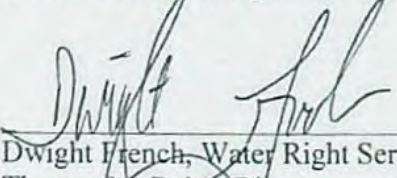


10. After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.

Dated at Salem, Oregon this day FEB 21 2018.


Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

This Preliminary Determination was prepared by Marcy Osborn. If you have questions about the information in this document, you may reach me at 541-523-8224 ext.228 or marcy.j.osborn@oregon.gov.

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>



Oregon

Kate Brown, Governor

Water Resources Department

725 Summer St NE, Suite A

Salem, OR 97301

(503) 986-0900

Fax (503) 986-0904

October 10, 2017

VIA E-MAIL

GREG AMARAL
1606 AMARAL COURT
FAIRFIELD, CA 94534
amaralranch@aol.com

SUBJECT: Water Right Transfer Application T-11669

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-11669. This document is an intermediate step in the approval process; water may not be used legally as proposed in the transfer application until a Final Order 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 and in the Argus Observer newspaper, 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 last date of newspaper publication.

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 do not hesitate to contact me at _____ if I may be of assistance.

Sincerely,

Transfer Specialist
[E REGION] or [Transfer and Conservation Section]

cc: T-11669
Ronald K. Jacobs, District 9 Watermaster (via e-mail)
Lori Graves, Agent for the applicant (via e-mail)

encs

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

In the Matter of Transfer Application)	PRELIMINARY DETERMINATION
T-11669, Malheur County)	PROPOSING APPROVAL OF A
)	CHANGE IN POINT OF DIVERSION
)	AND PLACE OF USE

Authority

Oregon Revised Statutes (ORS) 540.505 to 540.580 establish 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. Oregon Administrative Rules (OAR) Chapter 690, Division 380 implement the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

GREG AMARAL
1606 AMARAL COURT
FAIRFIELD, CA 94534
amaralranch@aol.com

Findings of Fact

1. On September 6, 2013, GREG AMARAL filed an application to change the point of diversion and to change the place of use under Certificate 7049. The Department assigned the application number T-11669.
2. Notice of the application for transfer was published on October 8, 2013, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.
3. There is any underlying permit S-29882 within the proposed place of use. The place of use and type of use of this permit will be clarified when the claim of beneficial use is submitted, resolving any conflicts with T-11669.
4. The proposed place of use is within Vale and Warm Springs Irrigation District boundaries. Vale Irrigation District requested a condition that the new proposed place of use under C-7049 (1884 priority date) be subordinate to the priority dates for the district rights under C-74080 (January 11, 1927 priority date) and C-74081 (November 29, 1945 priority date). If the place of use changes in the future it will retain its original priority status and will be re-evaluated if necessary. The applicant consented to this condition.

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 notice of this preliminary determination.
--

5. On September 11, 2017, the agent submitted an e-mail which acknowledged and agreed to additional conditions making the senior right Certificate 7049 subordinate to the junior permit S-29882 on the proposed place of use.
6. On September 11, 2017, the department received the affidavit of consent for partial diminution of a water right.
7. On September 13, 2017, the department received an amended map with the CWRE official stamp.
8. On September 29, 2017, the department received a request to terminate temporary transfer T-11668 once the final order is issued for this transfer, T-11669.
9. On September 20, 2017, the Department sent a copy of the draft Preliminary Determination proposing to approve Transfer Application T-11669 to the applicant. The draft Preliminary Determination cover letter set forth a deadline of October 20, 2017, for the applicant to respond. The applicant requested that the Department proceed with issuance of a Preliminary Determination and provided the necessary information to demonstrate that the applicant is authorized to pursue the transfer.
10. The portion of the right to be transferred is as follows:

Certificate: 7049 in the name of ELLA WOODRUFF (confirmed by Malheur River Decree)

Use: IRRIGATION of 65.0 ACRES

Priority Date: 1884

Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to a diversion of 1.5 acre feet per acre in any 30 day period prior to June 1st, 1.0 acre foot per acre in any 30 day period after June 1st, of each year or 3.0 acre feet per acre during any season, diverted at a rate not to exceed ONE-TWENTIETH of one cubic foot per second per acre.

Source: BULLY CREEK, tributary to the MALHEUR RIVER

Authorized Point of Diversion:

DITCH NAME
HARRIS DITCH

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
19 S	44 E	WM	4	NE NW	21.0
19 S	44 E	WM	4	NW NW	40.0
19 S	44 E	WM	4	SW NW	4.0
Total					65.0

11. Transfer Application T-11669 proposes to move the authorized point of diversion approximately 2.5 miles downstream to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
19 S	44 E	WM	4	NE NW	3	55 FEET SOUTH AND 1730 FEET EAST FROM THE NW CORNER OF SECTION 4

12. Transfer Application T-11669 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	GLot	Acres	Use
19 S	44 E	WM	4	NE NW	3	7.7	Primary
19 S	44 E	WM	4	NE NW	3	4.3	Supplemental
19 S	44 E	WM	4	NW NW	4	23.3	Primary
19 S	44 E	WM	4	NW NW	4	15.7	Supplemental
19 S	44 E	WM	4	SW NW		1.0	Supplemental
19 S	44 E	WM	5	NE NE	1	12.0	Primary
19 S	44 E	WM	5	SE NE		1.0	Primary
Total						65.0	

13. The applicant also proposes to diminish a portion of the transferred right to supplemental irrigation which is identified in the table above.
14. The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

Transfer Review Criteria [OAR 690-380-4010(2)]

15. 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.
16. A diversion structure and ditch sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-11669.
17. The proposed changes would not result in enlargement of the right.
18. The proposed changes would not result in injury to other water rights.

Determination and Proposed Action

The change in point of diversion and change in place of use proposed in Transfer Application T-11669 appears to be consistent with the requirements of ORS 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the transfer application will be approved.

If Transfer Application T-11669 is approved, the final order will include the following:

1. *The change in point of diversion and change in place of use proposed in Transfer Application T-11669 are 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 7049 and any related decree.*
3. *The new proposed place of use under Certificate 7049 (1884 priority date) shall be subordinate to the priority dates for the district rights under Certificates 74080 (January 11, 1927) and 74081 (November 29, 1945). If the place of use changes in the future it will retain its original priority status and will be re-evaluated if necessary.*
4. *Water right Certificate 7049 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*
5. *The quantity of water diverted at the new point of diversion, shall not exceed the quantity of water lawfully available at the original point of diversion.*
6. *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 new point of diversion.*
 - b. *The water user shall maintain the meter or measuring device in good working order.*
 - c. *The water user shall allow the Watermaster access to the meter or measuring device; provided however, where the meter or measuring device is located within a private structure, the Watermaster shall request access upon reasonable notice.*
7. *The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.*
8. *The former place of use of the transferred right shall no longer receive water under the right.*
9. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before October 1, 2019. 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 changes and full beneficial use of the water.*
10. *After satisfactory proof of beneficial use is received, a new certificate confirming the right transferred will be issued.*

Dated at Salem, Oregon this _____ day of _____ 2017.

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

This Preliminary Determination was prepared by Marcy Osborn. If you have questions about the information in this document, you may reach me at 541-523-8224 ext.228 or marcy.j.osborn@oregon.gov.

Protests should be addressed to the attention of Water Rights Services Division, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.

Notice Regarding Service Members: Active duty service members have a right to stay proceedings under the federal Service Members Civil Relief Act. 50 U.S.C. App. §§501-597b. You may contact the Oregon State Bar or the Oregon Military Department for more information. The toll-free telephone number for the Oregon State Bar is: 1 (800) 452-8260. The toll-free telephone number of the Oregon Military Department is: 1 (800) 452-7500. The Internet address for the United States Armed Forces Legal Assistance Legal Services Locator website is: <http://legalassistance.law.af.mil>

~~Protests should be addressed to the attention of Transfer and Conservation Section, Water Resources Department, 725 Summer St. NE, Suite A, Salem, OR 97301-1266.~~

**Notice of Preliminary Determination for
Water Right Transfer T-11669**

T-11669 filed by Greg Amaral, 1606 Amaral Court Fairfield, CA 94534, proposes a point of diversion and place of use change under Certificate 7049. The right allows the use of 3.0 acre feet per acre during the irrigation season from Bully Creek in Sec. 19, T 18 S, R 44 E, W.M. for irrigation in Sec. 4. The applicant proposes to move the point of diversion in Sec. 4, T 19 S, R 44 E, W.M. and to change the place of use to Secs. 4 and 5, T 19 S, R 44 E, W.M. The Water Resources Department proposes to approve 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) 986-0807 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

STATE OF OREGON
COUNTY OF MALHEUR
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

ELLA WOODRUFF
VALE, OR 97918

confirms the right to use the waters of BULLY CREEK, a tributary to the MALHEUR RIVER for SUPPLEMENTAL IRRIGATION of 44.0 ACRES.

This right was confirmed by decree of the Circuit Court of the State of Oregon for Malheur County. The decree is of record at Salem, in the Order Record of the Water Resources Director in Volume 8, at Page 228. The date of priority is 1884.

The amount of water to which this right is entitled, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.5 acre feet per acre in any 30 day period prior to June 1st, 1.0 acre foot per acre in any 30 day period after June 1st, of each year, or 3.0 acre feet per acre during any season, diverted at a rate not to exceed one-twentieth of a cubic foot per second per acre.

The point of diversion is:

DITCH NAME
FARMERS DITCH

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

Twp	Rng	Mer	Sec	Q-Q	Acres
19 S	44 E	WM	4	NE NW	8.0
19 S	44 E	WM	4	SW NW	36.0

This certificate describes that portion of the water right confirmed by Certificate 7049, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered _____, approving Transfer Application T-11669 for a change in point of diversion and place of use.

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

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

WITNESS the signature of the Water Resources Director, affixed _____.

Dwight French, Water Right Services Administrator, for
Thomas M. Byler, Director
Oregon Water Resources Department

From: [Melissa Simpson](#)
To: [Lori Graves](#)
Subject: Vale Ranches LLC
Date: Thursday, September 21, 2017 12:10:54 PM
Attachments: [image001.png](#)
[doc06109120170921123728.pdf](#)

Good Afternoon,

Here are the listing kits on the two properties for Vale Ranches. Thank you and have a great day! ☺

*Effective April 11th, Malheur County is now set up to E-Record. There will be an additional five dollars per document for recording. *



Melissa Simpson | Title Officer
AmeriTitle, Inc.

70 S.W. 3rd Ave. | Ontario, Oregon | 97914

Phone 541-889-6451 | Fax 541-889-4161

Melissa.Simpson@amerititle.com | www.amerititle.com

[Online Ordering](#) | [Online Tools](#) | [Find an Office Near You](#)

This message (including any attachments) contains confidential information intended for a specific individual and purpose, and is protected by law. If you are not the intended recipient, you should delete this message. Any disclosure, copying, or distribution of this message, or the taking of any action based on it by unauthorized persons, is strictly prohibited.

Notice: The information provided here is for convenience ONLY. The records located at Malheur County Assessor's office are the one and only legal instruments for assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Malheur County is not, in any way, liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Malheur County Assessor's Office, Vale, Oregon.

Date Web Site was last updated 9/21/2017

Value and tax information for tax year 2016

Ref#:14444 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
19S4404	1400	0	43	551 FARM USE/ZONED/IMP	C-A1

OWNER:	VALE RANCHES LLC
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	
	1606 AMARAL CT
CITY/ST:	FAIRFIELD, CA ,94534

PROPERTY ADDRESS: 2160 U S 20 HWY VALE

NOTES:

*ZONED FARM USE-POTENTIAL ADD TAX
PHOTO# 478-62L

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$543,820	
STRUCTURES	\$520	
SUBTOT	\$544,340	\$167,571
TOTAL	\$544,340	\$167,571

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$1,683.52
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$1,683.52

STRUCTURES

#	DESCRIPTION							
---	-------------	--	--	--	--	--	--	--

	BLDG CLASS		MAIN SQ FT	UPPR SQ FT	BSMT SQ FT	YEAR BLT	YEAR APPR	MKT VALUE	RE- MDL
1	351	SITE IMPROVEMENT	0	0	0	0	2014	\$0	0
2	300	DRC BUILDING	0	0	0	0	2014	\$520	0

LAND DESCRIPTIONS

LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	0.00	FSD	FARM SITE DEV	-	\$6,420
2	0.50	FHS	FARM HOME SITE	-	\$19,260
3	104.50	03	CLASS 3	-	\$503,170
4	2.50	04	CLASS 4	-	\$9,360
5	2.00	05	CLASS 5	-	\$5,350
6	1.60	07P	CLASS 7P	-	\$260
TOTAL	111.10				

SALES

SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	3/22/2016	\$615,000	1	WD	20161001

[NEW SEARCH](#)



194400B

(41)

THIS SPACE RESERVED FOR RECORDER'S USE

After recording return to:

Vale Ranches, LLC, an Oregon limited liability
company

1606 Amaral Court

Fairfield, CA 94534

Until a change is requested all tax statements
shall be sent to the following address:

Vale Ranches, LLC, an Oregon limited liability
company

1606 Amaral Court

Fairfield, CA 94534

File No. 88522AM

MALHEUR COUNTY, OR 2016-1001

DST WD

03/25/2016 02:31 PM

Cnt=1 Pgs=3

Total: \$62.00



00036307201600010010030039

I, Deborah R. DeLong, County Clerk for Malheur
County, Oregon certify that the instrument identified
herein was recorded in the Clerk records.

Deborah R. DeLong - County Clerk

lank

STATUTORY WARRANTY DEED

Richard B. Mason and Janet L. Wilhoite, Co-Successor Trustees of Trust B of the John B. and Mary H. Mason Trust
u/a/d December 13, 1999,

Grantor(s), hereby convey and warrant to

Vale Ranches, LLC, an Oregon limited liability company,

Grantee(s), the following described real property in the County of Malheur and State of Oregon free of encumbrances except
as specifically set forth herein:

Land in Malheur County, Oregon, as follows:

In Twp. 19 S., R. 44 E., W.M.:

Sec. 4: NW1/4 SW1/4, S1/2 SW1/4.

EXCEPTING THEREFROM Highway and Railroad Right of Ways.

FOR INFORMATION PURPOSES ONLY, THE MAP/TAX ACCT #(S) ARE REFERENCED HERE:

19S4404 1400

The true and actual consideration for this conveyance is \$615,000.00.

The above-described property is free of encumbrances except all those items of record, if any, as of the date of this deed and
those shown below, if any:

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

Dated this 22 day of MARCH, 2016

Trust B of the John B. and Mary H. Mason Trust w/a/d December 13, 1999

Richard B. Mason
Richard B. Mason, Co-Successor Trustee

State of California) ss.
County of Orange)

On this 22nd day of March, 2016, before me, Hyung S. Ahn a Notary Public in and for said state, personally appeared Richard B. Mason known or identified to me to be the person whose name is subscribed to the foregoing instrument as co-successor trustee of the Trust B of the John B. and Mary H. Mason Trust w/a/d December 13, 1999, and acknowledged to me that he/she/they executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Notary Public for the State of California)
Residing at: Irvine, CA
Commission Expires: 09.30.2018

A notary public or other officer completing this certificate verifies only the identity of the individual who signed the document to which this certificate is attached, and not the truthfulness, accuracy, or validity of that document.

State of California
County of Orange
on 22 day of March, 2016, before me, Hyung S. Ahn Notary Public
personally appeared Richard B. Mason
who proved to me on the basis of satisfactory evidence to be the person(s) whose
name(s) is/are subscribed to the within instrument and acknowledged to me that
he/she/they executed the same in his/her/their authorized capacity(ies), and that
by his/her/their signature(s) on the instrument the person(s), or the entity upon
behalf of which the person(s) acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California
that the foregoing paragraph is true and correct.
WITNESS my hand and official seal.



Dated this 23 day of March, 2016

Trust B of the John B. and Mary H. Mason Trust w/a/d December 13, 1999

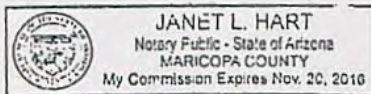
Janet L. Wilhoite
Janet L. Wilhoite, Co-Successor Trustee

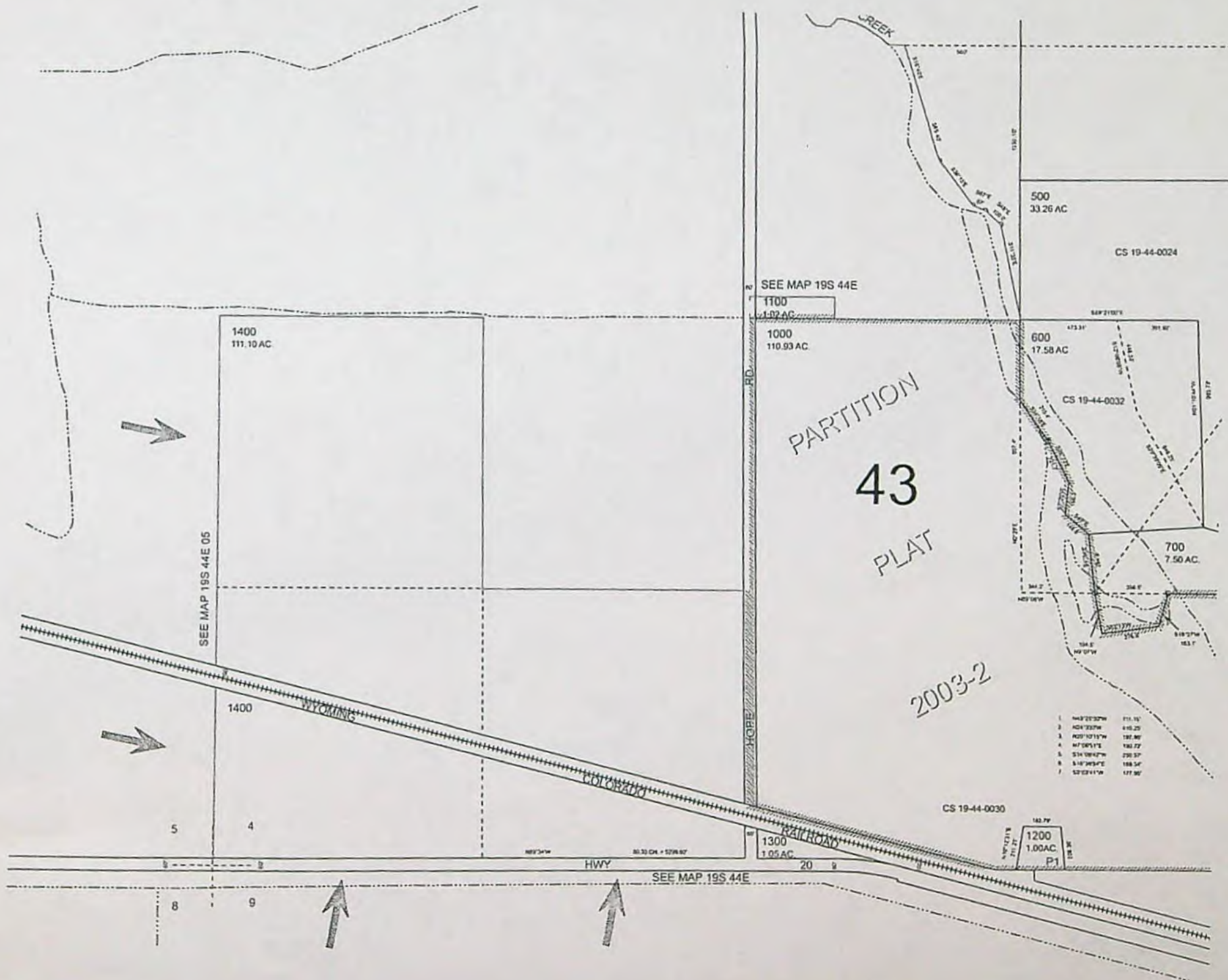
State of AZ) ss.
County of Maricopa)

On this 23 day of March, 2016, before me, Janet L. Hart a Notary Public in and for said state, personally appeared Janet L. Wilhoite known or identified to me to be the person whose name is subscribed to the foregoing instrument as trustee of the Trust B of the John B. and Mary H. Mason Trust w/a/d December 13, 1999, and acknowledged to me that he/she/they executed the same as Trustee.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed my official seal the day and year in this certificate first above written.

Janet L. Hart
Notary Public for the State of AZ
Residing at: 2320 E Baseline Rd Phoenix AZ 85042
Commission Expires: 11-20-2016





Notice: The information provided here is for convenience ONLY. The records located at Malheur County Assessor's office are the one and only legal instruments for assessment purposes. Although reasonable attempts are made to maintain this information as accurate as possible, these documents are being provided as an informational convenience ONLY. Malheur County is not, in any way, liable for any inaccuracies, inconsistencies, errors, omissions, or other deviations in these documents from the original copies maintained and filed at the Malheur County Assessor's Office, Vale, Oregon.

Date Web Site was last updated 9/21/2017

Value and tax information for tax year 2016

Ref#:14442 Type of Property : REAL PROPERTY

MAP#	TAX LOT#	A NUM	CODE	PROPERTY CLASS/DESC	ZONE
19S44	3700	0	43	551 FARM USE/ZONED/IMP	C-A1

OWNER:	VALE RANCHES LLC
CONTRACT:	
ETAL(s):	
MAILING ADDRESS:	
	1606 AMARAL CT
CITY/ST:	FAIRFIELD, CA ,94534

PROPERTY ADDRESS: 0

NOTES:

*ZONED FARM USE-POTENTIAL ADD TAX
PHOTO# 478-62L

	REAL MKT VALUE	ASSESSED(TAXABLE) VALUE
LAND	\$1,312,920	
STRUCTURES	\$34,170	
SUBTOT	\$1,347,090	\$421,376
TOTAL	\$1,347,090	\$421,376

PROPERTY TAX INFORMATION

Do not pay this amount! For current balance owing, contact our office.
Contact information may be found at this web page [Assessor/Tax Collector](#)

BASE TAX	\$4,233.40
TOTAL BASE TAX & SPECIAL ASSESSMENTS	\$4,233.40

STRUCTURES

#	DESCRIPTION								
---	-------------	--	--	--	--	--	--	--	--

	BLDG CLASS		MAIN SQ FT	UPPR SQ FT	BSMT SQ FT	YEAR BLT	YEAR APPR	MKT VALUE	RE- MDL
1	300	DRC BUILDING	0	0	0	0	2014	\$1,100	0
2	350	PIVOT/WHEELINE ACCESSORIES	0	0	0	0	2014	\$33,070	0

LAND DESCRIPTIONS

LINE #	ACRES	LAND CODE	DESCRIPTION	DIMENSIONS	MARKET VALUE
1	213.50	03	CLASS 3	-	\$1,028,000
2	68.50	04	CLASS 4	-	\$256,530
3	7.00	05	CLASS 5	-	\$18,730
4	3.50	06	CLASS 6	-	\$3,370
5	20.00	07A	CLASS 7A	-	\$5,350
6	5.88	07P	CLASS 7P	-	\$940
TOTAL	318.38				

SALES

SEQ #	SALES DATE	SALES AMOUNT	#PARCELS SOLD	DOC TYPE	DOCUMENT NUMBER
1	1/28/2010	\$1,065,000	1	WD	2010544
2	9/05/2008	\$875,000	1	WD	20086192

[NEW SEARCH](#)

Merriitt

After recording mail to:

TRAINOR FAIRBROOK
Colby Campbell, Esquire
Post Office Box 255824
Sacramento, California 95865-5824

Until a change is requested all tax statements
shall be sent to the following address:

VALE RANCHES, LLC
1606 Amaral Court
Fairfield, California 94534

MALHEUR COUNTY, OR 2014-1796
DSTWD 06/03/2014 02:42 PM

Cnt=1 Pgs=4

Total:\$67.00



00023998201400017960040043

I, Deborah R. DeLong, County Clerk for Malheur
County, Oregon certify that the instrument identified
herein was recorded in the Clerk records.
Deborah R. DeLong - County Clerk

194400B

35

STATUTORY WARRANTY DEED

**GREG AMARAL, TRUSTEE OF THE GREG AMARAL LTD. PENSION PLAN &
TRUST,**

Grantor, hereby conveys and warrants to

VALE RANCHES, LLC, AN OREGON LIMITED LIABILITY COMPANY,

Grantee, the following described real property in the County of Malheur and State of Oregon free
of encumbrances except as specifically set forth herein:

SEE EXHIBIT A ATTACHED HERETO AND MADE A PART HEREOF

The true and actual consideration for this conveyance is \$0.00.

