commercial ☐ Livestock ☐ Dewatering☐ Thermal ☐ Injection ☐ Other

(5) BORE HOLE CONSTRUCTION

Special Standard ☐ (Attach copy)

Depth of Completed Well 470.00 ft.

BORE HOLE

SEAL

sacks/lbs

Dia	From	To	Material	From	To	Amt	lbs
12	0	38.5	Bentonite Chips	0	38.5	28	S
8	38.5	470			Calculated	24.86	
					Calculated		

How was seal placed:

Method ☐ A ☐ B ☐ C ☐ D ☐ E☒ Other POURED DRY

Backfill placed from ft. to ft. Material

Filter pack from ft. to ft. Material Size

Explosives used: ☐ Yes Type Amount

(5a) ABANDONMENT USING UNHYDRATED BENTONITE

Proposed Amount

Actual Amount

(6) CASING/LINER

Casing Liner Dia + From To Gauge Stl Plstc Wld Thr

8	☒	1.5	38.5	.250	☒	☒	☒	☒
6	☐	1	470	.188	☐	☐	☐	☐

Shoe ☐ Inside ☐ Outside ☐ Other Location of shoe(s)Temp casing ☐ Yes Dia From + To

(7) PERFORATIONS/SCREENS

Perforations Method FACTORY

Screens Type

Material

Perf/	Casing/ Screen	Dia	From	To	Screen/ slot width	Slot length	# of slots	Tele/ pipe size
Perf	Liner	6	450	470	.125	3	228	

(8) WELL TESTS: Minimum testing time is 1 hour

☐ Pump ☐ Bailer ☒ Air ☐ Flowing Artesian

Yield gal/min Drawdown Drill stem/Pump depth Duration (hr)

20		470	1
20		470	1

Temperature 50 °F Lab analysis ☐ Yes ByWater quality concerns? ☐ Yes (describe below) TDS amount 151 ppm

From	To	Description	Amount	Units

(9) LOCATION OF WELL (legal description)

County DESCHUTES Twp 18.00 S N/S Range 11.00 E E/W WM

Sec 13 SW 1/4 of the NW 1/4 Tax Lot 1702

Tax Map Number Lot

Lat " or " DMS or DD

Long " or " DMS or DD

☒ Street address of well ☐ Nearest address

61025 BACHELOR VIEW RD

(10) STATIC WATER LEVEL

Date SWL(psi) + SWL(ft)

Existing Well / Pre-Alteration

Completed Well 9/12/2019 385

Flowing Artesian? ☐ Dry Hole? ☐

WATER BEARING ZONES

Depth water was first found 385.00

SWL Date From To Est Flow SWL(psi) + SWL(ft)

9/12/2019	385	470	20		385

(11) WELL LOG

Ground Elevation

Material	From	To
TOP SOIL	0	13
BROWN SANDSTONE	13	67
PUMICE	67	135
MILD BROWN LAVA	135	172
BROWN SANDSTONE	172	179
BROKEN BASALT	179	215
GRAY BASALT	215	228
BROKEN BASALT AND GRAVELS	228	250
CINDERS CONGLOMERATE	250	332
FRACTURED GRAY BASALT	332	343
HARD GRAY BASALT	343	385
W/B BROKEN BASALT	385	470

Date Started 9/2/2019

Completed 9/12/2019

(unbonded) Water Well Constructor Certification

I certify that the work I performed on the construction, deepening, alteration, or abandonment of this well is in compliance with Oregon water supply well construction standards. Materials used and information reported above are true to the best of my knowledge and belief.

License Number 1852

Date 9/18/2019

Signed JEB ABBAS (E-filed)

(bonded) Water Well Constructor Certification

I accept responsibility for the construction, deepening, alteration, or abandonment work performed on this well during the construction dates reported above. All work performed during this time is in compliance with Oregon water supply well construction standards. This report is true to the best of my knowledge and belief.

License Number 1720

13781 Date 9/18/2019

Signed JACK ABBAS (E-filed)

Contact Info (optional) JACK ABBAS

NOTICE TO WATER WELL CONTRACTOR

The original and first copy of this report are to be filed with the

STATE ENGINEER, SALEM, OREGON 97310 within 30 days from the date of well completion.

RECEIVED JUL 10 1970 STATE ENGINEER SALEM, OREGON

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No.

State Permit No.

POA #1

18/11-13cc

(1) OWNER:

Name Larry Baxter
Address 1304 Newport Ave Bend Oreg

(2) TYPE OF WORK (check): 382-2217

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:

Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Du ☐ Bored ☐

(4) PROPOSED USE (check):

Domestic ☒ Industrial ☐ Municipal ☐
Irrigation ☐ Test Well ☐ Other ☐

CASING INSTALLED:

Threaded ☐ Welded ☒
" Diam. from 1 ft. to 300 ft. Gage 1/4
" Diam. from 1 ft. to 300 ft. Gage 1/4
" Diam. from 1 ft. to 300 ft. Gage 1/4

PERFORATIONS:

Perforated? ☒ Yes ☒ No

Type of perforator used nothing much
Size of perforations 1 in. by 1 in.

perforations from 1 ft. to 300 ft.
perforations from 1 ft. to 300 ft.
perforations from 1 ft. to 300 ft.
perforations from 1 ft. to 300 ft.
perforations from 1 ft. to 300 ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name Model No.
Type Model No.
Diam. Slot size Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WATER LEVEL: Completed well.