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

OREGON LAWS 2007, SECTIONS 2 TO 9 AND 17, CHAPTER 855, OREGON LAWS 2009,
AND SECTIONS 2 TO 7, CHAPTER 8, OREGON LAWS 2010.

Dated this 19th day of May, 2014.

The Greg Amaral Ltd. Pension Plan & Trust

By:

Greg Amaral, Trustee

ACKNOWLEDGEMENT

STATE OF CALIFORNIA)

COUNTY OF Solano)

On May 19, 2014 before me, Cynthia Joann Collins, Notary Public, personally appeared GREG AMARAL, who proved to me on the basis of satisfactory evidence to be the person whose name is subscribed to the within instrument and acknowledged to me that he executed the same in his authorized capacity, and that by his signature on the instrument the person, or the entity upon behalf of which the person acted, executed the instrument.

I certify under PENALTY OF PERJURY under the laws of the State of California that the foregoing paragraph is true and correct.

WITNESS my hand and official seal.



Signature Cynthia Joann Collins (Seal)

2014-1796
MALHEUR COUNTY, OREGON

Page 2 of 4

EXHIBIT A

Land in Malheur County, Oregon, more particularly described as follows:

In Twp. 19 S., R. 44 E., W.M.:

Sec. 4: N1/2 NW1/4, SW1/4 NW1/4, NE1/4 SW1/4, SE1/4 NW1/4, SW1/4 NE1/4,
EXPECTING THEREFROM that portion of the SW1/4 NE1/4 more particularly described as follows:

Beginning at the Northeast corner of SW1/4 NE1/4 of said Sec. 4;

thence West 560.00 feet;

thence S. 16° 40' E. 585.40 feet;

thence S. 36° 15' E., 276.00 feet;

thence S. 67° 00' E., 67.00 feet;

thence S. 48° 00' E., 100.00 feet;

thence S. 11° 35' E., 463.14 feet;

thence North 1,330.10 feet to the Point of Beginning.

FURTHER EXPECTING a parcel of land in the SW1/4 NE1/4 of said Sec. 4, more particularly described as follows:

Beginning at a point located S. 0° 02' W., 2,580.2 feet from the North Quarter corner of said Sec. 4;

thence N. 89° 38' E., 423.1 feet;

thence S. 0° 02' W., 105 feet to the South boundary line of the SW1/4 NE1/4;

thence S. 89° 38' W., 423.1 feet to the West boundary line of the SW1/4 NE1/4;

thence N. 0° 02' E., 105 feet to the Point of Beginning.

ALSO that portion of the NW1/4 NE1/4 of said Sec. 4 lying South of Bully Creek.

Sec. 5: NE1/4 NE1/4 (or Lot 1), E1/2 NW1/4 NE1/4 NW1/4 NE1/4, E1/2 NE1/4 NW1/4 NE1/4,
NE1/4 SE1/4 NW1/4 NE1/4, E1/2 SE1/4 SE1/4 NW1/4 NE1/4 (or part of Lot 2),
SE1/4 NE1/4.

EXPECTING THEREFROM a parcel of land more particularly described as follows:

Beginning at the Southwest corner of the SE1/4 NE1/4 of said Sec. 5, and running North on the West line of said SE1/4 NE1/4, 1,150 feet;

thence East 165 feet;

thence South 1,150 feet on a line parallel with the West line of said SE1/4 NE1/4 to the South line of said quarter;

thence West on the South line of said SE1/4 NE1/4, 165 feet to the Point of Beginning.

SUBJECT TO the right of ways for Hope Road and Mecham Road.

SUBJECT TO:

The assessment roll and the tax roll disclosure that the within described premises were specially assessed as farm land. If the land has become or becomes disqualified for the special assessment under the statute, an additional tax may be levied.

The rights of the public in and to that portion of the premises herein lying within streets, roads and highways.

Governmental rights in connection with flood control and propagation of anadromous fish and public rights of fishing and recreational navigation in and to the water, bed and shoreline of Bully Creek.

Regulations of the Warmsprings Irrigation District, within which the above property lies, including levies, assessments, water and irrigation rights and easements for ditches and canals.

Regulations of the Vale-Oregon Irrigation District, within which the above property lies, including levies, assessments, water and irrigation rights and easements for ditches and canals.

An easement for power lines created by instrument, including the terms and provisions thereof;
Recorded: Aug. 20, 1986, Inst. No. 86-5395 Deed Records.
Favor of: Idaho Power Company

2014-1796
MALHEUR COUNTY, OREGON

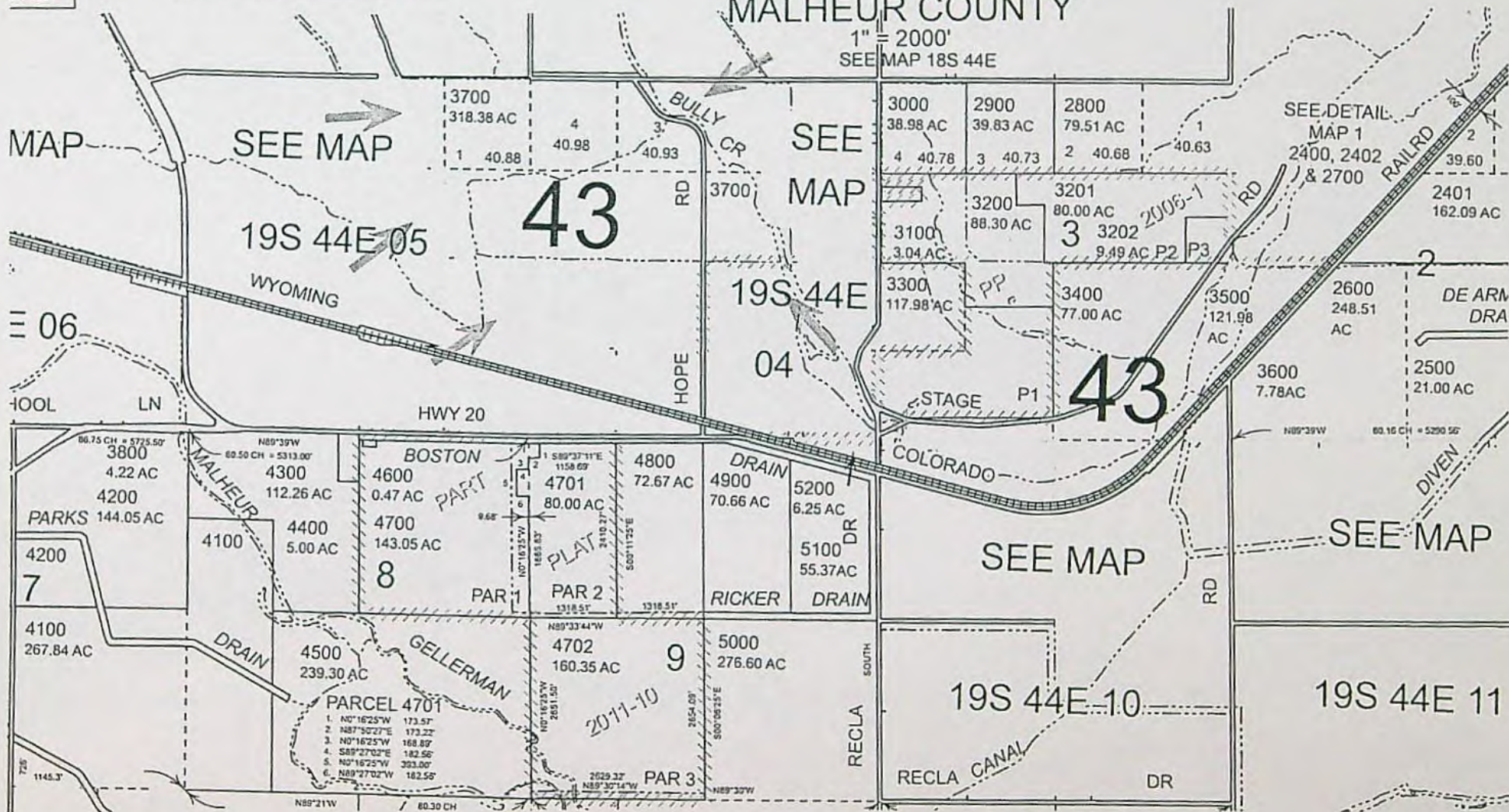
Page 4 of 4

FOR ONLY

0 1,000 2,000 3,000 4,000 Feet

T.19S. R.44E. W.M.
MALHEUR COUNTY

1" = 2000'
SEE MAP 18S 44E



AFFIDAVIT OF PUBLICATION

STATE OF OREGON)
:SS.
COUNTY OF MALHEUR)

Dawnie Haueter being first

duly sworn, deposes and says: that (he) (she) is the Agent to the Publisher of the ARGUS OBSERVER newspaper, a newspaper of general circulation as defined by ORS 193.010, printed and published at the City of Ontario in the aforesaid County and State and the hereto attached

L#95867 NOTICE OF PRELIMINARY DETERMINATION

was printed and published correctly in the regular and entire issue of said ARGUS OBSERVER for 1 issue(s), that the first was made on the 13th day of March 2018 and the last publication thereof was made on the 13th day of March 2018 that said publication was made on each of the following dates, to wit:

03/06/2018, 03/13/2018

Request of OR DEPT OF WATER RESOURC

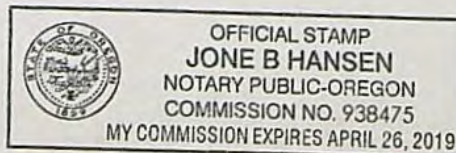
By Argus Observer

Subscribed and sworn to before me this 13th day of March 2018

Jane B Hansen

Notary public in and for the County of Malheur, State of Oregon

My commission Expires:



3/22/2018 JS

Notice of Preliminary Determination for Water Right Transfer T-11669

T-11669 filed by Greg Amaral, 1606 Amaral Court, Fairfield, CA 94534, proposes a change in point of diversion and a change in place of use under Certificate 7049. The right allows the use of 3.0 acre feet per acre during the irrigation season from Bully Creek in Sec. 19, T18S, R44E, WM for irrigation in Sec. 4, T19S, R44E, WM. The applicant proposes to move the point of diversion in Sec. 4, T19S, R44E, WM and to change the place of use to within Sects. 4 and 5, T19S, R44E, WM. The Water Resources Department proposes to approve 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) 986-0807 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Legal Number- 95867
Publication Dates: March 6, 13,
2018

AFFIDAVIT OF PUBLICATION

STATE OF OREGON)
:SS.
COUNTY OF MALHEUR)

Dawnite Hunter

being first

duly sworn, deposes and says: that (he) (she) is the Agent to the Publisher of the ARGUS OBSERVER newspaper, a newspaper of general circulation as defined by ORS 193.010, printed and published at the City of Ontario in the aforesaid County and State and the hereto attached

L#95867 NOTICE OF PRELIMINARY DETERMINATION

was printed and published correctly in the regular and entire issue of said ARGUS OBSERVER for 1 issue(s), that the first was made on the 13th day of March 2018 and the last publication thereof was made on the 13th day of March 2018 that said publication was made on each of the following dates, to wit:

03/06/2018, 03/13/2018

Request of OR DEPT OF WATER RESOURC

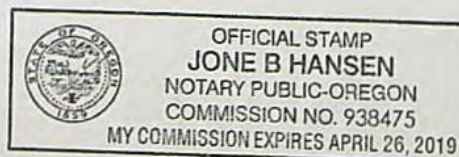
By Argus Observer

Subscribed and sworn to before me this 13th day of March 2018

Jone B Hansen

Notary public in and for the County of Malheur, State of Oregon

My commission Expires:



Notice of Preliminary Determination for Water Right Transfer T-11669

T-11669 filed by Greg Amaral, 1606 Amaral Court, Fairfield, CA 94534, proposes a change in point of diversion and a change in place of use under Certificate 7049. The right allows the use of 3.0 acre feet per acre during the irrigation season from Bully Creek in Sec. 19, T18S, R44E, WM for irrigation in Sec. 4, T19S, R44E, WM. The applicant proposes to move the point of diversion in Sec. 4, T19S, R44E, WM and to change the place of use to within Sects. 4 and 5, T19S, R44E, WM. The Water Resources Department proposes to approve 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) 986-0807 to obtain additional information. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

Legal Number- 95867
Publication Dates: March 6, 13,
2018

3/22/2018 J

THE ARGUS OBSERVER

1160 S.W. 4th Street
Ontario, Oregon 97914

ADDRESS SERVICE REQUESTED

BOISE ID 837

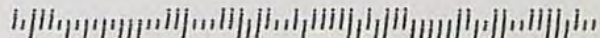
19 MAR 2018 PM 1 T



02 1P
0000896819 MAR 19 2018
MAILED FROM ZIP CODE 97914

\$ 000.470

9730131266



**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **125020**

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

INVOICE # _____

RECEIVED FROM: Vale Ranches, LLC
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-11669

CASH: ☐ CHECK: # 1152 OTHER: (IDENTIFY) ☐

TOTAL REC'D \$ 119.04

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES <u>46117</u>	\$
<u>0207</u> OTHER: (IDENTIFY) <u>Newspaper Notice</u>	\$ <u>119.04</u>

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

WELL CONSTRUCTION

0218 WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219	LICENSE FEE \$
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:

125020

DATED: 10-26-17 BY: Billundis

**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 # **125020**

INVOICE # _____

RECEIVED FROM: Vale Ranches, LLC

BY: _____

CASH: ☐ CHECK: # 1152 OTHER: (IDENTIFY) ☐

APPLICATION	
PERMIT	
TRANSFER	<u>T-11669</u>

TOTAL REC'D \$ 119.04

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 46117 \$
0207 OTHER: (IDENTIFY) Newspaper Notice \$ 119.04

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

WELL CONSTRUCTION

0218	WELL DRILL CONSTRUCTOR	EXAM FEE \$	0219	LICENSE FEE \$
	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 (FWWRD)	\$
0231	HYDRO LICENSE FEE (FWWRD)	\$
	HYDRO APPLICATION	\$

TREASURY OTHER / RDX

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

RECEIPT: **125020**

DATED: 10-26-17 BY: Bill [Signature]

Attached is a check for \$119.04 (PCA #) for Newspaper Notice for Transfer T-11669

- made out to Oregon Water Resources Department (or WRD)
- **“for T-11669-NOTICE”** written on front of check

Mail to: Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, OR 97301-1266

VALE RANCHES, LLC

1152

STATE OF OREGON WATER RESOURCE DEPT
FEES EXPENSE Bully Creek Permanent Transfer

10/16/2017

119.04

RECEIVED BY OWRD

OCT 26 2017

SALEM, OR

US BANK 4880

119.04



SPF WATER
ENGINEERING

October 23, 2017

RECEIVED BY OWRD

OCT 26 2017

SALEM, OR

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

Subject: Transfer T-11669 Advertising Fee

To Whom It May Concern,

Enclosed is check #1152 to cover the cost of publication of T-11669. Thank you for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Greg Amaral

Enclosures

SPF file number: 901.0060



SPF WATER
ENGINEERING, LLC

300 E. Mallard Drive, Suite 350 • Boise, ID 83706

BOISE ID 837

23 OCT 2017 PM 2 T



NEOPOST

FIRST-CLASS MAIL

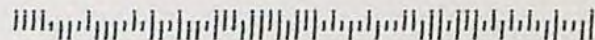
\$000.46⁹

10/23/2017 ZIP 83706
042L14805860

US POSTAGE

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

9730131266



File Prep

CW		CW	
<input checked="" type="checkbox"/>	File Assigned (computer entry)	<input checked="" type="checkbox"/>	Print Tax Lot Map(s)/Ownership info if available on the web
<input checked="" type="checkbox"/>	Make Copies App, Map, GW review, (WM Review, ODFW to send to applicant later) Affidavits if applicable	<input checked="" type="checkbox"/>	Print: Certs, WR maps, (Tabulations, Sp Or, Air Photos or other helpful info to aid in processing)
<input checked="" type="checkbox"/>	Bundle Originals with cover sheet	<input checked="" type="checkbox"/>	Check Area of Interest – print if needed
<input checked="" type="checkbox"/>	Check for any public comments submitted electronically. Print any comments received.	<input checked="" type="checkbox"/>	Any irrigation districts that need notice based on Area of Interest Check. <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Note:

APPLICATION/MAP REVIEW

PR	CW		PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appropriately signed	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ditch Company, Irr. Dist. and/or BOR sent copies
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Checked WRIS contact address/e-mail for accuracy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Appropriate Fees Paid
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Revisit application checklist & Supporting Docs	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Overpayment of Fees, Refund Request with FO
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Any deficiencies that need to be addressed? <input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Notes:	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Land Use Form matches Tax Lots, is signed by proper official and is APPROVED

DETERMINING THE “FROM” AND “TO” LANDS

PR	CW		PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Only the authorized POD's/POA's and POU's to be transferred are listed.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Application & certificate tabulations match. (Mark on appl. and cert. copies and note corrections needed)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Marked on certificate the acreage being transferred, cancelled and remaining by ¼ ¼.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Marked on certificate the quantity of water being transferred, cancelled, and remaining
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Compare Water Right map to App Map for Accuracy	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Check and notate on Plat Card for Conflicts (To and From Lands) N/A if no change in POU or Use

INJURY REVIEWS/COMMENTS/CONDITIONS

PR	CW				
<input type="checkbox"/>	<input checked="" type="checkbox"/>	ODFW	<input type="checkbox"/> Fish Screens	<input type="checkbox"/> Other:	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Ground water			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Watermaster	<input type="checkbox"/> Headgate	<input type="checkbox"/> Prior to diverting	<input type="checkbox"/>
			<input checked="" type="checkbox"/> Measuring Devices	<input checked="" type="checkbox"/> Prior to diverting	<input type="checkbox"/> Type of Device?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Injury	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No	<input type="checkbox"/> Enlargement	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Conditions to Avoid Enlargement/Injury			

DPD		PD		FO		COV		DPD/PD/ FINAL ORDER/COVER LETTER
PR	CW	PR	CW	PR	CW	PR	CW	
	<input checked="" type="checkbox"/>		<input checked="" type="checkbox"/>		<input type="checkbox"/>		<input checked="" type="checkbox"/>	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Correct address? Add Agent, Receiving Landowner if applicable etc...
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Compare “from lands” with marked up Certificate
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Compare Authorized POD(s)/POA(s) with marked up Certificate
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add Watermaster conditions (send copy of review to applicant if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add Ground water conditions
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	ODFW recommendations (send copy of review to applicant if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Hidden findings unveiled?
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Add any cancellation language or special situations
<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Attach supporting documents to cover letter if applicable

OWNERSHIP VERIFICATION					
PR	CW		PR	CW	
<input type="checkbox"/>	<input checked="" type="checkbox"/>	The deed/ROI matches the "from" lands.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Notarized, signed statement of consent (if applicable)
<input type="checkbox"/>	<input checked="" type="checkbox"/>	All owners on the deed/ROI have signed the application.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	Compare with current tax lot map.
PR	CW	PD PUBLIC NOTICE/NEWSPAPER NOTICE/COVER LETTER			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Format matches current template			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Content matches PD info?			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Spell checked?			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Correct address?			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Cost Estimate for Newspaper if applicable send email to support staff <input checked="" type="checkbox"/> 2 weeks <input type="checkbox"/> three weeks			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Send Letter to Applicant/Agent regarding newspaper notice cost			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Have funds been received from Applicant/Agent for newspaper costs?			
PR	CW	REMAINING RIGHT CERTIFICATE			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Table Format matches current template			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Content format matches original certificate			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Spell checked?			
<input type="checkbox"/>	<input checked="" type="checkbox"/>	Name and address matches originating certificate?			
CW	CASEWORKER WRAP UP				
<input checked="" type="checkbox"/>	Organize Working Docs For Peer Review (Remove Duplicates)				
<input checked="" type="checkbox"/>	Update Computer entry (add postal confirmation receipt number and date file was mailed)				
<input checked="" type="checkbox"/>	Put file contents on Salem Exchange Folder				
<input checked="" type="checkbox"/>	Print e-mail and correspondence put it in order of the findings of PD (if applicable)				
<input checked="" type="checkbox"/>	Has Affidavit of Publication been received? <input type="checkbox"/> N/A <input type="checkbox"/> Yes--Date for FO: _____ <input type="checkbox"/> No—have Codi call newspaper				

COMMENTS:

[illegible]

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

Reference Transfer #: T-11669

Date of review: 2/18/2014

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

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

(Please attach any available supporting information.)

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

B. Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.525 or 540.532:

☐ **1. Screen Maintain**

[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

Condition: The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **2. Screen Now**

[Option 2 should generally be selected if fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Condition: Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

*Please return all 3 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1266*

☐ 3. Screen 2 Year

[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: _____

Note: This option will yield the following:

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

Condition: By October 1, 20__ [Within two years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☒ 4. Screen Future

[Use this option if fish are not currently present, but might possibly be at some future time.]

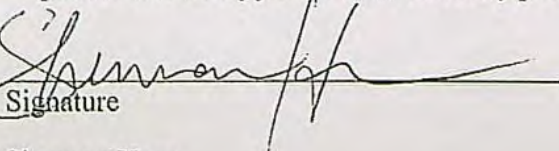
Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

Condition: The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ 5. No Screen Needed

[Check this box if fish are not currently present, and are not expected in the future.]


Signature

Shannon Hurn
Printed Name

(541) 573-6582
Phone

Supervising F&W Biologist
Title

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer #: T-11669

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☐ Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.

ODFW staff name: _____

Address: _____

City/State/Zip: _____

Phone: (____) _____

- ☐ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: _____

Address: _____

City/State/Zip: _____

Phone: (____) _____



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-011669

Review Due Date: 11/06/2013

Applicant Name: Greg Amaral Trustee of the Greg Amaral LTD. Pension Plan and Trust

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

Reviewer(s): Ronald Jacobs

Date of Review: Oct. 8, 2013

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. 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: _____
12. What alternatives may be available for addressing any issues identified above: _____
13. 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 below:
- ☐ 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 3)
 - 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.*
 - 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 3)
 - 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:

- | | |
|---|--|
| <input type="checkbox"/> Weir | <input type="checkbox"/> Submerged Orifice |
| <input type="checkbox"/> Parshall Flume | <input type="checkbox"/> Flow Restrictor |
| <input type="checkbox"/> Other: _____ | |

Oregon Water Resources Department**Measurement Condition Information for the Applicant**
(to be sent with the Draft Preliminary Determination or Final Order)

Transfer #: T-011668

☒ In order to avoid enlargement of the right or injury to other rights, a flow meter 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: Ronald JacobsDistrict: 9Address: 251 B. Street WestCity/State/Zip: 97918Phone: 541-473-5130Email: Ronald.K.Jacobs@wrđ.state.or.us

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

ODFW PUBLIC INTEREST REVIEW SHEET

Wrong form

Application #: T 16699 Applicant's Name: Greg Amara

1) Will the proposed use occur in an area that may affect the habitat of fish or wildlife species?

☐ NO (Sign form and return)

☒ YES Species: Rainbow trout, white crappie, largemouth bass, smallmouth bass, bluegill, yellow perch

Other: largescale sucker, bridgelip sucker, chiselmouth, northern pikeminnow

Stage or value at risk (check all that apply): ☒ Spawning ☐ Incubation ☐ Rearing ☒ Passage ☒ Habitat Value

2) Will the proposed use result in a loss of habitat? ☒ NO ☐ YES

3) Can conditions be applied to mitigate the impact to the loss of habitat?

☐ NO

☒ YES; recommend from Menu of Conditions and skip to question 6.

4) If conditions cannot be identified to offset impacts to the habitat, would the proposed use harm the species? ☐ NO ☐ YES

If YES, please explain:

5) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated what conditions do you recommend? (select from Menu of Conditions) fishmay

6) Your recommendation: ☒ Approval with conditions
☐ Approval without conditions
☐ Denial

Sherrin (Phon)

ODFW Representative signature:

Date: 10/24/2013

WRD Contact: Caseworker: Joan Smith Water Rights Division, 503-986-0900 / Fax 503-986-0901

ODFW DIVISION 33 APPLICATION REVIEW SHEET

Recommendations for Water Right Applications that may affect the
Habitat of Sensitive, Threatened or Endangered Fish Species. OAR 690-33-310 through 340.

Application #: T 11669 Applicant's Name: Greg Amaral

1) Will the proposed use occur in an area that may affect the essential habitat of sensitive, threatened, or endangered fish species?
[690-33-330(1)]

☒ NO ☐ YES Species: Status: ☐ Sensitive ☐ Threatened ☐ Endangered

If YES, continue to question (2). If NO, you may comment by completing the public interest review sheet on the back of this page.

2) Stage or value at risk (check all that apply): ☐ Spawning, ☐ Incubation ☐ Rearing ☐ Passage ☐ Habitat Value

3) Will the proposed use result in a **LOSS** in the essential habitat of **THREATENED OR ENDANGERED SPECIES** or a **NET LOSS** in the essential habitat of a **SENSITIVE SPECIES**? ☐ NO ☐ YES

A) Standard of **NET LOSS** applies to sensitive species statewide. [690-33-330(2)(h)]

B) Standard of **LOSS** applies to T or E species outside the Columbia Basin. [690-33-330(2)(a)]

4) Can conditions be applied to mitigate the impact to the essential habitat of a S, T or E species?

☐ NO ☐ YES; recommend from Menu of Conditions and skip to question 7.

5) If conditions cannot be identified to offset impacts to the essential habitat of S, T or E species, would the proposed use harm the species? ☐ NO ☐ YES [690-33-330(4)]

If YES, please explain:

6) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated what conditions do you recommend? (select from Menu of Conditions)

7) Your recommendation under OAR 690-033-0330 (2): ☐ Approval with conditions
☐ Approval without conditions
☐ Denial

ODFW Representative signature: Date:

WRD Contact: Caseworker: Water Rights Division, 503-986-0900 / Fax 503-986-0901

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

Reference Transfer #: T-11669

Date of review: 2/18/2014

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

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

(Please attach any available supporting information.)

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

B. Please check one of the following five boxes related to fish screen requirements pursuant to ORS 540.525 or 540.532:

☐ **1. Screen Maintain**

[Select this option if the new Point of Diversion (POD) requires a fish screen and is currently equipped with an appropriate fish screen that will still be in compliance if the transferred water is diverted from this POD.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is currently equipped with an appropriate fish screen.

Condition: The water user shall operate and maintain an approved fish screen at the new point of diversion. If Oregon Department of Fish and Wildlife (ODFW) determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ **2. Screen Now**

[Option 2 should generally be selected if fish species are present at the point of diversion and/or the originating water right diversion is currently screened. If Option 2 is selected, provide contact information on the "Fish Screening and Passage Information" sheet. The new diversion may be eligible for cost-share.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife (ODFW) has determined that a fish screen is necessary at the new point of diversion to prevent fish from entering the diversion and that the diversion is not currently equipped with an appropriate fish screen. This diversion may be eligible for screening cost-share funds.

Condition: Prior to diverting water, the water user shall install an approved fish screen at the new point of diversion and shall provide to the OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall operate and maintain the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

*Please return all 3 pages to: Transfers Section, Water Resources Department,
725 Summer St. NE, Suite A, Salem, OR 97301-1266*

☐ 3. Screen 2 Year

[Option 3 may be checked if the change is from an unscreened diversion to a HISTORIC POD or an existing POD in use for another water right, and cost-share funds are not currently available. It should NOT be checked if fish species are present at the point of diversion, the originating water right diversion is screened, cost-share funds are currently available, or the diversion is not eligible for ODFW's cost-share program. Please provide contact information on the "Fish Screening and Passage Information" sheet.] If extraordinary circumstances are present, please explain: _____

Note: This option will yield the following:

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

Condition: By October 1, 20__ [Within two years after the date of this order] the water user shall install an approved fish screen at the new point of diversion. The water user shall provide to OWRD a written statement from Oregon Department of Fish and Wildlife (ODFW) that the installed screen meets the state's criteria, or that ODFW has determined a screen is not necessary.

The water user shall maintain and operate the fish screen at the new point of diversion consistent with ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☒ 4. Screen Future

[Use this option if fish are not currently present, but might possibly be at some future time.]

Note: This option will yield the following:

Finding of Fact: The Oregon Department of Fish and Wildlife has determined that the diversion is not currently equipped with an appropriate fish screen, but a fish screen may be required in the future at the new point of diversion to prevent fish from entering the diversion.

Condition: The Oregon Department of Fish and Wildlife (ODFW) may require the water user to install an approved fish screen at the new point of diversion within one year after receiving written notification that a fish screen is required. Once installed the water user shall maintain and operate the fish screen at the new point of diversion according to ODFW's operational and maintenance standards. If ODFW determines the screen is not functioning properly, and is unsuccessful in working with the water user to meet ODFW standards, ODFW may request that OWRD regulate the use of water until OWRD receives notification from ODFW that the fish screen is functioning properly.

☐ 5. No Screen Needed

[Check this box if fish are not currently present, and are not expected in the future.]

Signature

Shannon Hurn

Printed Name

(541) 573-6582

Phone

Supervising F&W Biologist

Title

Oregon Department of Fish and Wildlife
Additional Fish Screening and Passage Information for the Applicant
(To be completed by ODFW for WRD to provide to the applicant.)

Transfer #: T-11669

The applicant should be aware that fish screening and passage may be required for certain changes in point of diversion if the boxes below are checked.

- ☐ Fish screening is required as a condition of this transfer. The fish screen must meet ODFW's design, construction, operational and maintenance standards.

Pursuant to ORS 498.306, cost-share funds may be available to assist in the installation of fish screening.

The applicant should contact the ODFW staff member below to obtain additional information on the design, construction, operational, and maintenance standards for the fish screen and to obtain information about ODFW's cost-sharing program for screening. **Prior to installation, the water user must obtain written approval from ODFW that the required screen meets ODFW's criteria.**

ODFW staff name: _____

Address: _____

City/State/Zip: _____

Phone: (____) _____

- ☐ This transfer may trigger requirements for fish passage under ORS 509.585 because a new point of diversion will be constructed, an existing point of diversion's capacity will be increased, or an existing point of diversion will be abandoned. The applicant should contact the ODFW staff member below for a determination of whether native migratory fish are or were present at the applicable location, which will determine whether fish passage must be addressed.

ODFW staff name: _____

Address: _____

City/State/Zip: _____

Phone: (____) _____

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND AG

The following condition will be included in any permit issued unless ODFW explicitly requests that it be omitted:

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver or exemption through the Oregon Department of Fish and Wildlife. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator before beginning construction of any in-channel obstruction.

- fishself** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.
- fishapprove** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
- fishdiv33** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.
- The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
- The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
- fishmay** Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.
- b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.
- b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.
- b51a** The period of use has been limited to _____ through _____.
- b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.
- b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgment the installation of the weir(s) will provide no public benefit.
- futile call** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the _____ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- riparian** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.
- wq** The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
- fence** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- blv** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

ODFW DIVISION 33 APPLICATION REVIEW SHEET

Recommendations for Water Right Applications that may affect the
Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Application #: T 11669 Applicant's Name: Greg Amaral

- A) Will the proposed use occur in an area that may affect the essential habitat of a **SENSITIVE** fish species?
☒ NO ☐ YES If YES, fill out **SECTION I** and the **RECOMMENDATION**.
- B) Will the proposed use occur in an area that may affect the essential habitat of a **THREATENED OR ENDANGERED** fish species?
☐ NO ☐ YES Species: Status: ☐ Threatened ☐ Endangered
If YES, fill out **SECTION II** and the **RECOMMENDATION**.

If your answer is **NO** to both questions, you may comment by completing the public interest review sheet on the back of this page.

SECTION I:

- 1) Will the proposed use result in a **NET LOSS** in the habitat of a **SENSITIVE SPECIES**? [690-33-330(2)(a)] ☐ NO ☐ YES
- 2) What stage or value is at risk (check all that apply): ☐ Spawning ☐ Incubation ☐ Rearing ☐ Passage ☐ Habitat Value
- 3) Can conditions be applied to mitigate the impact to the essential habitat of a **SENSITIVE** species?
☐ NO ☐ YES; recommend from Menu of Conditions and skip to Section II.
- 4) If conditions cannot be identified to offset impacts to the essential habitat of **SENSITIVE** species, would the proposed use harm the species?
☐ NO ☐ YES [690-33-330(4)] Please explain:
- 5) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated, what conditions do you recommend? (select from Menu of Conditions)

SECTION II:

- 1) Is the proposed use consistent with the Columbia River Basin Fish and Wildlife Program? ☐ NO ☐ YES [690-33-120(1)]
Explain:
- If NO, can the proposed use be conditioned to achieve consistency with the Fish and Wildlife Program? ☐ NO ☐ YES
(select from Menu of Conditions)

RECOMMENDATION under OAR 690-033-0330 (2): ☐ Approval with conditions
☐ Approval without conditions
☐ Denial

ODFW Representative signature:

Date:

WRD Contact:

Caseworker:

Water Rights Division, 503-986-0900 / Fax 503-986-0901

ODFW PUBLIC INTEREST REVIEW SHEET

Application #: T 16699 Applicant's Name: Greg Amaral

1) Will the proposed use occur in an area that may affect the habitat of fish or wildlife species?

☐ NO (Sign form and return)

☒ YES Species: inland Columbia redband trout, white crappie, largemouth bass, bluegill, smallmouth bass, yellow perch
Other: largescale sucker, bridgelip sucker, chiselmouth, northern pikeminnow

What stage or value is at risk (check all that apply): ☒ Spawning ☐ Incubation ☐ Rearing ☒ Passage ☒ Habitat Value

2) Will the proposed use result in a loss of habitat? ☐ NO ☒ YES

3) Can conditions be applied to mitigate the impact to the loss of habitat?

☐ NO

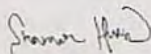
☐ YES; recommend from Menu of Conditions and skip to question 6.

4) If conditions cannot be identified to offset impacts to the habitat, would the proposed use harm the species? ☐ NO ☐ YES

If YES, please explain:

5) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated what conditions do you recommend? (select from Menu of Conditions)
Fishmay

6) Your recommendation: ☒ Approval with conditions
☐ Approval without conditions
☐ Denial



ODFW Representative signature:

Date: 12/26/2013

WRD Contact: Caseworker: Joan Smith Water Rights Division, 503-986-0900 / Fax 503-986-0901

MENU OF CONDITIONS FOR WRD, ODFW, DEQ AND AG

The following condition will be included in any permit issued unless ODFW explicitly requests that it be omitted:

The permittee shall not construct, operate or maintain any dam or artificial obstruction to fish passage in the channel of the subject stream without providing a fishway to ensure adequate upstream and downstream passage for fish, unless the permittee has requested and been granted a fish passage waiver or exemption through the Oregon Department of Fish and Wildlife. The permittee is hereby directed to contact an Oregon Department of Fish and Wildlife Fish Passage Coordinator before beginning construction of any in-channel obstruction.

- fishself** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional prior to diversion of any water. Permittee shall obtain written approval from ODFW that the installation of the required screen and by-pass devices meets the state's criteria or the permittee shall submit documentation that ODFW has determined screens and/or by-pass devices are not necessary.
- fishapprove** The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
- fishdiv33** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.

The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.

The permittee shall install, maintain, and operate fish screening and by-pass devices consistent with current Oregon Department of Fish and Wildlife (ODFW) standards. Fish screening is to prevent fish from entering the proposed diversion while by-pass devices provide adequate upstream and downstream passage for fish. The required screen and by-pass devices are to be in place and functional, and approved in writing by ODFW prior to diversion of any water. The permittee may submit evidence in writing that ODFW has determined screens and/or by-pass devices are not necessary.
- fishmay** Notwithstanding that ODFW has made a determination that fish screens and/or by-pass devices are not necessary at the time of permit issuance, the permittee may be required in the future to install, maintain, and operate fish screening and by-pass devices to prevent fish from entering the proposed diversion and to provide adequate upstream and downstream passage for fish.
- b52** Water may be diverted only when Department of Environmental Quality sediment standards are being met.
- b5** The water user shall install and maintain adequate treatment facilities meeting current DEQ requirements to remove sediment before returning the water to the stream.
- b51a** The period of use has been limited to _____ through _____.
- b57** Before water use may begin under this permit, a totalizing flow meter must be installed at each diversion point.
- b58** Before water use may begin under this permit, a staff gage that measures the entire range and stage between full reservoir level dead pool storage must be installed in the reservoir. The staff gage shall be United States Geological Survey style porcelain enamel iron staff gage style A, C, E or I. Additionally, before water use may begin under this permit, if the reservoir is located in channel then weirs or other suitable measuring devices must be installed upstream and downstream of the reservoir, and, a gated valve outlet must be installed. A written waiver may be obtained from the local Watermaster if in his judgment the installation of the weir(s) will provide no public benefit.
- futile call** The use of water allowed herein may be made only at times when waters from the (NAME OF SURFACE WATER) would not otherwise flow into a tributary of the _____ River or sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.
- riparian** If the riparian area is disturbed in the process of developing a point of diversion, the permittee shall be responsible for restoration and enhancement of such riparian area in accordance with ODFW's Fish and Wildlife Habitat Mitigation Policy OAR 635-415. For purposes of mitigation, the ODFW Fish and Wildlife Habitat Mitigation Goals and Standards, OAR 635-415, shall be followed.
- wq** The use may be restricted if the quality of the source stream or downstream waters decrease to the point that those waters no longer meet existing state or federal water quality standards due to reduced flows.
- fence** The stream and its adjacent riparian area shall be fenced to exclude livestock.
- bly** Water must be diverted to a trough or tank through an enclosed water delivery system. The delivery system must be equipped with an automatic shutoff or limiting flow control mechanism or include a means for returning water to the stream source through an enclosed delivery system. The use of water shall not exceed 0.10 cubic feet per second per 1000 head of livestock.

ODFW DIVISION 33 APPLICATION REVIEW SHEET

Recommendations for Water Right Applications that may affect the
Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Application #: T 11669 Applicant's Name: Greg Amaral

1) Will the proposed use occur in an area that may affect the essential habitat of sensitive, threatened, or endangered fish species?
[690-33-330(1)]

☒ NO ☐ YES Species: Status: ☐ Sensitive ☐ Threatened ☐ Endangered

If YES, continue to question (2). If NO, you may comment by completing the public interest review sheet on the back of this page.

2) Stage or value at risk (check all that apply): ☐ Spawning, ☐ Incubation ☐ Rearing ☐ Passage ☐ Habitat Value

3) Will the proposed use result in a **LOSS** in the essential habitat of **THREATENED OR ENDANGERED SPECIES** or a **NET LOSS** in the essential habitat of a **SENSITIVE SPECIES**? ☐ NO ☐ YES

A) Standard of NET LOSS applies to sensitive species statewide. [690-33-330(2)(b)]

B) Standard of LOSS applies to T or E species outside the Columbia Basin. [690-33-330(2)(a)]

4) Can conditions be applied to mitigate the impact to the essential habitat of a S, T or E species?
☐ NO ☐ YES; recommend from Menu of Conditions and skip to question 7.

5) If conditions cannot be identified to offset impacts to the essential habitat of S, T or E species, would the proposed use harm the species? ☐ NO ☐ YES [690-33-330(4)]

If YES, please explain:

6) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated what conditions do you recommend? (select from Menu of Conditions)

7) Your recommendation under OAR 690-033-0330 (2): ☐ Approval with conditions
☐ Approval without conditions
☐ Denial

ODFW Representative signature: Date:

WRD Contact: Caseworker: Water Rights Division, 503-986-0900 / Fax 503-986-0901

ODFW PUBLIC INTEREST REVIEW SHEET

Application #: T 16699 Applicant's Name: Greg Amaral

1) Will the proposed use occur in an area that may affect the habitat of fish or wildlife species?

☐ NO (Sign form and return)

☒ YES Species: Rainbow trout, white crappie, largemouth bass, smallmouth bass, bluegill, yellow perch

Other: largescale sucker, bridgelip sucker, chiselmouth, northern pikeminnow

Stage or value at risk (check all that apply): ☒ Spawning, ☐ Incubation ☐ Rearing ☒ Passage ☒ Habitat Value

2) Will the proposed use result in a loss of habitat? ☒ NO ☐ YES

3) Can conditions be applied to mitigate the impact to the loss of habitat?

☐ NO

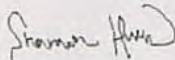
☒ YES; recommend from Menu of Conditions and skip to question 6.

4) If conditions cannot be identified to offset impacts to the habitat, would the proposed use harm the species? ☐ NO ☐ YES

If YES, please explain:

5) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated what conditions do you recommend? (select from Menu of Conditions) fishmay

6) Your recommendation: ☒ Approval with conditions
☐ Approval without conditions
☐ Denial



ODFW Representative signature:

Date: 10/24/2013

WRD Contact: Caseworker: Joan Smith Water Rights Division, 503-986-0900 / Fax 503-986-0901

ODFW PUBLIC INTEREST REVIEW SHEET

Application #: T 16699 Applicant's Name: Greg Amaral

1) Will the proposed use occur in an area that may affect the habitat of fish or wildlife species?

☐ NO (Sign form and return)

☒ YES Species: inland Columbia redband trout, white crappie, largemouth bass, bluegill, smallmouth bass, yellow perch
Other: largescale sucker, bridgelip sucker, chiselmouth, northern pikeminnow

What stage or value is at risk (check all that apply): ☒ Spawning ☐ Incubation ☐ Rearing ☒ Passage ☒ Habitat Value

2) Will the proposed use result in a loss of habitat? ☐ NO ☒ YES

3) Can conditions be applied to mitigate the impact to the loss of habitat?

☐ NO

☐ YES; recommend from Menu of Conditions and skip to question 6.

4) If conditions cannot be identified to offset impacts to the habitat, would the proposed use harm the species? ☐ NO ☐ YES

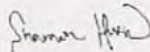
If YES, please explain:

5) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated what conditions do you recommend? (select from Menu of Conditions)

Fishmay

6) Your recommendation: ☒ Approval with conditions
☐ Approval without conditions
☐ Denial

ODFW Representative signature:



Date: 12/26/2013

WRD Contact: Caseworker: Joan Smith Water Rights Division, 503-986-0900 / Fax 503-986-0901

ODFW DIVISION 33 APPLICATION REVIEW SHEET

Recommendations for Water Right Applications that may affect the
Habitat of Sensitive, Threatened or Endangered Fish Species, OAR 690-33-310 through 340.

Application #: T 11669 Applicant's Name: Greg Amaral

- A) Will the proposed use occur in an area that may affect the essential habitat of a **SENSITIVE** fish species?
☒ NO ☐ YES If YES, fill out **SECTION I** and the **RECOMMENDATION**.
- B) Will the proposed use occur in an area that may affect the essential habitat of a **THREATENED OR ENDANGERED** fish species?
☐ NO ☐ YES Species: Status: ☐ Threatened ☐ Endangered
If YES, fill out **SECTION II** and the **RECOMMENDATION**.

If your answer is **NO** to both questions, you may comment by completing the public interest review sheet on the back of this page.