Static level 405 ft. below land surface Date 6/11/70
Artesian pressure lbs. per square inch Date 6/11/70

(9) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☐ Yes ☒ No If yes, by whom?

Field: gal./min. with ft. drawdown after hrs.
AIR LIFT " " "
" aprot " " "

Bailer test 30 gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m. Date 6/11/70

Temperature of water 52 Was a chemical analysis made? ☐ Yes ☒ No

(10) CONSTRUCTION:

Well seal—Material used Bentonite & Drill Cuttings
Depth of seal 300 ft
Diameter of well bore to bottom of seal 8 in.
Were any loose strata cemented off? ☐ Yes ☒ No Depth —
Was a drive shoe used? ☐ Yes ☒ No
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? — depth of strata —
Method of sealing strata off —
Was well gravel packed? ☐ Yes ☒ No Size of gravel: —
Gravel placed from — ft. to — ft.

(11) LOCATION OF WELL:

County Deschutes Driller's well number 11E W.M.
SW 1/4 SW 1/4 Section 13 T. 18S R. 11E W.M.
Bearing and distance from section or subdivision corner
400 yds N - 400 yds E NW Corner
Section 13

(12) WELL LOG:

Diameter of well below casing 6"

Depth drilled 445 ft. Depth of completed well 445 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of Static Water Level as drilling proceeds. Note drilling rates.

MATERIAL	From	To	SWL
Soil Sandy	0	4	
Boulders	4	15	
Lava mild	15	38	
Sandstone Brn	38	82	
Lava Hard	82	105	
Clay & Pumice	105	135	
Clay & Gravel	135	155	
Dr. Brown Sandstone	155	240	
Broken Lava	240	265	
Red Cinders	265	280	
Hard Gray Lava	280	328	
Broken Lava	328	361	
Red LAVA (MED)	361	402	
BROKEN LAVA &	402	426	405
Brown clay seams	426	445	
BROKEN LAVA &	426	445	
Red CINDERS	426	445	

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JUL 06 2021 MAR 17 2021

Work started 12-12 1967 Completed 6-10 1970
Date well drilling machine moved off of well 6-11 1970

Drilling Machine Operator's Certification:

This well was constructed under my direct supervision. Materials used and information reported above are true to my best knowledge and belief.

[Signed] Roy Thorne Date 12-20, 1967
(Drilling Machine Operator)
Dick Atkins → 6-17-70
Drilling Machine Operator's License No. 555-249

Water Well Contractor's Certification:

This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME DICK ATKINS WELL DRILLING
(Person, firm or corporation) (Type or print)
Address P.O. Box 269 PRINOVILLE
[Signed] Dick Atkins
(Water Well Contractor)
Contractor's License No. 266 Date 6/17 1970

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
County of Deschutes) ss

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I, David S. Husk, in my capacity as Neighbor, **OWRD**
mailing address 61017 Bachman View Rd. Bend, OR 97702
telephone number (541) 639-2850, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

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2. I attest that:

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

OWRD

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

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)
64989	wm	18	S	11	E	13	SWNW	1703	6.0

OR

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

(continues on reverse side)

13761

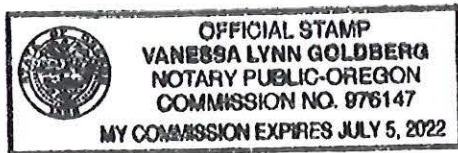
3. The water right was used for: (e.g., crops, pasture, etc.): CROPS - (TREES)

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.

David S. Hersh
Signature of Affiant

May 28, 2020
Date

Signed and sworn to (or affirmed) before me this 28 day of May, 2020.