SECTION I:

- 1) Will the proposed use result in a **NET LOSS** in the habitat of a **SENSITIVE SPECIES**? [690-33-330(2)(a)] ☐ NO ☐ YES
- 2) What stage or value is at risk (check all that apply): ☐ Spawning ☐ Incubation ☐ Rearing ☐ Passage ☐ Habitat Value
- 3) Can conditions be applied to mitigate the impact to the essential habitat of a **SENSITIVE** species?
☐ NO ☐ YES; recommend from Menu of Conditions and skip to Section II.
- 4) If conditions cannot be identified to offset impacts to the essential habitat of **SENSITIVE** species, would the proposed use harm the species?
☐ NO ☐ YES [690-33-330(4)] Please explain:
- 5) If WRD determines that it is in the public's interest to approve a permit even if the impact cannot be mitigated, what conditions do you recommend? (select from Menu of Conditions)

SECTION II:

- 1) Is the proposed use consistent with the Columbia River Basin Fish and Wildlife Program? ☐ NO ☐ YES [690-33-120(1)]
Explain:
- If NO, can the proposed use be conditioned to achieve consistency with the Fish and Wildlife Program? ☐ NO ☐ YES
(select from Menu of Conditions)

RECOMMENDATION under OAR 690-033-0330 (2): ☐ Approval with conditions
☐ Approval without conditions
☐ Denial

ODFW Representative signature:

Date:

WRD Contact:

Caseworker:

Water Rights Division, 503-986-0900 / Fax 503-986-0901

WORKING COPIES PRIOR TO PROTEST



Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cable Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Wood, John Riverside, Oregon	April 1899		2.7	Irrigation	Spring	South Fork Malheur	2.7 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8 T 24 S. R. 38 E. W. M. ✓
	April 1902		42	Irrigation	Star	Star Creek	3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 24 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 11.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8 T 25 S. R. 39 E. W. M. ✓
Wood, Mary A Riverside, Oregon	March 1892		16	Irrigation	Lower Ranch	Granite Creek	4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 T 23 S. R. 38 E. W. M. ✓ 12 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6 T 24 S. R. 38 E. W. M. ✓
	April 1892		49	Irrigation	Upper Ditch	Granite Creek	14 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 27 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9 8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16 T 24 S. R. 38 E. W. M. ✓
	April 1 1892		22	Irrigation	Rye Grass	Hickey Creek	8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 14 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6 T 24 S. R. 38 E. W. M. ✓
7049 Woodruff, Ella Valo, Oregon	1884		65	Irrigation	Harris	Bully Creek	21 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4 T 19 S. R. 44 E. W. M. ✓ <i>only transfer</i> 390 122 80 390
The following lands are also irrigated by the Farmers' Ditch:							8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 36 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4 T 19 S. R. 44 E. W. M. ✓
✓ Woodward, Tom L Juntura, Oregon	June 1888		120.5	Irrigation	Scott	North Fork Malheur	25 acres in Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) 16 acres in Lot 4 (NW $\frac{1}{4}$ SW $\frac{1}{4}$) 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 36 acres in SW $\frac{1}{4}$ SE $\frac{1}{4}$ 3.5 acres in Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) Section 1 T 21 S. R. 37 E. W. M. ✓
	1884		129	Irrigation	Williams	Middle Fork Malheur	35 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 38 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 36 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19 T 19 S. R. 34 E. W. M. ✓
✓ Woodward, Steve Westfall, Oregon	1904		22	Irrigation	Woodward	Dry Creek	6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27 1 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26 T 17 S. R. 41 E. W. M. ✓
							MALHEUR RIVER - 89

EMAIL CORRESPONDENCE
PRIOR TO PROTEST



Nancy Rorick <nrorick@nlr-water.com>

meeting notes Amaral project 1-25-2019

1 message

Nancy Rorick <nrorick@nlr-water.com>

Fri, Jan 25, 2019 at 10:43 AM

To: lgraves@spfwater.com, JACOBS Ronald K * WRD <Ronald.K.Jacobs@oregon.gov>, Randy Kinney <wid4water@qwestoffice.net>

1. Add 196 and Bully Creek PODs to 7049.
2. Make 7049 supplemental to Vale reservoir rights
3. WID ask board to move approximately 36 acres from WID side to Vale side to complete pivot. Approximately 8 extra acres would be canceled. Lori will confirm with Greg that this is what he wants to do.
4. Vale would make the decision whether reservoir water can be pushed through the 196, spilled into Bully Creek, and picked up by the pump in the river. Would require a new POD for Vale reservoir rights. Ron will discuss this with Ty King.
5. Colby needs to order water.
6. Lori and Nancy will jointly confirm acreage if WID board elects to transfer rights to complete pivot on the Vale side.

--

Nancy Rorick, RG, CWRE
645 L Loop
Baker City, OR 97814
541-519-3644

☒ Pri ☒ Supp ☐ Further Research

Water Right	Channel	Priority	Use	Use Status	D/C	Corr's	Q(160)	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
Select Cert:15719 OR CN Additional Info: U.S. BUREAU OF RECLAMATION App: 510762 Permit: 57867 Cert: 15719	T4817, T5160, T5159, T5371, T5300, T5301, T5314, T5358, T5155, T5357, T5435, T5502		IRRIGATION AND DOMESTIC	CN				40	20		34	44	39														
Select Cert:15808 OR CN Additional Info: U.S. BUREAU OF RECLAMATION App: 521304 Permit: 516707 Cert: 15808	T4817, T5160, T5159, T5371, T5300, T5301, T5314, T5358, T5155, T5357, T5435, T5502		IRRIGATION AND DOMESTIC	CN				40	20		34	44	39														
Select Cert:74081 CF * Additional Info: U.S. BUREAU OF RECLAMATION App: 521304 Permit: 516707 Cert: 74081	T10081, T10245, T10314, T10589, T10662		SUPPLEMENTAL IRRIGATION (Suppl'mnt)					13.4	8.1	1.9	16.7	6.3	15.7	1.1													
Select Cert:74080 CF * Additional Info: U.S. BUREAU OF RECLAMATION App: 510762 Cert: 74080	T10081, T10245, T10314, T10589, T10662		IRRIGATION					13.4	8.1	1.9	16.7	6.3	15.7	1.1													
Select Cert:7049 OR * Additional Info: ELLA WOODRUFF Decree: MALHEUR RIVER Cert: 7049		12/31/1884	IRRIGATION									29	40	40													
Select Cert:6963 OR CN Additional Info: MALHEUR FARMERS IRRIGATING CO. Decree: MALHEUR RIVER Cert: 6963		12/31/1885	IRRIGATION	CN						24.5					40	40											
Select Cert:45539 CF * Additional Info: WARM SPRINGS IRRIGATION DISTRICT Decree: MALHEUR RIVER Cert: 45539		12/31/1885	IRRIGATION							24.5				1.2	40	40											
Select Cert:6963 OR CN Additional Info: MALHEUR FARMERS IRRIGATING CO. Decree: MALHEUR RIVER		12/31/1892	IRRIGATION	CN													40	32	37		38.5	37.5	25				
												8		36													
														36													
												8															
										28.6				39.8	39.3	40.2	34.9	32.3	2.8	37	35.5	24.4					
										2.8																	

Vale are main canal

Priority (Surr)

This is the pool change of Bully Cr

Diminish to Supporce

#1) Vale are main canal 1st

2nd) Bully Cr until Permit is completed

Time on the 11th Nov 2017

'ddl_meridian=0&tb township=19&d... 4/25/2013

~~#1 Source B Betty Cr~~

#1) Vale ore main canal 1st

2nd) Bully Cr- until
Permit is completed

Then on the Warm Spr
Boundaries

Boundaries
 $M \# \text{BilbyCr} \# S \# \text{Storage}$
~~then~~ then

Warm Spr Water Pri
Bulky Cr Supp

Just map to right of record
7 311 will change Row

Water Rights Platcard Report

Pri **Supp** **Further Research**

Meridian: **Willamette** Township: **19** South Range: **44** East Section: **4** Records per Page: **100** Search [Platcards Map!](#) [Learn about * View Map](#)

Water Right	Changing Years	Priority	Use	Use Status	D/C	Gr/Lot	Q(140)	Q(140)	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
Select Cert:15719 OR CN Additional Info: U.S. BUREAU OF RECLAMATION App: S10762 Permit: S7867 Cert: 15719	T4817, T5160, T5159, T5371, T5300, T5301, T5314, T5358, T5155, T5357, T5435, T5502		IRRIGATION AND DOMESTIC	CN					40	20		24	44	39							49			
Select Cert:15808 OR CN Additional Info: U.S. BUREAU OF RECLAMATION App: S21304 Permit: S16707 Cert: 15808	T4817, T5160, T5159, T5371, T5300, T5301, T5314, T5358, T5155, T5357, T5435, T5502		IRRIGATION AND DOMESTIC	CN					40	20		24	44	39							49			
Select Cert:74081 CF * Additional Info: U.S. BUREAU OF RECLAMATION App: S21304 Permit: S16707 Cert: 74081	T10081, T10245, T10314, T10589, T10662		SUPPLEMENTAL IRRIGATION (Suppmt)						13.4	8.1	1.9	16.7	6.3	15.7	1.1						4			
Select Cert:74080 CF * Additional Info: U.S. BUREAU OF RECLAMATION App: S10762 Cert: 74080	T10081, T10245, T10314, T10589, T10662		IRRIGATION						13.4	8.1	1.9	16.7	6.3	15.7	1.1						4			
Select Cert:7049 OR * Additional Info: ELLA WOODRUFF Decree: MALHEUR RIVER Cert: 7049		12/31/1884	IRRIGATION										29	40	40									
Select Cert:6963 OR CN Additional Info: MALHEUR FARMERS IRRIGATING CO. Decree: MALHEUR RIVER Cert: 6963		12/31/1885	IRRIGATION	CN							24.5					40	40							
Select Cert:45539 CF * Additional Info: WARM SPRINGS IRRIGATION DISTRICT Decree: MALHEUR RIVER Cert: 45539		12/31/1885	IRRIGATION								24.5				1.2	40	40							
Select Cert:6963 OR CN Additional Info: MALHEUR FARMERS IRRIGATING CO. Decree: MALHEUR RIVER Cert: 6963		12/31/1892	IRRIGATION	CN												40	32	37		38.5	37.5	25		
Select Cert:45539 CF * Additional Info: WARM SPRINGS IRRIGATION DISTRICT Decree: MALHEUR RIVER Cert: 45539		12/31/1892	IRRIGATION													40	32	37		38.5	37.5	25		
Select Cert:6963 OR CN Additional Info: MALHEUR FARMERS IRRIGATING CO. Decree: MALHEUR RIVER Cert: 6963		12/31/1897	IRRIGATION	CN								8		36										
Select Cert:45539 CF * Additional Info: WARM SPRINGS IRRIGATION DISTRICT Decree: MALHEUR RIVER Cert: 45539		12/31/1897	IRRIGATION												36									
Select Cert:45539 CF * Additional Info: WARM SPRINGS IRRIGATION DISTRICT Decree: MALHEUR RIVER Cert: 45539		12/31/1897	IRRIGATION		3							8												
Select Cert:48051 OR * Additional Info: WARM SPRINGS IRRIGATION DISTRICT App: S4752 Permit: S4303 Cert: 48051	T5401, T5554, T5594	2/14/1916	IRRIGATION								28.6				39.8	39.3	40.2	34.9	32.3	2.8	37	35.5	24.4	
Select Cert:48051 OR * Additional Info: WARM SPRINGS IRRIGATION DISTRICT App: S4752 Permit: S4303 Cert: 48051	T5401, T5554, T5594	2/14/1916	IRRIGATION		2						2.8													

Water Right Platcard Report

Select	Cert:48051 OR *	T5401, T5554, T5594	2/14/1916	IRRIGATION	3
	Additional Info: WARM SPRINGS IRRIGATION DISTRICT App: S4752 Permit: S4303 Cert: 48051				
Select	Cert:48051 OR *	T5401, T5554, T5594	2/14/1916	IRRIGATION	4
	Additional Info: WARM SPRINGS IRRIGATION DISTRICT App: S4752 Permit: S4303 Cert: 48051				
Select	Cert:48051 OR *	T5401, T5554, T5594	2/14/1916	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	
	Additional Info: WARM SPRINGS IRRIGATION DISTRICT App: S4752 Permit: S4303 Cert: 48051				
Select	Permit: S 29882 *		8/7/1936	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	
	Additional Info: U.S. BUREAU OF RECLAMATION App: S16497 Permit: S29882				
Select	Permit: S 29882 *		8/7/1936	IRRIGATION	
	Additional Info: U.S. BUREAU OF RECLAMATION App: S16497 Permit: S29882				
Select	Permit: S 18547 *		10/16/1939	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	
	Additional Info: WARM SPRINGS IRRIGATION DISTRICT App: S18423 Permit: S18547				
Select	Cert:30808 OR *		12/26/1961	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	
	Additional Info: BLAIR BARRIES App: G2197 Permit: G2021 Cert: 30808				

Acreege Legend: 12.25 Regular acreege 42.25 Acreege is on a canceled right (12.25) Acreege is part of a transfer and has not been proven up on yet (inchoate) [12.25]

44⁰ AC Farmers (w.s.)
65⁰ AC Void

Wants to move bully cr.
POD on his own Property

POD
is down

Bully cr Permit Feibility
to be prior

This may be the same as the pri or reduced
depending on the situation the remainder
may be Pri Bully Creek depending on
What is being irrigated & the remainder
Supp

The Bureau filed for 5000 AC Vale Canal or
Bully Creek can irr the same lands.

PhD
B. D. D. D.

8/7/1936	IRRIGATION	40	25
Bully or Permit	Flexibility to be price		sup
10/16/1939	SUPPLEMENTAL		3

This may be the same as the prior reduced depending on the situation the remainder may be Pri Bully Creek depending on what is being irrigated & the remainder
Supp

The Bureau filed for 5000 A Vale Canal or
Bully Creek can irrigate the same lands.

Records per Page: 100 Search Platcards [Learn about](#)

Water Right	Changing Years	Priority	Use	Use Status	D/C	Gov't Lct	Q(40)	Q(150)	NE NE	NW NE	SE NE	NW NW	SW NW	SE NW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE
Select Permit: S 29882 *		8/7/1936	IRRIGATION						37	31	28	9									
Bully Creek Permit; Pri & Sup not identified so they will take care of it during final proo																					
Select Cert:15719 OR CN		T4817, T5160, T5159, T5371, T5300, T5301, T5314, T5358, T5155, T5357, T5435, T5502	IRRIGATION AND DOMESTIC	CN					37	30	25	3	35	23							
Additional Info: U.S. BUREAU OF RECLAMATION App: S10762 Permit: S7867 Cert: 15719																					
Select Cert:15808 OR CN		T4817, T5160, T5159, T5371, T5300, T5301, T5314, T5358, T5155, T5357, T5435, T5502	IRRIGATION AND DOMESTIC	CN					37	30	25	3	35	23							
Additional Info: U.S. BUREAU OF RECLAMATION App: S21304 Permit: S16707 Cert: 15808																					
Select Cert:74081 CF *		T10081, T10245, T10314, T10589, T10662	SUPPLEMENTAL IRRIGATION (Suppl'mtl)						5	31.4	26.8	4.7	31.9	25.6	4.8						
Additional Info: U.S. BUREAU OF RECLAMATION App: S21304 Permit: S16707 Cert: 74081																					
Select Cert:74080 CF *		T10081, T10245, T10314, T10589, T10662	IRRIGATION						5	31.4	26.8	4.7	31.9	25.6	4.8						
Additional Info: U.S. BUREAU OF RECLAMATION App: S10762 Cert: 74080																					
Select App: P 78975 *		12/29/1994	LIVESTOCK																		
Additional Info: EAGLE PIONEER MINERALS INC.; VISOCAN, ANDREW E App: P78975																					
Select Permit: S 18547 *		10/16/1939	SUPPLEMENTAL IRRIGATION (Suppl'mtl)								20		10		10	30	40	31		32	
Additional Info: WARM SPRINGS IRRIGATION DISTRICT App: S18423 Permit: S18547																					
Select Permit: S 50729 *		10/6/1983	IRRIGATION									1									
Additional Info: VALE OREGON IRRIGATION DISTRICT App: S67362 Permit: S50729																					
Select Cert:45539 CF *		12/31/1885	IRRIGATION								24							1			
Additional Info: WARM SPRINGS IRRIGATION DISTRICT Decree: HALHEUR RIVER Cert: 45539																					
Select Cert:45539 CF *		12/31/1909	IRRIGATION															21.5		30.1	
Additional Info: WARM SPRINGS IRRIGATION DISTRICT Decree: HALHEUR RIVER Cert: 45539																					
Select Cert:48051 OR *		T5401, T5554, T5594	IRRIGATION								24		6.9		1.6		22.5		30.1		
Additional Info: WARM SPRINGS IRRIGATION DISTRICT App: S4752 Permit: S4303 Cert: 48051																					

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_platcard.aspx?ddl_meridian=0&tb_township=19&d... 4/25/2013

Water Rights Platcard Report

Meridian: **Willametta** Township: **19** South Range: **44** East Section: **5** Records per Page: **100** Search

Platcards Maps!
Learn about * View Map

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	Q(40)	Q(100)	NE	NW	SW	SE	NE	NW	SW	SE	NE	NW	SW	SE
Select Permit: S 29882 *		8/7/1936	IRRIGATION				37	31	28	9										
Additional Info: U.S. BUREAU OF RECLAMATION App: S16497 Permit: S29882																				
Select Cert:15719 OR CN	T4817, T5160, T5159, T5371, T5300, T5301, T5314, T5358, T5155, T5357, T5435, T5502		IRRIGATION AND DOMESTIC	CN			37	30	25	3	35	32								
Additional Info: U.S. BUREAU OF RECLAMATION App: S10762 Permit: S7867 Cert: 15719																				
Select Cert:15808 OR CN	T4817, T5160, T5159, T5371, T5300, T5301, T5314, T5358, T5155, T5357, T5435, T5502		IRRIGATION AND DOMESTIC	CN			37	30	25	3	35	32								
Additional Info: U.S. BUREAU OF RECLAMATION App: S21304 Permit: S16707 Cert: 15808																				
Select Cert:74081 CF *	T10081, T10245, T10314, T10589, T10662		SUPPLEMENTAL IRRIGATION (Suppl'mtl)				5	31.4	26.8	4.7	31.9	25.6		4.8						
Additional Info: U.S. BUREAU OF RECLAMATION App: S21304 Permit: S16707 Cert: 74081																				
Select Cert:74080 CF *	T10081, T10245, T10314, T10589, T10662		IRRIGATION				5	31.4	26.8	4.7	31.9	25.6		4.8						
Additional Info: U.S. BUREAU OF RECLAMATION App: S10762 Cert: 74080																				
Select App: P 78975 *		12/29/1994	LIVESTOCK																	
Additional Info: EAGLE PIONEER MINERALS INC.; VISOCAN, ANDREW E App: P78975																				
Select Permit: S 18547 *		10/16/1939	SUPPLEMENTAL IRRIGATION (Suppl'mtl)							20			10		10	30	40	31		32
Additional Info: WARM SPRINGS IRRIGATION DISTRICT App: S18423 Permit: S18547																				
Select Permit: S 50729 *		10/6/1983	IRRIGATION										1							
Additional Info: VALE OREGON IRRIGATION DISTRICT App: S67362 Permit: S50729																				
Select Cert:45539 CF *		12/31/1885	IRRIGATION							24								1		
Additional Info: WARM SPRINGS IRRIGATION DISTRICT Decree: MALHEUR RIVER Cert: 45539																				
Select Cert:45539 CF *		12/31/1909	IRRIGATION															21.5		30.5
Additional Info: WARM SPRINGS IRRIGATION DISTRICT Decree: MALHEUR RIVER Cert: 45539																				
Select Cert:48051 OR *	T5401, T5554, T5594	2/14/1916	IRRIGATION							24			6.9		1.6		22.5		30.5	
Additional Info: WARM SPRINGS IRRIGATION DISTRICT App: S4752 Permit: S4303 Cert: 48051																				

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

O Pri Supp O Further Research
?

[Piatcards Maps!](#)
[Learn about](#) • [View Map](#)

Priority (Sort)

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

new POD rate for 52 acres
only

7488⁰ VOID 29882
+ will prove up
soon?

VOID delivers through 196

Keep tr only for 7049

Ron Jacobs 12-17-18

Dan was going to look into
moving the 23.1 Acres
from under the "To" Lands
He will get back to me on
where he can put it.

WAIT For
Dan to
move POV

12/6/2014

Nancy Rorick came in she
provided me with a map
showing how many acres
should be transferred to the
Bully Cr Pumping point and
which should be the Farmers ditch.
It is more of a Warm Springs
boundary issue because they feel
those acres are theirs not
Vale

Situation

Bully Cr permit exists
for the same lands. The
H/O wants to use it but wants
to keep it there. UOD will
approve the change as
long as they don't make a
call for it

Not sure why they need to
move it when they can use
it with the permit. The Warr
is the pcd. Not sure where
the pcd is for the Line Flow.

IF the pcd is not on their
list then maybe the change is
necessary ↙

Problem #1 - Adjudicated Rights
not get the P.O.V. the pod is
not the one they want or one using

Problem #2 - Vale Water's
not used on this pod

Problem #3 - Permit Bully Cr.
Can be pri or supp. w'd
permit pop. w the dam
not clear on Rate.

Duplicate but district
doesn't want them to call
for adjudicated right

Please use a separate Part 4 for each water right being changed. See instructions at http://www.wrd.state.or.us/OWRD/PUBS/docs/Hints_Forms_MS_Word.doc

CERTIFICATE # 7049

Description of Water Delivery System

System capacity: 5.45 cubic feet per second (cfs) **OR**
2446 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **The original Harris Ditch diversion system changed when VOID was formed. Water under this certificate is now diverted from Bully Creek Reservoir and exercised through the 196 Vale Canal.**

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.)

Point of Diversion or Appropriation	Authorized	Proposed	Section	Range	Meridian	Section	Range	Meridian	Section	Range	Meridian	Point of Diversion or Appropriation
1	<input checked="" type="checkbox"/> Authorized	<input type="checkbox"/> Proposed	18	S	44	E	19		SE			Original Harris Ditch pod
2	<input type="checkbox"/> Authorized	<input checked="" type="checkbox"/> Proposed	19	S	44	E	4	NE	NW	3		
	<input type="checkbox"/> Authorized	<input type="checkbox"/> Proposed										
	<input type="checkbox"/> Authorized	<input type="checkbox"/> Proposed										

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

- ☐ Yes Complete only the Proposed ("to" 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.

RECEIVED BY OWRD

1011669

SEP 26 2013

Please use additional pages of Table 2 as needed

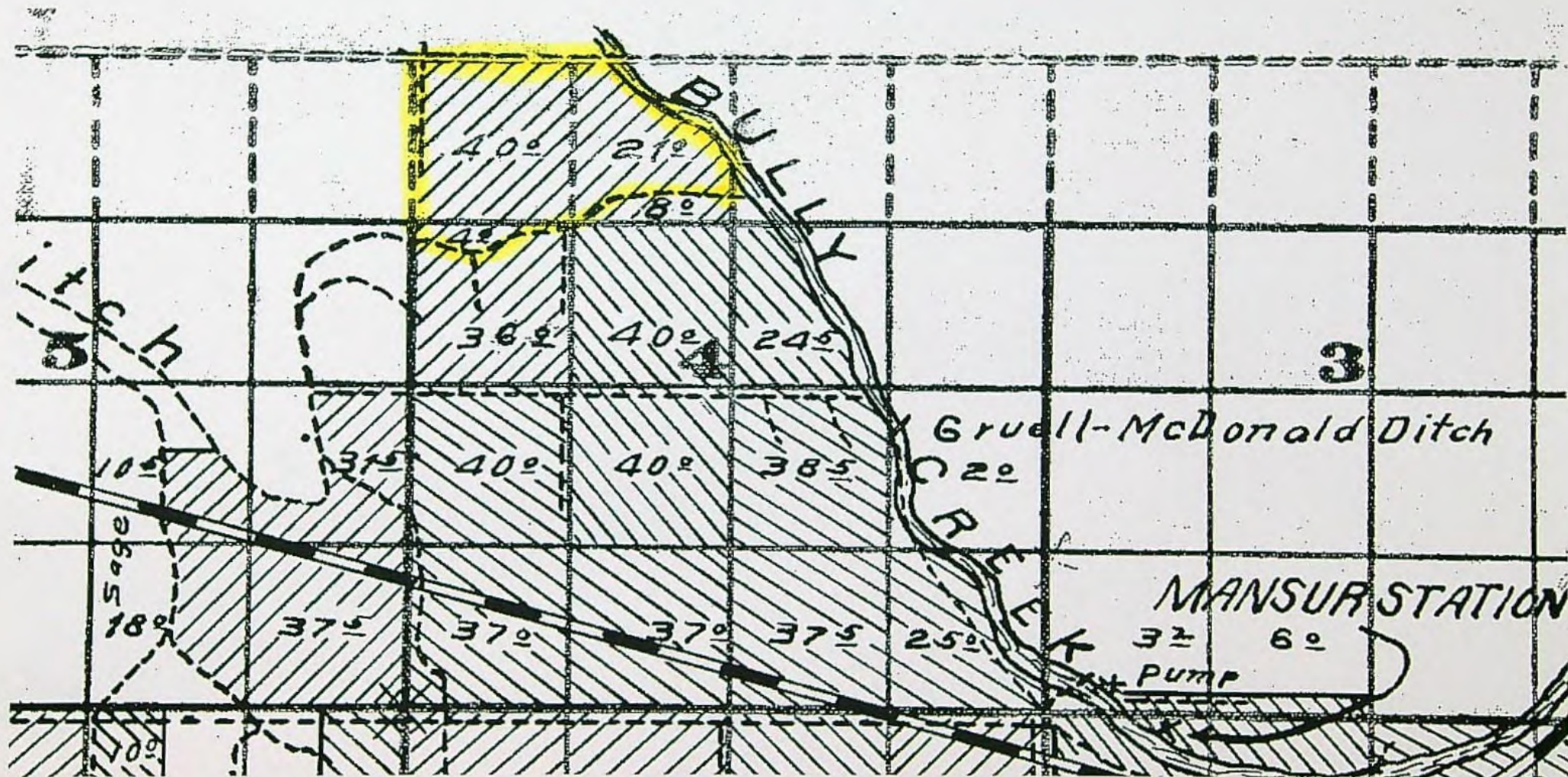
Table 2. Description of Changes to Water Right Certificate # 7049

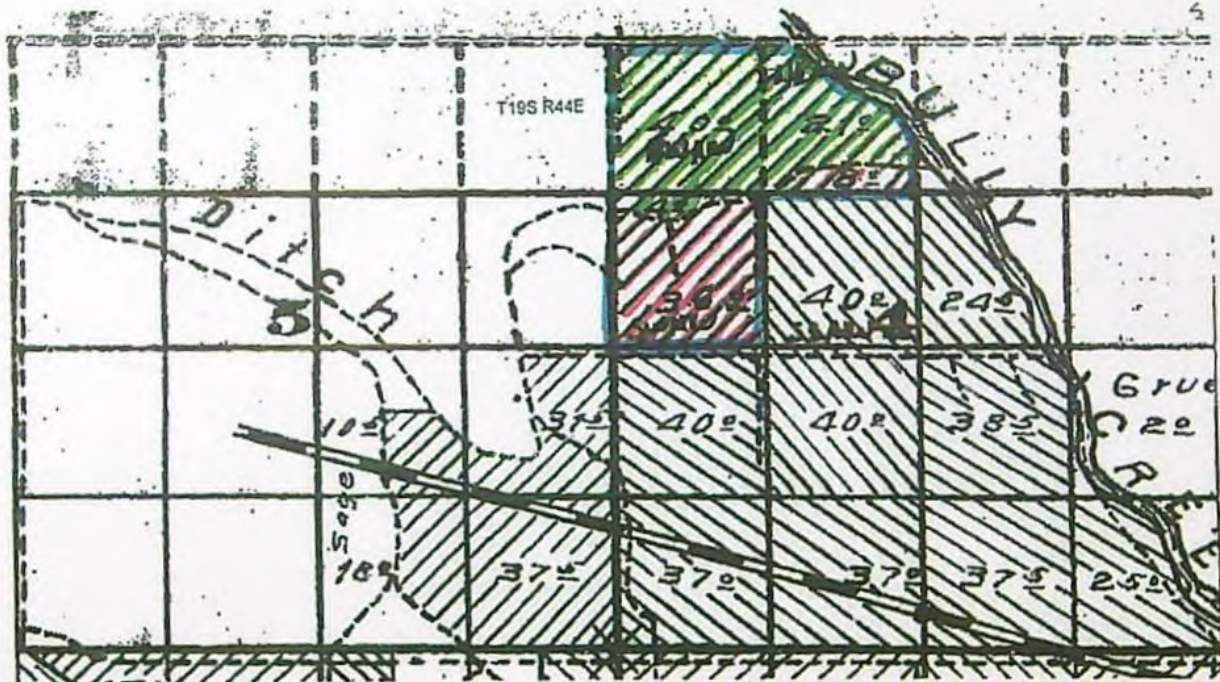
List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

Authorized ("from" lands) as they appear BEFORE THE CHANGES														Proposed Changes (see "CODES" from previous page)	Proposed ("to" lands) AFTER THE CHANGES														
Twp	Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acre	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	Acre	New Type of USE	POD(s) to be used (from Table 1)	Priority Date						
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			
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901			
19	S	44	E	4	NE	NW		3	21	Irrigation	1	1884	POU/POD	19	S	44	E	4	NE	NW		3	12		2	1884			
19	S	44	E	4	NW	NW		4	40	Irrigation	1	1884	POU/POD	19	S	44	E	4	NW	NW		4	39		2	1884			
19	S	44	E	4	SW	NW			4	Irrigation	1	1884	POU/POD	19	S	44	E	4	SW	NW			1.0		2	1884			
													POU/POD	19	S	44	E	5	NE	NE		1	12		2	1884			
													POU/POD	19	S	44	E	5	SE	NE			1.0		2	1884			
TOTAL ACRES									65						TOTAL ACRES									65					

Additional remarks: Authorized and proposed acres are north of Farmers Ditch in Vale Oregon Irrigation District. Remaining acres are below Farmers Ditch in Warm Springs Irrigation District and are not proposed for change.

RECEIVED BY OWPC





- Certificate 7049 authorized place of use
 Acres proposed for Change
 Acres unchanged

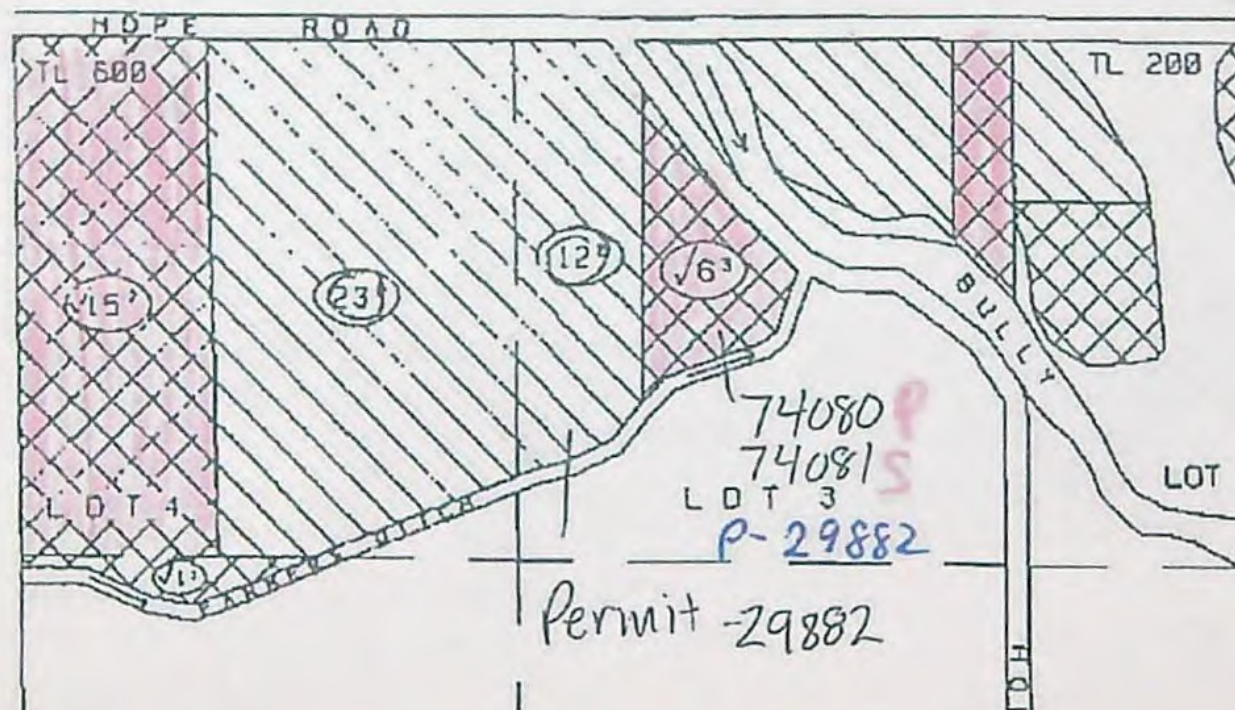
RECEIVED BY OWRD

SEP 26 2013

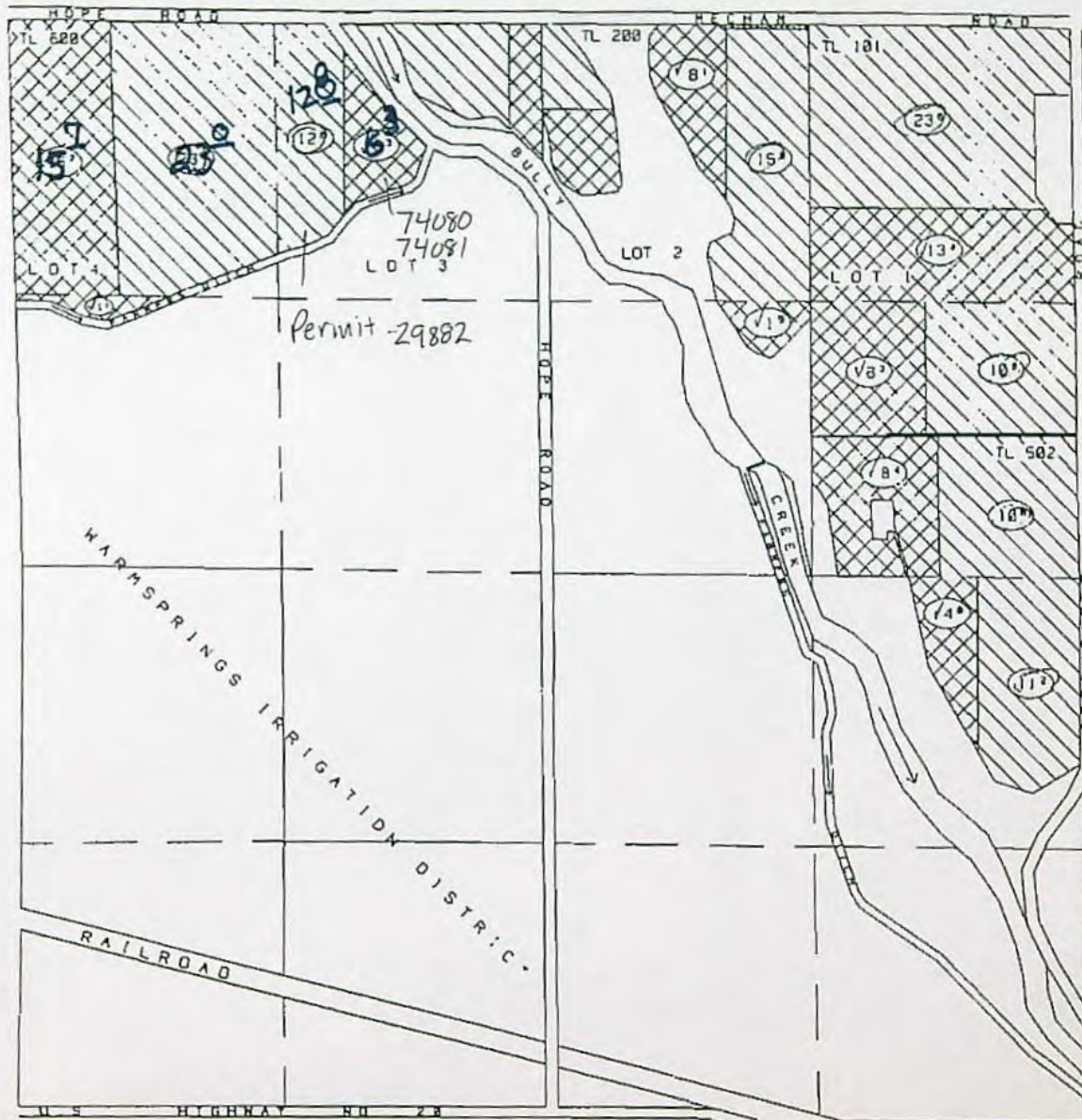
SALEM, OR

1011669

SECTION 4
T19 S., R44 E.



SECTION 4 T19 S..R44 E.. W.M.



(XX) IRR. ACRES

PRIM. 1926&1927
CERT. #15719
SUPP. 1931&1945
CERT. #15808

PRIMARY
PERMIT P-29882

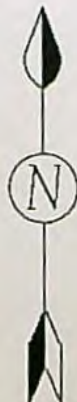
PRIM. 1926&1927
CERT. #15719
SUPP. 1931&1945
CERT. #15808 &
PERMIT P-29882

PROPERTY BOUNDARY

BURIED PIPE

BRIDGE

DIVERSION DAM



Vale Oregon
Irrigation
District

SCALE 1 INCH = 400 FEET

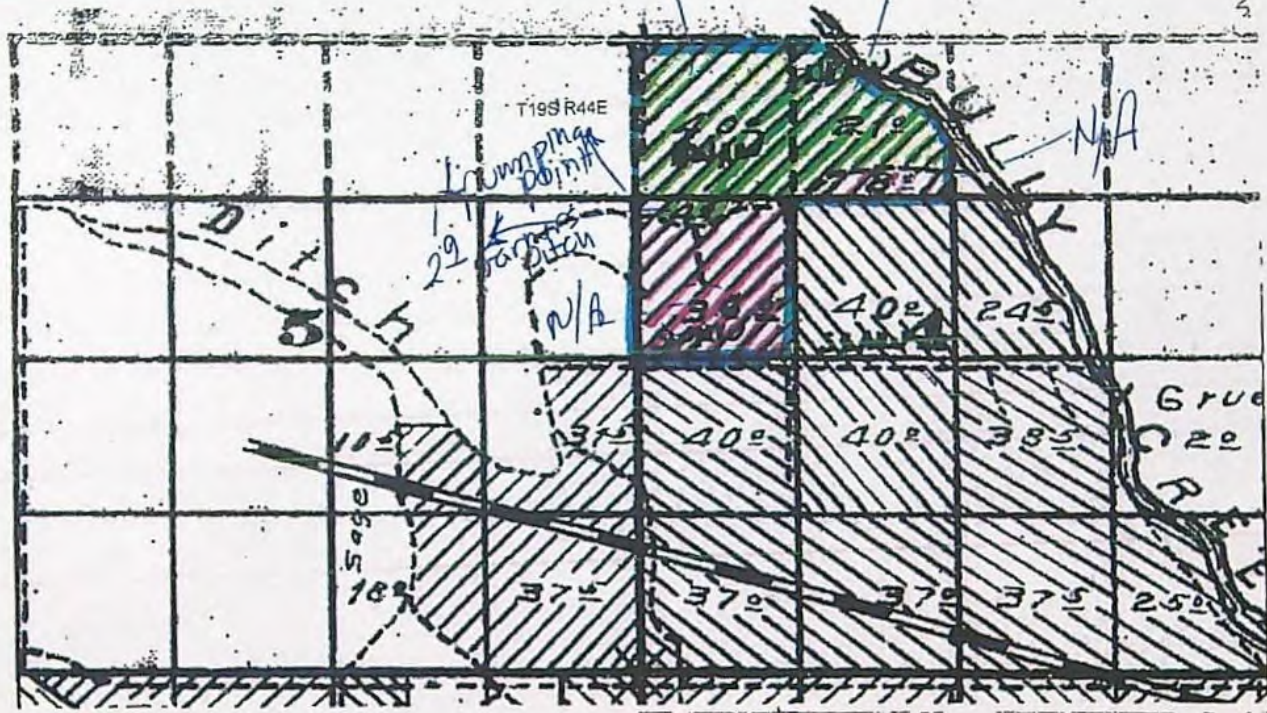
HB 3111 Petition			
Page		of	Pages
Digitized By		Approved	

(Handwritten signature)

39⁰ - Pumping Point
 1⁰ - Farmers
 12² (Pumping Point on Bully Cr)
 13⁴ Farmers Canal

CERTIFICATE 7049 MAP

W E
 S



— Certificate 7049 authorized place of use
 — Acres proposed for Change
 — Acres unchanged

RECEIVED BY OWRD

SEP 26 2013

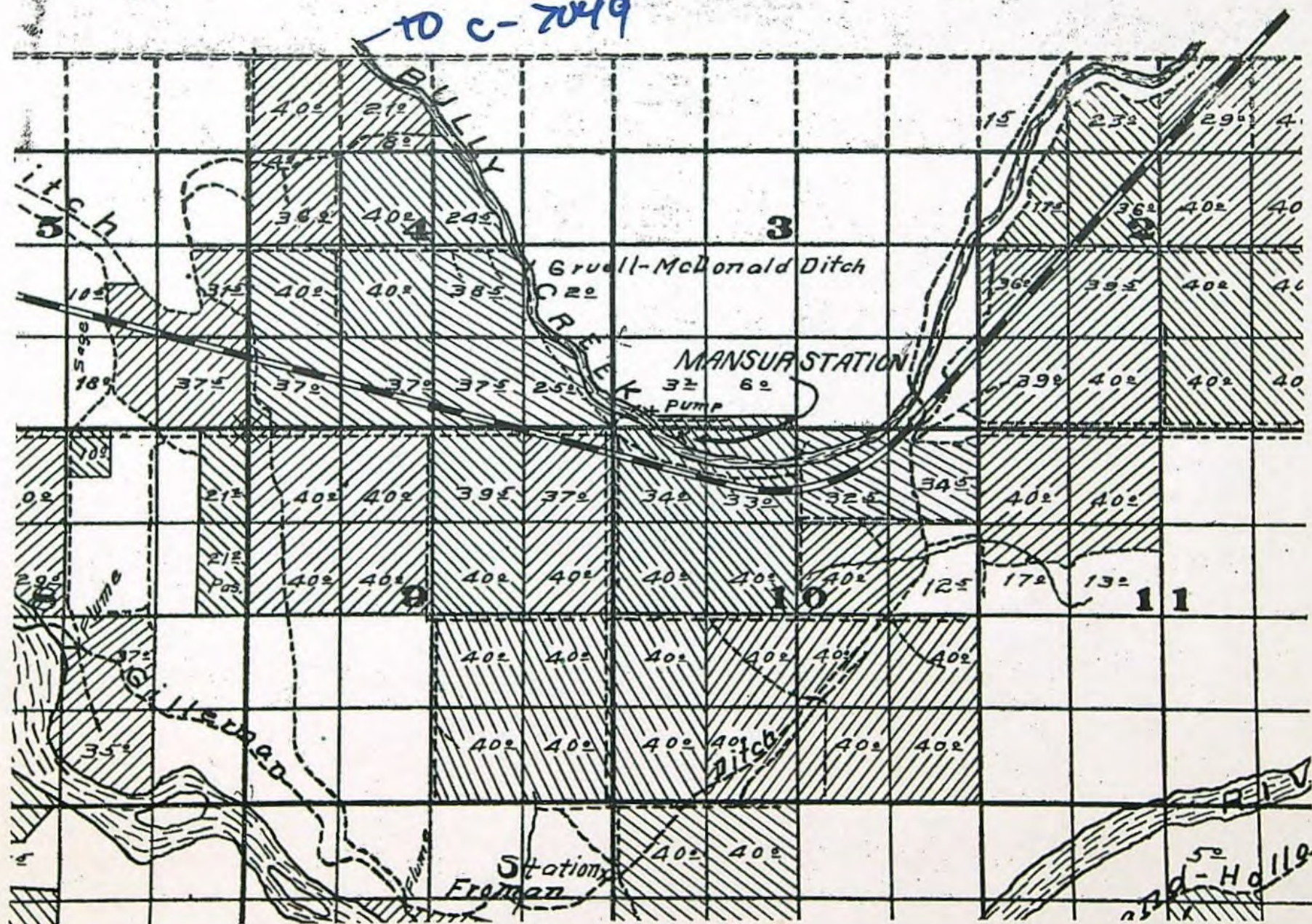
T011669

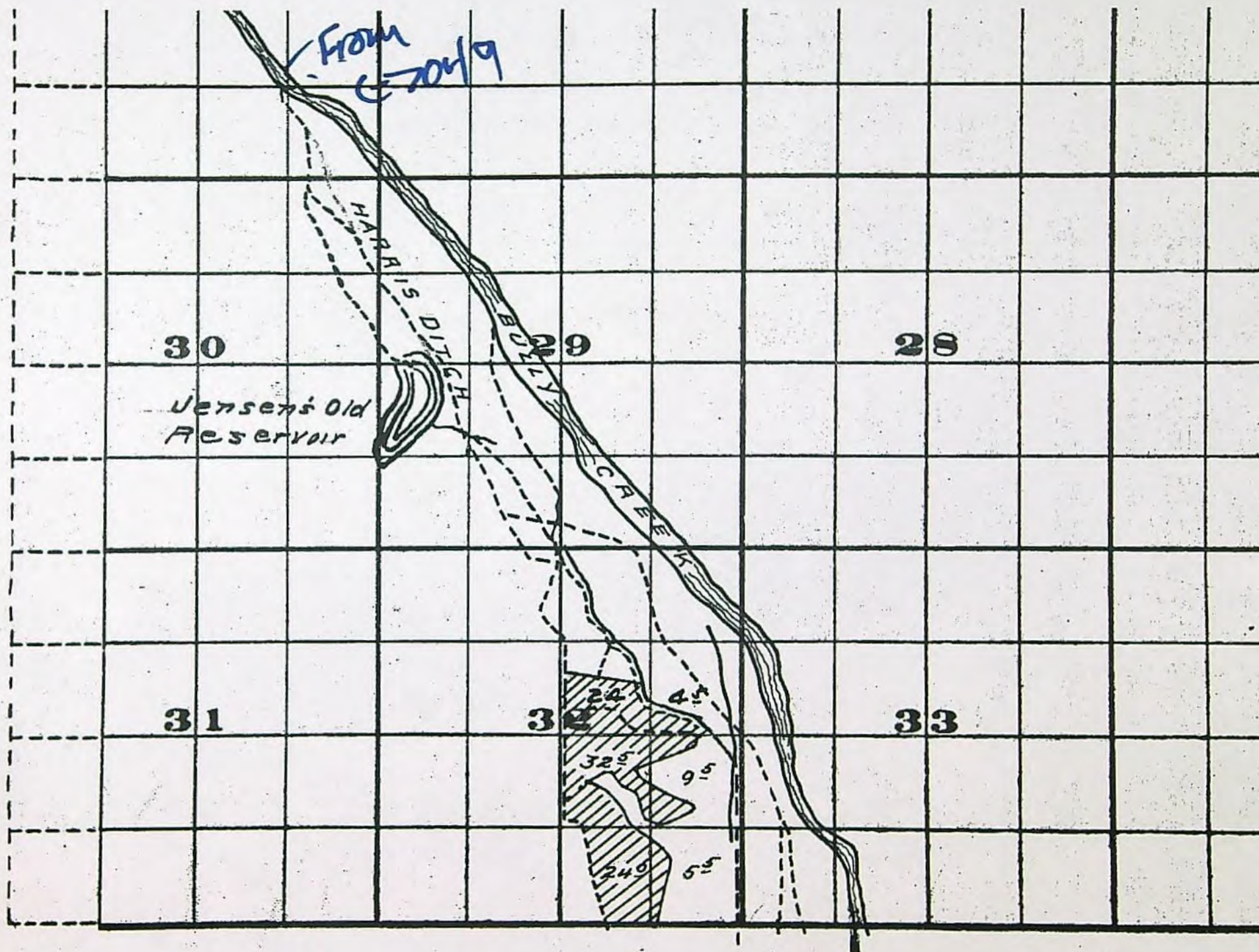
SALEM, OR

Ship 19 South,

Range 44 E.W.