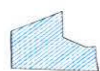
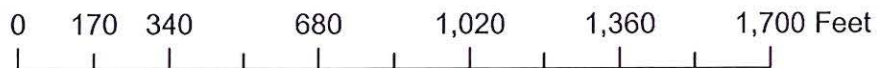
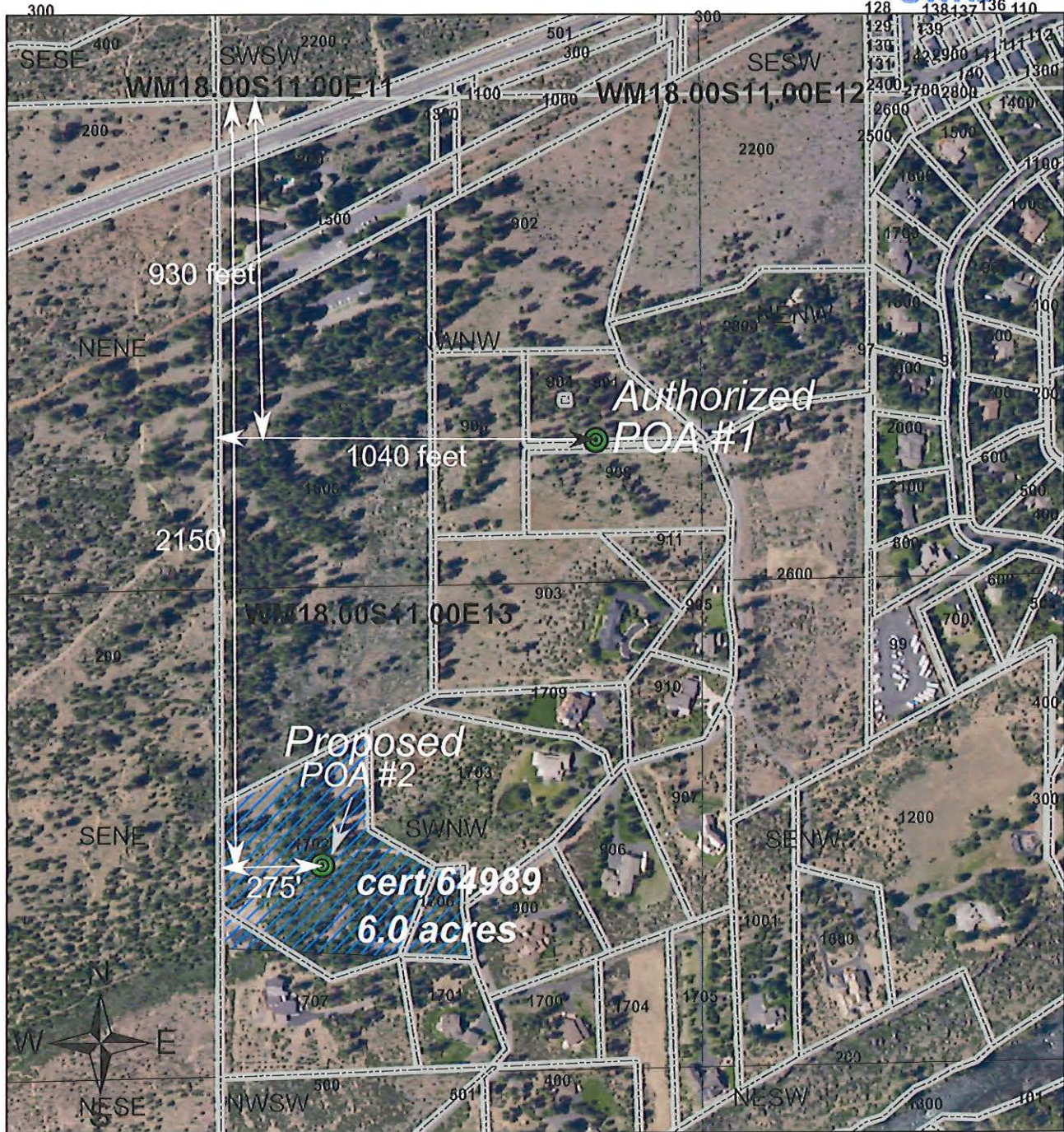
Vanessa Goldberg
Notary Public for Oregon

My Commission Expires: July 5, 2022

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

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Place of Use for 64989



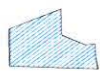
Points of Appropriation

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Place of Use for 64989



Points of Appropriation

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Land Use Information Form



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

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OWRD

Applicant: LAIRD First

Gosman Last

Mailing Address: 61025 BACHELOR VIEW RD

BEND
City

OR
State

97702
Zip

Daytime Phone: 503-805-6207

A. Land and Location

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

Township	Range	Section	¼ ¼	Tax Lot #	Plan Designation (e.g., Rural Residential/RR-5)	Water to be:	Proposed Land Use:
<u>Wm 18</u>	<u>S11</u>	<u>E13</u>	<u>SWWW</u>	<u>1702/1706</u>		☐ 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, and/or used or developed:

Deschutes Co, Bend OR

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B. Description of Proposed Use

OWRD

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

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

Source of water: ☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water (name) _____

Estimated quantity of water needed: _____ ☐ 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:

IRRIGATION FOR PANDORA PINE - HARVESTING & MANAGING APPROXIMATELY 5 ACRES
ACCORDING TO FOREST MANAGEMENT PLAN ON FILE WITH THE STATE OF OREGON

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

See bottom of Page 3, →

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MAR 17 2021

For Local Government Use Only

OWRD

OWRD

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

Please check the appropriate box below and provide the requested information

- ☒ Land uses to be served by the proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): BDC Chapter 2.1 Residential Districts
- ☐ Land uses to be served by the 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.

Site not within irrigation district, developed with 4 bedroom single-family dwelling circa 1980 (Deschutes County Permit Number: 247-B8278). The site has since been annexed into the City of Bend. The requested irrigation use is not regulated by current zoning district (Residential Standard Density) standards. Any structures requiring a permit must be reviewed by City of Bend Building division. Please contact staff (below) with any questions or concerns.

Name: Nicolas Lennartz Title: Assistant Planner

Signature: Nicolas Lennartz Phone: 541-330-4020 Date: 8/24/20

Government Entity: City of Bend

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: 13761