TO C-7049





Name and Postoffice Address of Appropriator	Date of Relative Priority	Amount Cable Feet Per Second	Number Acres	Use	Name of Ditch	Stream	Description of Land or Place of Use
Wood, John Riverside, Oregon	April 1899		2.7	Irrigation	Spring	South Fork Malheur	2.7 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8 T 24 S. R. 38 E. W. M. ✓
	April 1902		42	Irrigation	Star	Star Creek	3 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 24 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 3.5 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ 11.5 acres in SE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 8 T 25 S. R. 39 E. W. M. ✓
Wood, Mary A Riverside, Oregon	March 1892		16	Irrigation	Lower Ranch	Granite Creek	4 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 31 T 23 S. R. 38 E. W. M. ✓ 12 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 6 T 24 S. R. 38 E. W. M. ✓
	April 1892		49	Irrigation	Upper Ditch	Granite Creek	14 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 27 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 9 8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ Section 16 T 24 S. R. 38 E. W. M. ✓
	April 1 1892		22	Irrigation	Rye Grass	Hickey Creek	8 acres in NE $\frac{1}{4}$ SW $\frac{1}{4}$ 14 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ Section 6 T 24 S. R. 38 E. W. M. ✓
Woodruff, Ella Vale, Oregon	1884		65	Irrigation	Harris	Bully Creek	21 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 40 acres in NW $\frac{1}{4}$ NW $\frac{1}{4}$ 4 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4 T 19 S. R. 44 E. W. M. ✓
The following lands are also irrigated by the Farmers' Ditch:							8 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 36 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 4 T 19 S. R. 44 E. W. M. ✓
✓ Woodward, Tom L Juntura, Oregon	June 1888		120.5	Irrigation	Scott	North Fork Malheur	25 acres in Lot 3 (NE $\frac{1}{4}$ NW $\frac{1}{4}$) 18 acres in Lot 4 (NW $\frac{1}{4}$ SW $\frac{1}{4}$) 40 acres in SE $\frac{1}{4}$ SW $\frac{1}{4}$ 36 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ 3.5 acres in Lot 2 (NW $\frac{1}{4}$ NE $\frac{1}{4}$) Section 1 T 21 S. R. 37 E. W. M. ✓
	1884		129	Irrigation	Williams	Middle Fork Malheur	35 acres in NW $\frac{1}{4}$ NE $\frac{1}{4}$ 20 acres in SW $\frac{1}{4}$ NE $\frac{1}{4}$ 38 acres in NE $\frac{1}{4}$ NW $\frac{1}{4}$ 56 acres in SW $\frac{1}{4}$ NW $\frac{1}{4}$ Section 19 T 19 S. R. 34 E. W. M. ✓
✓ Woodward, Steve Westfall, Oregon	1904		22	Irrigation	Woodward	Dry Creek	6 acres in SE $\frac{1}{4}$ NE $\frac{1}{4}$ 10 acres in NE $\frac{1}{4}$ SE $\frac{1}{4}$ Section 27 1 acre in NW $\frac{1}{4}$ SW $\frac{1}{4}$ 5 acres in SW $\frac{1}{4}$ SW $\frac{1}{4}$ Section 26 T 17 S. R. 41 E. W. M. ✓
							MALHEUR RIVER - 89

'1730' East & 55' South from
the NW corner of Section 4

196 Canal

T18S R44E

T19S R44E

C-7049
P-2988

C-7049 23.3 (p)
P-29882 (s)

C-7049 15.7 (S)

C-74080 (p)
C-74081 (s)

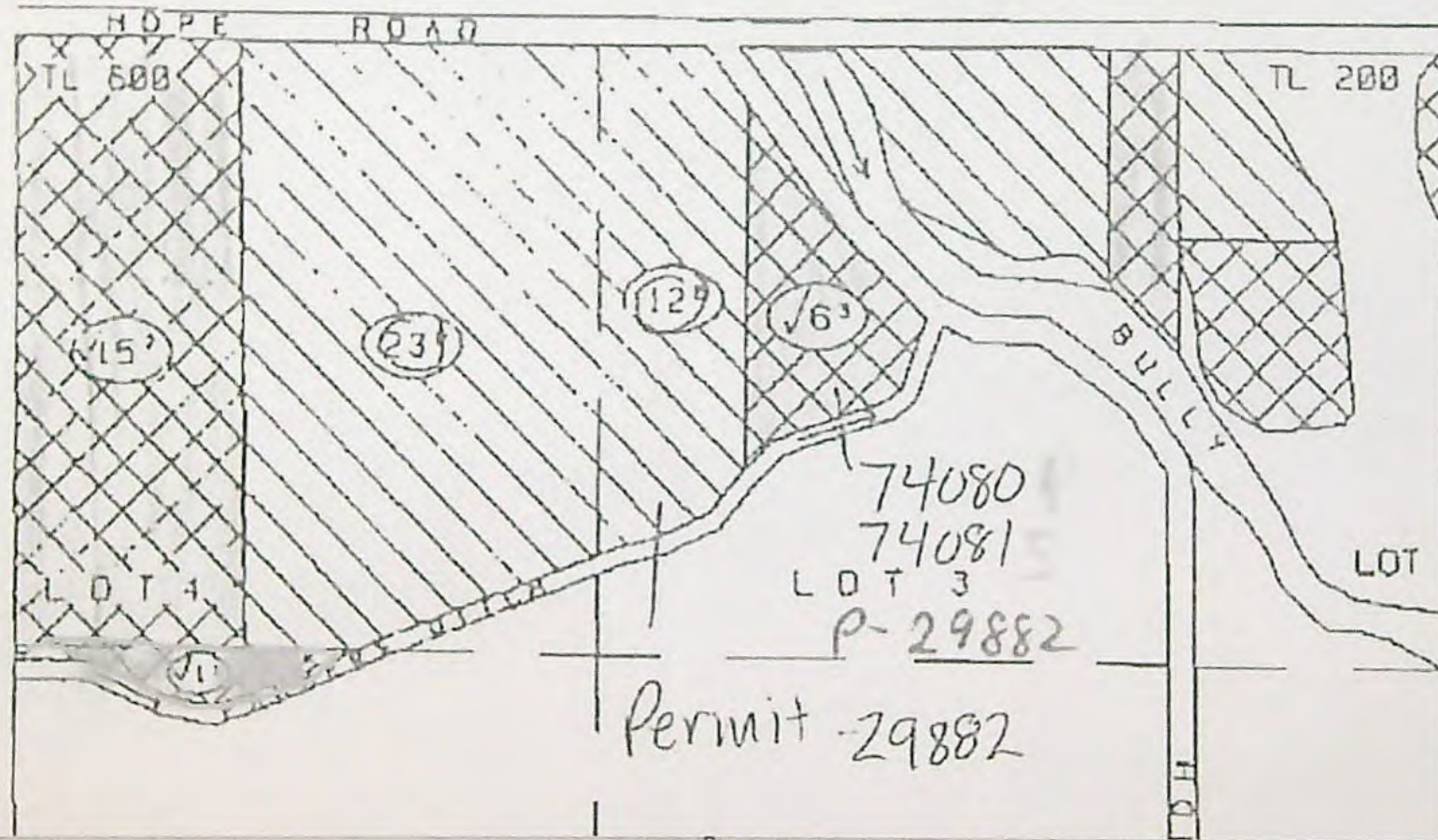
NWNW, L4
39 acres

NENE, L1
12 acres

C-7049 12.0 (p)
P-29882 (s)

Farmers Ditch

SECTION 4
T19 S., R44 E.



STATE OF OREGON

COUNTY OF MALHEUR

CERTIFICATE OF WATER RIGHT

This is to Certify, That ELLA WOODRUFF

of Wale, State of Oregon has a right to the use of
the waters of Bully Creek
for the purpose of Irrigation

and that said right has been confirmed by decree of the Circuit Court of the State of Oregon for
Malheur County, and the said decree entered of record at Salem, in the Order
Record of the STATE ENGINEER, in Volume 8, at page 228; that the priority
of the right thereby confirmed dates from 1884

that the amount of water to which such right is entitled, for the purposes aforesaid, is limited to an
amount actually beneficially used for said purposes, and shall not exceed 1 1/2 acre feet per acre
in any 30-day period prior to June 1st, 1 acre foot per acre in any 30-day period
after June 1st, of each year, or 3 acre feet per acre during any season, diverted
at a rate not to exceed one-twentieth of a cubic foot per second per acre;

A description of the lands irrigated under such right, and to which the water is appurtenant
(or, if for other purpose, the place where such water is put to beneficial use), is as follows:

21² acres in NE 1/4 NW 1/4, 40² acres in NW 1/4 NW 1/4, 4² acres in SW 1/4 NW 1/4, Section 4, T. 19 S. R.
44 E. W. M., being a total of 65 acres.

The following lands are also irrigated by the Farmers' Ditch: 8 acres in NE 1/4 NW 1/4,
36 acres in SW 1/4 NW 1/4, Section 4, T. 19 S. R. 44 E. W. M., being a total of 44 acres.

RR

TOTAL XFER
65² AC

RR
44 AC

And said right shall be subject to all other conditions and limitations
contained in said decree.

The right to the use of the water for irrigation purposes is restricted to the lands or place
of use herein described.

WITNESS the signature of the State Engineer,

affixed this 1st day
of February, 192 7.

State Engineer.

Recorded in State Record of Water Right Certificates, Volume 7, page 7049.

Oregon Water Resources Department
Water Rights with Coincident Places of Use

[Main](#)
[Help](#)
[Return](#)
[Contact Us](#)

Place of Use Conflict Report

The following rights have acreage in the same quarter-quarter as Cert:7049 OR *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acres
CERT:45539 CF *	WARM SPRINGS IRRIGATION DISTRICT	MALHEUR RIVER			45539	12/31/1885	NC	IR	19.00S-44.00E-04-SWNW			1.2000
									12/31/1897 NC IR 19.00S-44.00E-04-NENW		3	8.0000
									IR 19.00S-44.00E-04-SWNW			36.0000
CERT:48051 OR *	WARM SPRINGS IRRIGATION DISTRICT		S-4752	S-4303	48051	2/14/1916	NC	IR	19.00S-44.00E-04-NENW		3	10.6000
									IR 19.00S-44.00E-04-NWNW		4	0.2000
									IS 19.00S-44.00E-04-SWNW			37.6000
CERT:74080 CF *	E GAIL MCGARRY		S-10762	S-7867	74080		NC	IR	19.00S-44.00E-04-NWNW			15.7000
									IR 19.00S-44.00E-04-SWNW			1.1000
									IR 19.00S-44.00E-04-NENW			6.3000
PERMIT: S 29882 *	E GAIL MCGARRY		S-16497	S-29882		8/7/1936	NC	IR	19.00S-44.00E-04-NENW			20.0000
									IS 19.00S-44.00E-04-NWNW			39.0000
PERMIT: S 18547 *	WARM SPRINGS IRRIGATION DISTRICT		S-18423	S-18547		10/16/1939	NC	IS	19.00S-44.00E-04-NENW			15.0000
									IS 19.00S-44.00E-04-SWNW			37.0000
CERT:74081 CF *	E GAIL MCGARRY		S-21304	S-16707	74081		NC	IS	19.00S-44.00E-04-NWNW			15.7000
									IS 19.00S-44.00E-04-NENW			6.3000
									IS 19.00S-44.00E-04-SWNW			1.1000

Prior to Protest

an M * WRD
March 01, 2018 9:40 AM
ON Sarah A * WRD
ub dates

5, 13, 2018

Joan M Smith
Transfer Specialist
Oregon Department of Water Resources
725 Summer St NE Suite A
Salem Oregon 97301
phone 503-986-0892

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

RR cert 93663

HENDERSON Sarah A * WRD

From: SMITH Joan M * WRD
Sent: Thursday, March 01, 2018 9:40 AM
To: HENDERSON Sarah A * WRD
Subject: T-11669 pub dates

Publication Dates are set for March 6, 13, 2018

Joan Smith

Joan M Smith
Transfer Specialist
Oregon Department of Water Resources
725 Summer St NE Suite A
Salem Oregon 97301
phone 503-986-0892

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

RR cert 93663

OSBORN Marcy J * WRD

From: Lori Graves <LGraves@spfwater.com>
Sent: Wednesday, September 13, 2017 2:49 PM
To: OSBORN Marcy J * WRD
Cc: MATTHEWS Carrie R * WRD; Greg Amaral
Subject: RE: T-11669
Attachments: Stamped Transfer Maps.pdf

Marcy,

Attached are stamped CWRE transfer maps requested by Carrie. Please let me know if you need anything else. Thanks Marcy.

From: Lori Graves
Sent: Monday, September 11, 2017 3:14 PM
To: 'OSBORN Marcy J * WRD' <Marcy.J.Osborn@oregon.gov>
Subject: RE: T-11669

Marcy,

Can you send me copies of the maps to stamp. They were not attached to Carrie's email. With regards to item 3, yes, my client agrees to the highlighted language.

From: OSBORN Marcy J * WRD [<mailto:Marcy.J.Osborn@oregon.gov>]
Sent: Monday, September 11, 2017 12:41 PM
To: Lori Graves <LGraves@spfwater.com>
Subject: RE: T-11669

I received the affidavit today. Thank you for sending that so quickly. I was wondering on the status of #1 and #3 in the email that Carrie sent to you on the 22nd. We still need the stamped CWRE maps and your response to the highlighted language below. Please let me know if you have any questions.

Thanks and have a great week.

Marcy Osborn
Field Water Rights Technician

marcy.j.osborn@oregon.gov
541-523-8224 Ext.228
Fax: 1-541-550-3898

Oregon Water Resources Dept.
Eastern Region
1995 3rd St. Suite 180
Baker City, OR 97814
www.wrd.state.or.us

From: Lori Graves [<mailto:LGraves@spfwater.com>]
Sent: Wednesday, September 06, 2017 7:09 AM
To: MATTHEWS Carrie R * WRD
Cc: void@fmtc.com; OSBORN Marcy J * WRD
Subject: RE: T-11669

The affidavit is being mailed today Carrie. Thanks for your help.

From: MATTHEWS Carrie R * WRD [<mailto:Carrie.R.Matthews@oregon.gov>]
Sent: Tuesday, August 22, 2017 2:20 PM
To: Lori Graves <LGraves@spfwater.com>
Cc: void@fmtc.com; OSBORN Marcy J * WRD <Marcy.J.Osborn@oregon.gov>
Subject: T-11669

Good morning Lori;

I spoke with Dan Fulwyler of VOID last week. He decided to leave the district water where it is. That means nothing will be changing so if the temporary transfer is working fine, then we'll keep it that way permanently.

- 1) I have attached the revised maps that were made back in 2013. They need a CWRE stamp.
- 2) The second thing I will need is a diminution affidavit for the 1.0 acre, 4.3 and 15.7 acre piece that overlaps with the district rights which are shown in the maps below. The following link will take you to the form. http://www.oregon.gov/owrd/pubs/docs/forms/diminish_part_aff_2009.pdf

- 3) The third item needed is to review the language that was placed in the Temporary Transfer (highlighted below). We will modify the language to fit the permanent transfer T-11669. I copied your response to the condition back in 2013. All I would need is another response to this email agreeing to the conditions again and we'll put this in the Draft Preliminary Determination that will be sent out to you all to review as was with the temporary transfer.

Transfer Application T-11669 proposes to transfer a water right within the boundaries of Vale Irrigation District. The district was notified of the proposed temporary transfer and indicated that the district did not object to the transfer as long as the applicant agreed that the proposed senior water right from Certificate 7049 (priority date 1884) would not be superior to the underlying junior water use permit S-29882 (priority date August 7, 1936) from Bully Creek and Bully Creek Reservoir.

On _____, the agent submitted an e-mail which acknowledged and agreed to additional conditions making the senior right Certificate 7049 subordinate to the junior permit S-29882 on the proposed place of use.

We can continue processing the transfer once we receive the items mentioned above. Marcy Osborn is the transfer specialist in our office that will be writing up the draft preliminary determinations. I will be working with her on the finalization of the transfer. Her email address is shown in the CC: area above.

Have a great afternoon...Carrie

Thu 11/14/2013 1:35 PM

Carrie,

After reviewing the special language and Dan's response, Greg Amaral had concerns that Vale OR Irrigation District was going to prevent him from diverting water in the Creek when available at his proposed diversion point. I assured Greg that Vale OR Irrigation District just didn't want to be forced to do anything different than what they've always done regarding their operations. With that explanation, Greg was fine with the language. Please proceed with transfer processing unless our interpretation of the special transfer language is inaccurate. Thanks Carrie.

From: Carrie Matthews [<mailto:carrie.r.matthews@state.or.us>]

Sent: Tuesday, November 12, 2013 1:44 PM

To: Lori Graves; void@fmtc.com

Subject: T-11668

Good afternoon you two. I sent this off to Salem Fri to see if there was better language used to describe the fact that the applicant will not "call" on his adjudicated water and make the District release water from Bully Cr. Res. I have not heard back yet so I'm sending it to you to take a look at. If they get back to me soon I'll tweak it, but if you think that it meets both your intents please e-mail me back and I'll wrap this up and send it to Salem. They can tweak it there if there is better language that captures the intent at that time.

Talk to you soon.

Carrie Matthews

MATTHEWS Carrie R

From: Shannon Hurn <shannon.m.hurn@state.or.us>
Sent: Monday, October 27, 2014 1:31 PM
To: carrie.r.matthews@state.or.us
Subject: FW: OWRD: WR Transfer T 11669 (Regular) has been submitted for your District or Region. [ODFW]
Attachments: ODFWScreen-2012-09-19 T11669.pdf

Hi Carrie,

I received your email copied below. I found this in my sent file and think it might be what you are looking for. Please let me know if that is incorrect.

Good morning Shannon;

I received a review for T-11669 last year however it was on a form for new water right applications. I am at a point to begin processing this transfer and am having difficulty finding the other review. Did you send it? If not, could you do another review on an ODFW transfer comment form?

The link to the transfer application and map is below. If you have any questions you can call me as I am familiar with what they are proposing to do.

http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_folder_image.aspx?transfer_char=T&transfer_nbr=11669

Thanks...cm

Carrie Matthews
Transfer Specialist
541-523-8224 Ext 223
Fax: 1-866-214-3493
carrie.r.matthews@wr.state.or.us

Shannon Hurn
North Coast Watershed Manager
Oregon Department of Fish and Wildlife
O: 503-842-2741 x. 223

From: Shannon Hurn
Sent: Tuesday, February 18, 2014 4:02 PM
To: HOLMES Codi N
Subject: RE: OWRD: WR Transfer T 11669 (Regular) has been submitted for your District or Region. [ODFW]

Hello,
Let's hope for both of our sakes I got it right this time. Please see attached.

-Shannon

From: Codi Holmes [<mailto:codi.n.holmes@state.or.us>]
Sent: Wednesday, January 22, 2014 11:43 AM

To: HURN Shannon M

Subject: RE: OWRD: WR Transfer T 11669 (Regular) has been submitted for your District or Region. [ODFW]

Shannon-

Can you put your review on the attached form? We have two different types of applications ODFW does reviews on- and subsequently two different review forms. I apologize for the confusion.

Thanks.

Codi Holmes

Water Right Services Support

986-0807

From: Shannon Hurn [mailto:shannon.m.hurn@state.or.us]

Sent: Thursday, December 26, 2013 2:52 PM

To: HOLMES Codi N

Subject: RE: OWRD: WR Transfer T 11669 (Regular) has been submitted for your District or Region. [ODFW]

Hi Codi,

Attached is my review on the corrected form. Thanks for the heads up.

Happy Holidays!

-Shannon

Shannon M. Hurn

Malheur District Fish Biologist

O: 541 573-6582

From: Codi Holmes [mailto:codi.n.holmes@state.or.us]

Sent: Thursday, November 07, 2013 8:46 AM

To: HURN Shannon M

Cc: MATTHEWS Carrie R

Subject: FW: OWRD: WR Transfer T 11669 (Regular) has been submitted for your District or Region. [ODFW]

Importance: High

Shannon- we received your review, however it is on the wrong form. Please use the links below with the correct form.

http://apps.wrd.state.or.us/apps/wr/external_review/odfw_review.aspx?directory_id=122793

Thanks a bunch

Codi Holmes

Water Right Services Support

986-0807

From: automated_email@wr.state.or.us [mailto:automated_email@wr.state.or.us]
Sent: Monday, October 07, 2013 6:00 PM
To: wr.state.or.us
Subject: OWRD: WR Transfer T 11669 (Regular) has been submitted for your District or Region. [ODFW]
Importance: High

ODFW review request for proposed water right transfer T 11669

Oregon Water Resources Department - Automated e-mail notice

Transfer Type: Regular
Notice Number: 1

Transfer Actions:

- POD - Point of Diversion change
- POU - Place of Use change

Diversion Location:

County	Malheur
TRSQQ	18.00S 44.00E 33 SESW
Source	BULLY CREEK
Tributary To	MALHEUR RIVER

To view the OWRD Web page for T 11669 please click the following link:
http://apps.wrd.state.or.us/apps/wr/wrinfo/wr_transfer_centric.aspx?transfer_nbr=11669&transfer_char=T

To view the Pending Reviews for your district or region and obtain Review Forms, click the following link.
http://apps.wrd.state.or.us/apps/wr/external_review/odfw_review.aspx?directory_id=122793

In the case of Instream Leases or Allocations of Conserved Water, please direct all reviews and questions about this request to Joan Smith at 503 986-0898 or Joan.M.Smith@wr.state.or.us. All other transfer reviews and questions about this request should be directed to Codi Holmes at 503 986-0883 or Codi.N.Holmes@wr.state.or.us T 11669

**This message has been generated automatically by an unmonitored email account.
Please do not "reply" to this message. Thank you.**

MATTHEWS Carrie R

From: HOLMES Codi N
Sent: Thursday, October 23, 2014 8:11 AM
To: MATTHEWS Carrie R
Subject: RE: T-11669

I don't believe we've received it.

Codi Holmes

Water Right Services Support
986-0807

From: MATTHEWS Carrie R
Sent: Tuesday, October 21, 2014 4:51 PM
To: HOLMES Codi N
Subject: T-11669

Codi;

I'm trying to track down the ODFW review that was received 2/18/2014. You sent an e-mail 11/7/2013 (copied below) to ODFW asking for a review on the correct form. I looked on the server and all scanned document but can't find it. Do you have any ideas?

wrTransferPouPod: OWRD Water Right Management Application

File View New XtrApp

	Stakeholder			Public Cmmt	Workflow	Merge	Create Workarea
	POU Use	POU Loc	Pou Loc Delete	Pou Loc Xfer	POU Loc/Tbl	Xfr Application	XfrStakeholder
Transfer	POD Loc	POD Use	POD Reserv	POD Instream	POD<=>POU	Stream Codes	History

Search Results:

Pr	Type	Begin Da	Completed	Deadline
TR	RE	9/6/2013	9/6/2013	10/6/2013
TR	VM	10/7/201	11/6/2013	11/6/2013
TR	OD	10/7/201	2/18/2014	11/6/2013
TR	CW	10/7/201	10/25/2013	
TR	RP	10/8/201	11/3/2013	
TR	CW	10/30/20		

Selected Information:

Process: **Transfer Tracking** [View Email Log](#)

Workflow Item: **ODFW Review** **Begin:** 10/7/2013 **Fee:**

Reviewer: **SOUTHEAST DIST, HIGH DESERT** **Remind:** 12/21/2013 **Receipt Nbr:**

Item Status: **Completed:** 2/18/2014 **Reduced Amt:**

Process Loc: **Eastern Region** **Xferred Amt:**

Fish Friendly: ☐ **Xferred From:**

Worklist Workflow Remark (Internal)

SENT TO CARRIE MATTHEWS IN BAKER 9114901075742668115021; Carrie Received 10/30/13

Transfer Public Viewable Remark (External)

Recs Returned: [Select](#) [Clear](#) [Calculate Dates](#) [Update](#) [Delete](#)

Query Time: 00 00 00 140

Selected WR: **Xfer Filed T 11669 CF (REG) (Parent Cert 7049 OR *)** [Exit](#)

Stakeholder	Snr Origin	Transfer	Status	Non-Cancelled	Stage	Data Entry
WOODRUFF, ELLA						

PROD Decree Matheur Riv Claim App Permit Cert Xfer T 11669 Snr ID 177064

**FW: OWRD: WR Transfer T 11669
(Regular) has been submitted for your**

Codi Holmes <codi.n.holmes@state.or.us>

You replied to this message on 11/7/2013 8:49 AM.
This message was sent with High importance.

Sent: Thu 11/7/2013 8:46 AM
To: HURN Shannon M
Cc: Carrie Matthews

Shannon- we received your review, however it is on the wrong form. Please use the links below with the correct form.

http://apps.wrd.state.or.us/apps/wr/external_review/odfw_review.aspx?directory_id=122793

Thanks a bunch

Codi Holmes
Water Right Services Support
986-0807

Carrie Matthews
Transfer Specialist
541-523-8224 Ext 223
Fax: 1-866-214-3493
carrie.r.matthews@wrд.state.or.us

Water Resources Dept.
Eastern Region
1995 3rd Street, Suite 180
Baker City, OR 97814
www.wrд.state.or.us

OSBORN Marcy J * WRD

From: Lori Graves <LGraves@spfwater.com>
Sent: Thursday, September 28, 2017 7:09 AM
To: OSBORN Marcy J * WRD
Cc: amaralranch@aol.com; colbyshira@ymail.com
Subject: RE: Transfer T-11669
Attachments: Requested Listing Packet.pdf

Marcy,

To enable continued processing of T-11669, responses to your information requests below follow each item:

1) Please review the Draft Final order and get back to me on any changes that need to be made and/or if it meets your intent and you want to proceed with the processing of the transfer. Written consent is needed to move forward with the next phase of processing, email is ok.

See email string below regarding changing the description from "Irrigation" to "Primary" for 12 acres in the NENE and 1 acre in the SESE Section 5 as well as a consent email from Greg Amaral, Trustee/Manager/Owner of Vale Ranches, LLC

2) Please contact a title company to provide you with an ownership report. Most title companies in this region call them "listing packets". They are usually free and can be generated quickly. They can e-mail the report directly to me.

Attached

3) Please indicate which newspaper you wish to use for the publication notice.

The Argus Observer

4) I also want to mention that you can extend the completion date free of charge now. This is the time to do it, otherwise there is another process to go through if things don't work out as planned. We can move it out up to 5 years if you would like. If you finish sooner, that's great. Let me know. You can respond via e-mail if you prefer.

Not necessary. The pump station has been constructed under temporary transfer T-11668 and the requested flow meter will be installed within the next month

5) Lastly, the Watermaster, Ron Jacobs, has required measuring devices on the new point of diversion. I have included his contact information so that you may discuss with him the type of measuring device that needs to be installed.

Watermaster Ron Jacobs was contacted September 27, 2017 and authorized a Sparling FN16 SADDLE Prop Meter to be installed. Kurt Romans, with Roman's Parts and Machinery Inc., plans to install the meter within the next month. Ron said he will call you to confirm installation has occurred.

Please let me know if you need any additional information. Thanks Marcy.

Regards,

Lori Graves

SPF Water Engineering

From: amaralranch@aol.com [mailto:amaralranch@aol.com]
Sent: Thursday, September 21, 2017 11:55 AM
To: Lori Graves <LGraves@spfwater.com>; Marcy.J.Osborn@oregon.gov
Subject: RE: Transfer T-11669

Lori:

You have my approval and authorization to submit and sign these documents on my behalf.

If Marcy wants my signature, please resend the documents so I can sign and return them.

Sincerely,
Greg
Trustee, Manager, Owner

Sent from AOL Mobile Mail

OSBORN Marcy J * WRD

From: Lori Graves <LGraves@spfwater.com>
Sent: Friday, September 29, 2017 9:26 AM
To: OSBORN Marcy J * WRD
Subject: RE: Transfer T-11669

Yes, please terminate the temporary transfer once the final order is issued for the permanent transfer. Have a great weekend Marcy.

From: OSBORN Marcy J * WRD [mailto:Marcy.J.Osborn@oregon.gov]
Sent: Friday, September 29, 2017 10:23 AM
To: Lori Graves <LGraves@spfwater.com>
Subject: RE: Transfer T-11669

I don't think there is any reason to keep the temporary until the 2018 irrigation season. It covers the same ground and once the permanent transfer is approved, there is no need for the temporary. All I need is a quick email stating you want to terminate the temporary transfer once the final order is issued for this permanent transfer.

*Marcy Osborn
Field Water Rights Technician*

marcy.j.osborn@oregon.gov
541-523-8224 Ext.228
Fax: 1-541-550-3898

Oregon Water Resources Dept.
Eastern Region
1995 3rd St. Suite 180
Baker City, OR 97814
www.wrd.state.or.us

From: Lori Graves [mailto:LGraves@spfwater.com]
Sent: Friday, September 29, 2017 9:06 AM

On Thursday, September 21, 2017 Lori Graves <LGraves@spfwater.com> wrote:



As Greg's consultant, will an email consent from me suffice when I submit the requested documents?

From: OSBORN Marcy J * WRD [<mailto:Marcy.J.Osborn@oregon.gov>]

Sent: Thursday, September 21, 2017 9:39 AM

To: Lori Graves <LGraves@spfwater.com>

Subject: RE: Transfer T-11669

Good morning Lori,

Yes, I can change "Irrigation" to "Primary". When we say irrigation we automatically think primary irrigation but that is not a big deal to change it in the document if the applicant feels more comfortable that way.

I think you only have one choice for a newspaper in that area and that is the Argus Observer.

The main title company that I see things come from in the area is Amerititle in Ontario. Here is their contact information.

70 S.W. 3rd Avenue-Ontario, Oregon 97914

Ph. 541-889-6451 / Fx. 541-889-4161 /

Marcy Osborn

Field Water Rights Technician

marcy.j.osborn@oregon.gov

541-523-8224 Ext.228

Fax: 1-541-550-3898

Oregon Water Resources Dept.

Eastern Region

1995 3rd St. Suite 180

Baker City, OR 97814

www.wrd.state.or.us

From: Lori Graves [<mailto:LGraves@spfwater.com>]

Sent: Wednesday, September 20, 2017 10:41 AM

To: OSBORN Marcy J * WRD

Cc: amaralranch@aol.com
Subject: RE: Transfer T-11669

Thank you Marcy,

After a preliminary review, I have the following questions:

Item 10 describes 12 acres in the NENE and 1 acre in the SESE Section 5 as "Irrigation" rather than "Primary". Can this irrigation description be changed to primary to be consistent with the use descriptions for Section 4?

Can you suggest or provide me a list of local title companies?

What are our news paper choices for advertising?

From: OSBORN Marcy J * WRD [<mailto:Marcy.J.Osborn@oregon.gov>]
Sent: Wednesday, September 20, 2017 11:12 AM
To: amaralranch@aol.com
Cc: Lori Graves <LGraves@spfwater.com>; JACOBS Ronald K * WRD <Ronald.K.Jacobs@oregon.gov>
Subject: Transfer T-11669

Good morning;

I have completed the first phase of processing of your transfer. There are a few items I need in order to proceed, which are listed below and are outlined in the cover letter of the attached packet:

- 1) Please review the Draft Final order and get back to me on any changes that need to be made and/or if it meets your intent and you want to proceed with the processing of the transfer. Written consent is needed to move forward with the next phase of processing, email is ok.
- 2) Please contact a title company to provide you with an ownership report. Most title companies in this region call them "listing packets". They are usually free and can be generated quickly. They can e-mail the report directly to me.
- 3) Please indicate which newspaper you wish to use for the publication notice.
- 4) I also want to mention that you can extend the completion date free of charge now. This is the time to do it, otherwise there is another process to go through if things don't work out as planned. We can move it out up to 5 years if you would like. If you finish sooner, that's great. Let me know. You can respond via e-mail if you prefer.
- 5) Lastly, the Watermaster, Ron Jacobs, has required measuring devices on the new point of diversion. I have included his contact information so that you may discuss with him the type of measuring device that needs to be installed.

Feel free to contact me if I can be of further assistance.

Thanks...

Marcy Osborn

Field Water Rights Technician

marcy.j.osborn@oregon.gov

541-523-8224 Ext.228

Fax: 1-541-550-3898

Oregon Water Resources Dept.

Eastern Region

1995 3rd St. Suite 180

Baker City, OR 97814

www.wrd.state.or.us

Carrie Matthews

From: Lori Graves <LGraves@spfwater.com>
Sent: Wednesday, September 04, 2013 11:22 AM
To: Carrie Matthews (carrie.r.matthews@state.or.us)
Subject: Transfer Questions

Carrie,

In case you're checking email between meetings, I was hoping you could provide me direction regarding the following transfer items:

Do you recommend we leave the 44 acres below Farmers Ditch alone? They will not receive diverted water unless we pipe it over the ditch and I don't know if WSID would allow that. The only reason I ask is because Ron thought because the 44 acres have district water from WSID, and they have live flow rights from Bully Creek, irrigation use under 7049 may not be considered forfeited due to non-use; the water right has continued to be exercised by means of the WDID system. However, as you pointed out, the source is/was Harris Ditch, not Bully Creek. Also, WSID may not be as cooperative as VOID. I know you want to clean up Department pou records for the 65 acres, but I'm not sure what you recommend for the remaining 44 acres? Leave be or include?

Is Form D required for VOID? For WSID?

Which box should Galen check under Item 2 of the Evidence of Use Affidavit? I guess it depends on your recommendation for question 1 above.

Which pod should we show as the current/authorized pod now that Harris Ditch is gone? Is the blue dot on Bully Creek acceptable?

I calculated our filing fee at \$830. Please let me know if this is correct.

If we do not change the 44 acres in WSID, do we need to list them on page 5?

On page 5, I listed Malheur County Planning and Zoning as a local government. Is this sufficient?

On page 7, I described the current water delivery system as follows: "The original Harris Ditch diversion system changed when VOID was formed. Water under this certificate is now exercised through the 196 VOID Canal." Is this an accurate statement? I will add more diversion detail after I talk to Galen.

Is there anything special you recommend I list under additional remarks on page 8?

Per the results of your overlap analysis, could you please provide me with a list of other associated water rights requested on page 9?

Thanks for your help Carrie. I look forward to hearing from you. In case you want to call rather than reply via email, I'll be here until 2:30 your time, 3:30 our time. After that, I will be on my cell phone 208-850-4601.

Regards,
Lori

Lori Graves | Water Rights Specialist

SPF Water Engineering, LLC

300 E Mallard Drive, Suite 350 | Boise, ID 83706

p. 208.383.4140 | f. 208.383.4156 | c. 208.869.4569

e. lgraves@spfwater.com | w. www.spfwater.com



The information contained in this e-mail is intended only for the individual or entity to whom it is addressed. Its contents (including any attachments) may contain confidential and/or privileged information. If you are not an intended recipient you must not use, disclose, disseminate, copy or print its contents. If you receive this e-mail in error, please notify the sender by reply e-mail and delete and destroy the message.

Carrie Matthews

From: Lori Graves <LGraves@spfwater.com>
Sent: Thursday, November 14, 2013 1:35 PM
To: Carrie Matthews; void@fmtc.com
Cc: Scott King; Amaralranch@aol.com
Subject: RE: T-11668



Carrie,

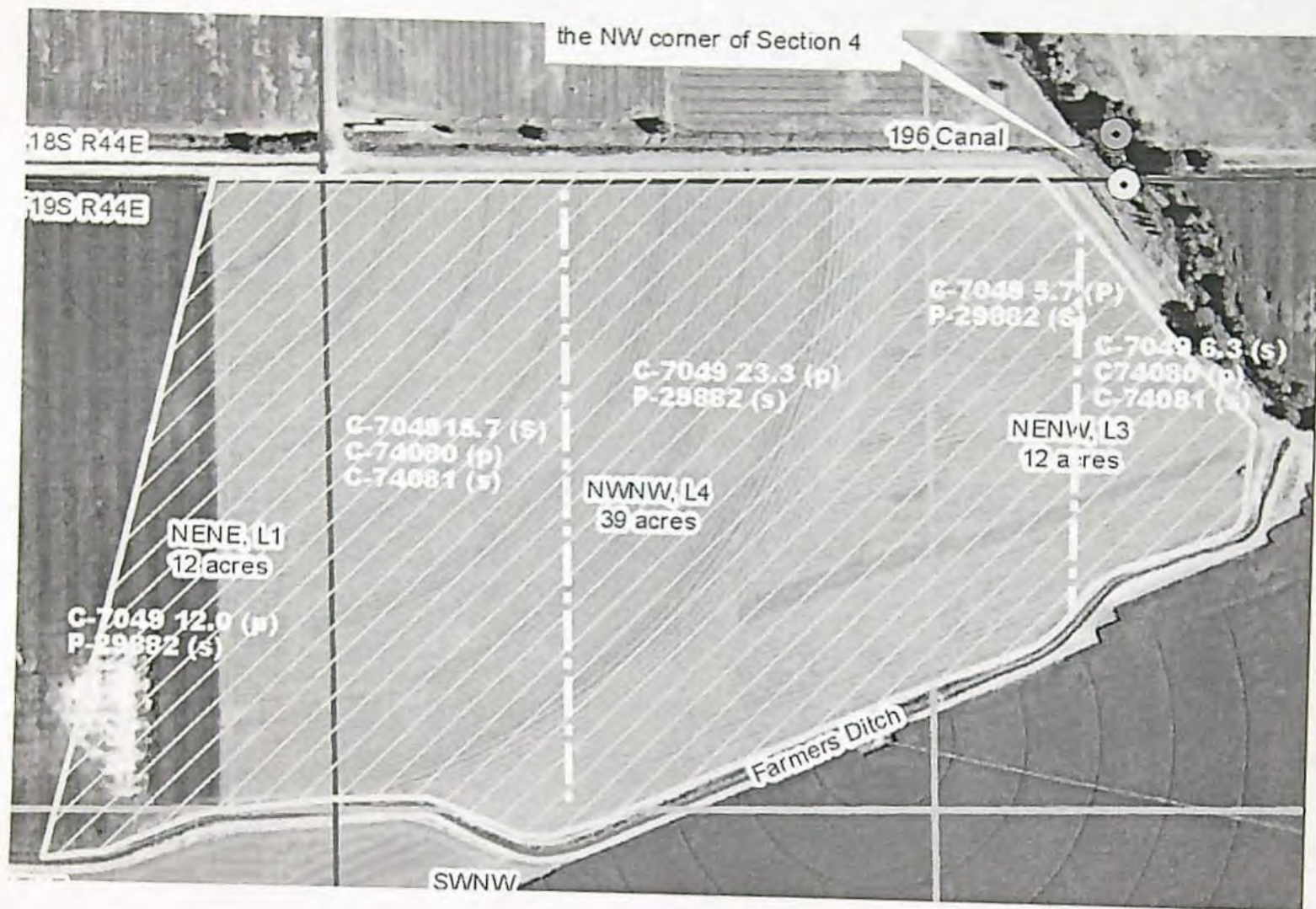
After reviewing the special language and Dan's response, Greg Amaral had concerns that Vale OR Irrigation District was going to prevent him from diverting water in the Creek when available at his proposed diversion point. I assured Greg that Vale OR Irrigation District just didn't want to be forced to do anything different than what they've always done regarding their operations. With that explanation, Greg was fine with the language. Please proceed with transfer processing unless our interpretation of the special transfer language is inaccurate. Thanks Carrie.

From: Carrie Matthews [mailto:carrie.r.matthews@state.or.us]
Sent: Tuesday, November 12, 2013 1:44 PM
To: Lori Graves; void@fmtc.com
Subject: T-11668

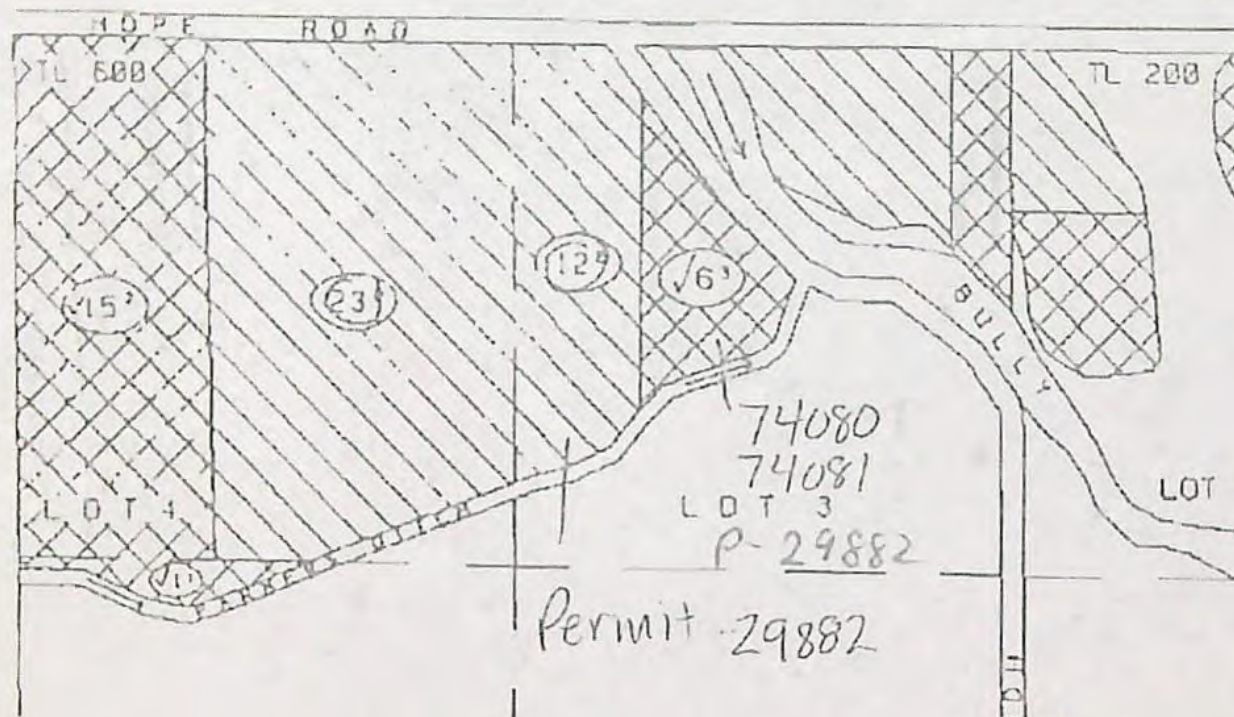
Good afternoon you two. I sent this off to Salem Fri to see if there was better language used to describe the fact that the applicant will not "call" on his adjudicated water and make the District release water from Bully Cr. Res. I have not heard back yet so I'm sending it to you to take a look at. If they get back to me soon I'll tweak it, but if you think that it meets both your intents please e-mail me back and I'll wrap this up and send it to Salem. They can tweak it there if there is better language that captures the intent at that time.

Talk to you soon.

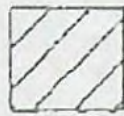
Carrie Matthews
Transfer Specialist
541-523-8224 Ext 223
Fax: 1-866-214-3493
carrie.r.matthews@wrdd.state.or.us



SECTION 4
T19 S., R44 E.



PROPERTY BOUNDARY



PRIM. 1926 & 1927
CERT. ~~115713~~
SUPP. 1931 & 1945
CERT. ~~115808~~

C-74080 Vale Canal Project

C-74081 NF Mail R & Beulah Res



PRIMARY
PERMIT P-29882

BRIDGE



PRIM. 1926 & 1927
CERT. ~~115713~~
SUPP. 1931 & 1945
CERT. ~~115808~~
PERMIT P-29882

C-74080 INVERSION DAM

**C-74081
Bully Cr Res Permit**



Carrie Matthews
Transfer Specialist
541-523-8224 Ext 223
Fax: 1-866-214-3493
carrie.r.matthews@wrd.state.or.us

Water Resources Dept.
Eastern Region
1995 3rd Street, Suite 180
Baker City, OR 97814
www.wrd.state.or.us

Carrie Matthews

From: Vale Oregon Irrigation District <void@fmtc.com>
Sent: Tuesday, November 12, 2013 2:17 PM
To: 'Carrie Matthews'; lgraves@spfwater.com
Subject: RE: T-11668

Our main goal is to be able to shut off the reservoir when the water runs out and start to fill for the next season. Once the Board of Directors gives me the directive to close the dam, we will not open it back up to supply water to the pump. As long as this is understood, I am good with the transfer.

Dan Fulwler

Dan Fulwler
Vale Oregon Irrigation District
521 A ST. W
Vale, Oregon 97918
541-473-3243 office
541-881-9279 cell

Call Lori
when I get the
files

From: Carrie Matthews [<mailto:carrie.r.matthews@state.or.us>]
Sent: Tuesday, November 12, 2013 1:44 PM
To: lgraves@spfwater.com; void@fmtc.com
Subject: T-11668

Good afternoon you two. I sent this off to Salem Fri to see if there was better language used to describe the fact that the applicant will not "call" on his adjudicated water and make the District release water from Bully Cr. Res. I have not heard back yet so I'm sending it to you to take a look at. If they get back to me soon I'll tweak it, but if you think that it meets both your intents please e-mail me back and I'll wrap this up and send it to Salem. They can tweak it there if there is better language that captures the intent at that time.

Talk to you soon.

Carrie Matthews
Transfer Specialist
541-523-8224 Ext 223

Fax: 1-866-214-3493
carrie.r.matthews@wrд.state.or.us

Water Resources Dept.
Eastern Region
1995 3rd Street, Suite 180
Baker City, OR 97814
www.wrд.state.or.us

Carrie Matthews

From: Lori Graves <LGraves@spfwater.com>
Sent: Thursday, November 07, 2013 2:53 PM
To: Carrie Matthews
Cc: Amaralranch@aol.com; Galen Jantz; Scott King
Subject: RE: T-11668

Carrie,

Thanks for clarifying your email in our telephone conversation. As shown on map #2 below, during use of the temporary transfer, Greg's water right will be supplemental to Vale Canal water on the pink acres west of Bully Creek and primary on the remaining acres that we proposed for irrigation. We understand during short water years, that we cannot force Vale Oregon Irrigation Co. to allow Bully Creek water to flow by their diversion in order to fulfill Greg's water right, however, Bully Creek water will still be available to the property through the District's diversion under their Bully Creek Reservoir Permit No. 29882. We understand that prior to approval of the permanent transfer, Vale Oregon Irrigation Co. plans to transfer their canal water off the pink acres because it is not, and has not been used on those acres. Once the permanent transfer is approved, Greg's water right will then become the primary water right on all the acres (including the pink) and Vale Oregon Irrigation District's Bully Creek Reservoir permit 29882 will become the supplemental right. Looks good Carrie.

I will call Kurt Romans (Roman's Parts & Machinery) and let him know we should have the green light for installing the new diversion structure by November 22. Thanks again Carrie.

Regards,
Lori

From: Carrie Matthews [<mailto:carrie.r.matthews@state.or.us>]
Sent: Wednesday, November 06, 2013 3:35 PM
To: Lori Graves
Cc: void@fmtc.com
Subject: T-11668

Good afternoon;

I made notations to the existing application map and attached a modified version. Since we can't have 2 primaries on the same lands I recommend temporarily diminishing the "to" lands from Certificate 7049 (1884/Bully Creek Right) until the expiration date of the transfer. There is an existing permit on the same lands for Bully Creek P-29882 but the priority date is (1936) that can be primary or supplemental at the time of proof.



PRIM. 1926 & 1927
 CERT. ~~115719~~
 SUPP. 1931 & 1945
 CERT. ~~115808~~

C-74080 Vale Canal Project

C-74081 NF Mail R & Beulah Res



PRIMARY
 PERMIT P-29882

BRIDGE



PRIM. 1926 & 1927
 CERT. ~~115719~~
 SUPP. 1931 & 1945
 CERT. ~~115808~~

C-74080 DIVERSION DAM

C-74081

Bully Cr Res Permit



Carrie Matthews
Water Restoration Specialist
 541-523-8224 Ext 223
 Fax: 1-541-550-3898
carrie.r.matthews@oregon.gov

Water Resources Dept.
 Eastern Region
 1995 3rd Street, Suite 180
 Baker City, OR 97814
www.wrd.state.or.us

"I have but one lamp by which my feet are guided, and that is the lamp of experience. I know of no way of judging the future but by the past" -- Patrick Henry

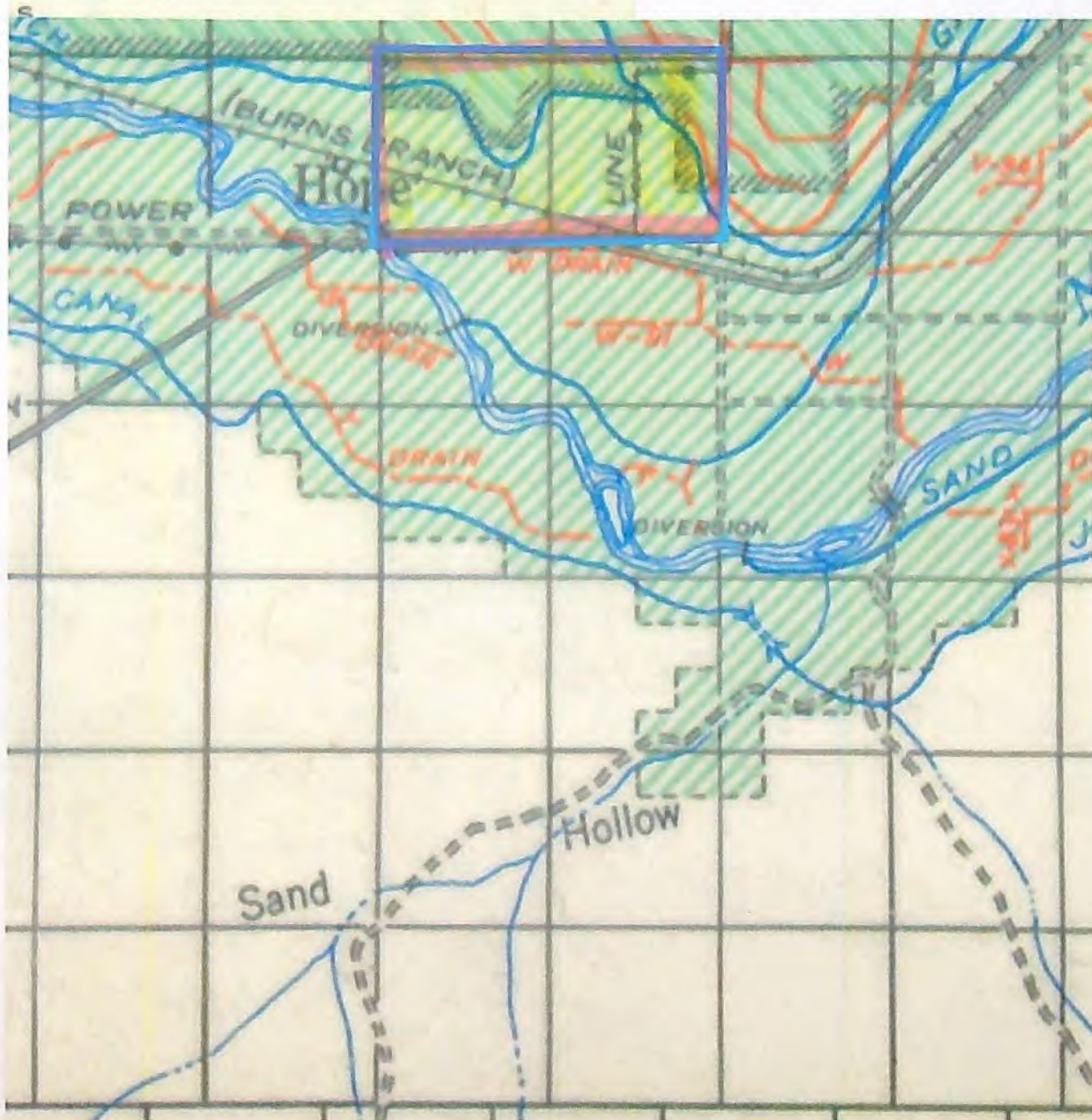
EXPLANATION



VALE - OREGON IRRIGATION DISTRICT



WARMSPRINGS IRRIGATION DISTRICT



MATTHEWS Carrie R

From: Carrie Matthews
Sent: Wednesday, November 06, 2013 2:34 PM
To: lgraves@spfwater.com
Cc: void@fmtc.com
Subject: T-11668
Attachments: 11668-XFR Map1.pdf

Good afternoon;

I made notations to the existing application map and attached a modified version. Since we can't have 2 primaries on the same lands I recommend temporarily diminishing the "to" lands from Certificate 7049 (1884/Bully Creek Right) until the expiration date of the transfer. There is an existing permit on the same lands for Bully Creek P-29882 but the priority date is (1936) that can be primary or supplemental at the time of proof.

Since this is a temporary transfer you can see if this works for you because once it is diminished permanently it cannot be returned to the "primary" status. This is particularly important if it is moved again it must be layered with an existing primary right. This will give the irrigation district time to see if they can move their district rights to compliment the permanent transfer.

Let me know if this will work for distribution purposes. I will modify the order to reflect this. If it doesn't work and you have other suggestions please let me know by tomorrow afternoon so I can get this mailed out Wed to Salem for final signature. I took a snapshot of maps for your convenience.

Talk to you soon...~~cm

PROPERTY BOUNDARY



PRIM. 1926&1927
CERT. ~~115719~~
SUPP. 1931&1945
CERT. ~~115808~~

C-74080 Vale Canal Project

C-74081 NF Main R & Beulah Res



PRIMARY
PERMIT P-29882

BRIDGE



PRIM. 1926&1927
CERT. ~~115719~~
SUPP. 1931&1945
CERT. ~~115808~~
PERMIT P-29882

C-74080 DIVERSION DAM

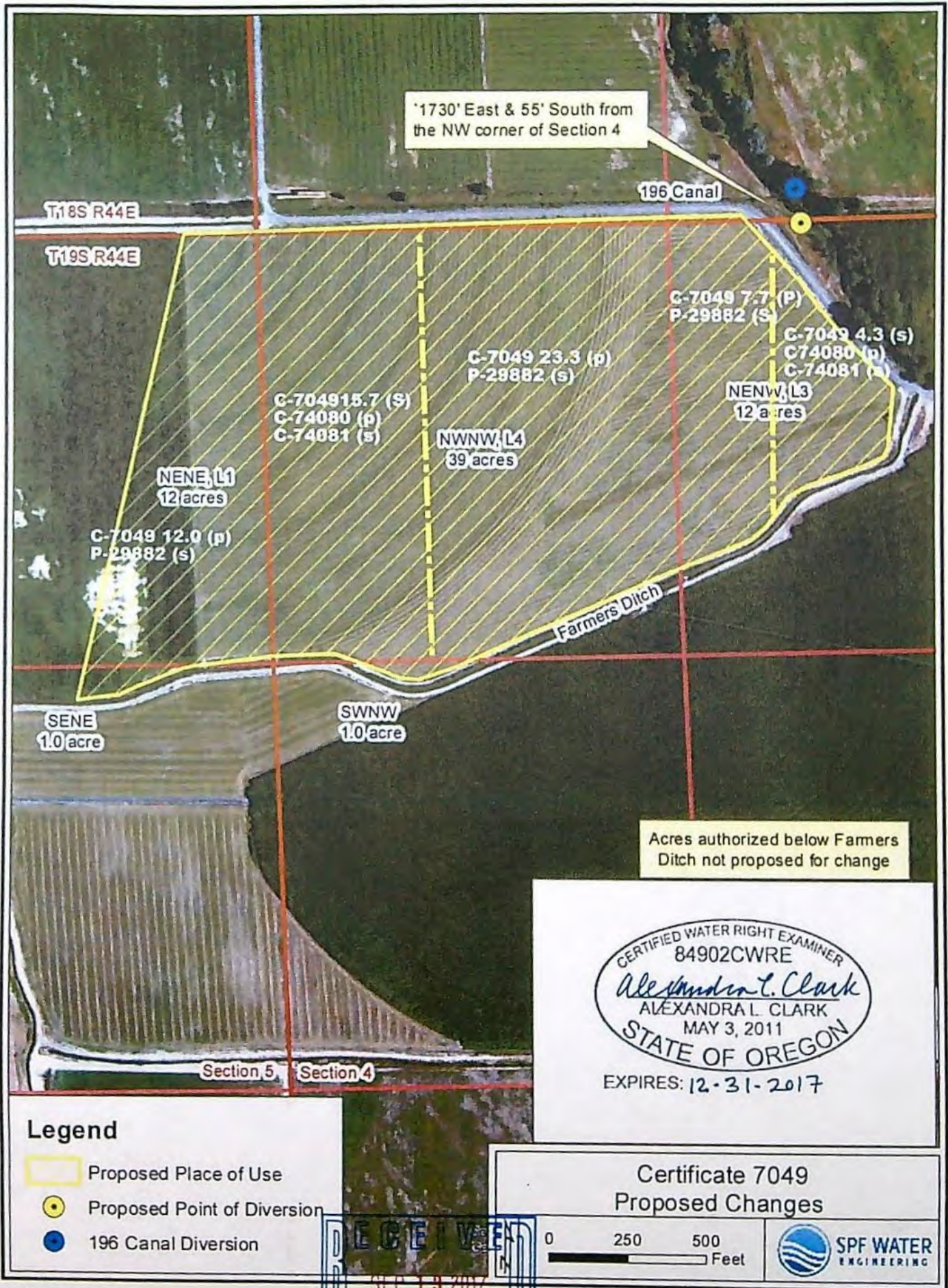
**C-74081
Bully Cr Res Permit**



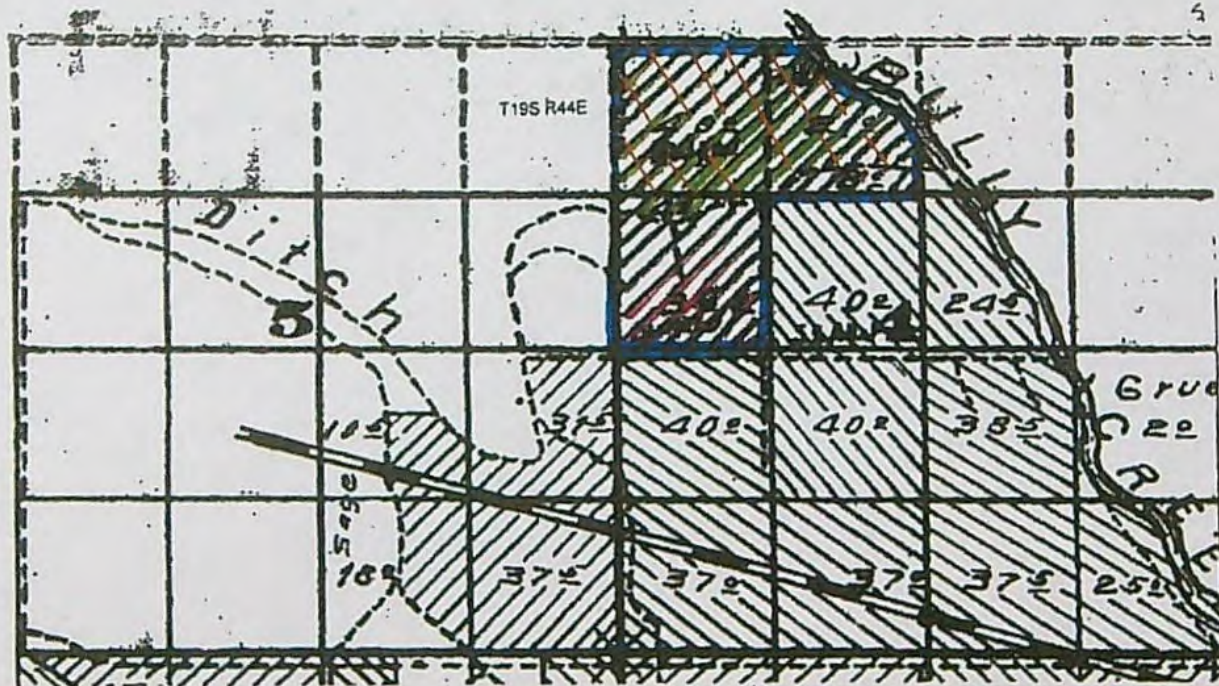
Carrie Matthews
Transfer Specialist
541-523-8224 Ext 223
Fax: 1-866-214-3493
carrie.r.matthews@wrdd.state.or.us

Water Resources Dept.
Eastern Region
1995 3rd Street, Suite 180
Baker City, OR 97814
www.wrdd.state.or.us



Original Application, Map & Diminution



By



EXPIRES: 12-31-2017

 Certificate 7049 authorized place of use
 Acres proposed for Change
 Acres unchanged

RECEIVED BY OWRD

SEP 26 2013

SALEM, OR

10:1668



SPF WATER
ENGINEERING

Lori Graves

Water Rights Specialist

Phone (208) 383-4140

Fax (208) 383-4156

lgraves@spfwater.com

SPF Water Engineering, LLC
300 E. Mallard Drive, Suite 350, Boise, ID 83706

**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE**

State of Oregon)
) ss
County of Malheur)

I/We (or authorized agent), Greg Amaral, Trustee of the Greg Amaral LTD Pension Plan & Trust,
residing at 1606 Amaral Court, Fairfield, CA 94534,
telephone number 707-864-1196, being first duly sworn depose and say:

1. I/We are the legal owner(s) of the property described as tax lot number 3700,
within the see below 1/4 see below 1/4, Section 4 & 5, Township 19S N/S, Range 44E E/W, of the
Willamette Meridian, in Malheur County, Oregon, as shown on the
attached map and described in the attached deed and legal description and made part of this affidavit;

2. A portion of water right certificate number 7049 issued to Ella Woodruff,
with a date of priority of 12/31/1884 for use of see cert. cubic foot per second of water
from Bully Creek (sources) for the
purpose of Irrigation (uses) is appurtenant to
my/our property;

3. The appurtenant water right is/is not located within the boundaries of an irrigation, drainage, water
improvement, or water control district, or federal reclamation project (if the right is located within a district
or reclamation project, name it here:
Vale Oregon Irrigation District (VOID));

4. If the water right is issued in the name of an irrigation district, then the affiant must have the
concurrence of the district to the diminishment of the portion of the water right. (Signature of district
manager on the line below documents concurrence of the district.)

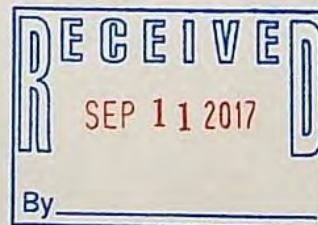
Signature of district manager Printed Name Date

5. I/We have obtained a VOID delivery (e.g., better, more economical) source
of water for the primary irrigation of the portion of this water right shown on the attached map and
described as follows: The right to the use of _____ cubic foot per second from
VOID for the irrigation of 21 acres located:

NE 1/4	NW 1/4	4.3	Acres
NW 1/4	NW 1/4	15.7	Acres
SW 1/4	NW 1/4	1.0	Acres

Section 4
Township 19N N/S, Range 44E E/W, WM;

6. I/we request the water right be diminished from a right for primary irrigation to a right for
supplemental irrigation of the lands described above in item #5;



**AFFIDAVIT FOR THE PARTIAL DIMINUTION OF A
WATER RIGHT CERTIFICATE
(CONTINUED)**

7. I/We agree that if this change is approved, it is permanent and the right to the use of water from Bully Creek (source) cannot be changed back to the primary source unless otherwise provided by law. I/We also agree that so long as there is sufficient water available from the new primary source, I am/we are not entitled to use any water from Bully Creek (source) for primary irrigation of these lands.

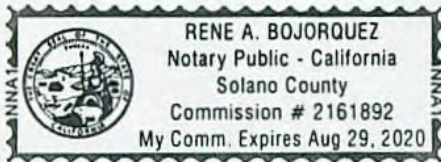
[Signature]
Signature of legal owner as listed on deed, or authorized agent

August 30, 2017
Date

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

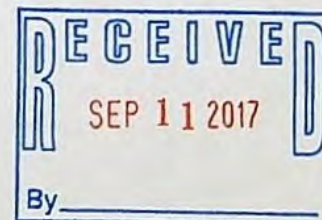
Date

Subscribed and Sworn to Before Me this 30th day of August, 20017.



[Signature]
Notary Public for Oregon
My Commission Expires Aug 25th 2020

PLEASE ATTACH A LEGIBLE COPY OF : 1) A DEED WHICH LISTS LAND OWNERS AND INCLUDES A LEGAL DESCRIPTION OF AFFECTED LANDS, AND 2) AN ADJUDICATION MAP, WATER RIGHT FINAL PROOF MAP, OR A TAX LOT MAP WITH THE PORTION OF THE WATER RIGHT AND/OR LANDS TO BE DIMINISHED CLEARLY DRAWN AND IDENTIFIED. IF ACTING AS AN AUTHORIZED AGENT, INCLUDE COPY OF POWER OF ATTORNEY OR OTHER DOCUMENTS GRANTING AUTHORITY TO ACT ON BEHALF OF LEGAL OWNER(S) AS LISTED ON THE DEED.





SPF WATER
ENGINEERING

September 24, 2013

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

Subject: Applications for Transfer

Original
Submitted App #
Maps

To Whom it May Concern,

Enclosed on behalf of the Greg Amaral LTD. Pension Plan and Trust, are a temporary transfer application and a permanent transfer application proposing changes to Certificate No. 7049. The temporary transfer application is being filed to allow the applicant to develop the proposed point of diversion this fall season while the permanent transfer application is being processed. Carrie Matthews has provided valuable assistance in preparation of the transfer applications. Since she is familiar with the proposals and has already conducted extensive records research regarding overlapping water rights and their discrepancies, we would appreciate the applications be directed to her for final review.

Check No.1348 for \$3,530 is enclosed for the filing fee; \$830 for the temporary transfer application and \$2700 for the permanent transfer application. Thank you very much for your consideration and assistance in this matter. Please call me if you have any questions.

Sincerely,

Lori Graves
Water Rights Specialist

Cc: Greg Amaral

Enclosures

SPF file number: 901.0060

RECEIVED BY OWRD

SEP 26 2013

SALEM, OR



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

Application for Water Right Transfer

Part 1 of 4 – Minimum Requirements Checklist

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

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

FOR ALL TRANSFER APPLICATIONS

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

- ☒ Part 1 – Completed Minimum Requirements Checklist.
- ☒ Part 2 – Completed Transfer Application Map Checklist.
- ☒ Part 3 – Completed Transfer Application – Applicant Information and Signature.
- ☒ Part 4 – Completed Transfer Application – Water Right Information. Please include a separate Part 4 for each water right. List all water right certificates to be transferred here: 7049.

Attachments:

RECEIVED BY OWRD

- ☒ Completed Transfer Application Map. SEP 26 2013
- ☒ Completed Evidence of Use Affidavit and supporting documentation. SALEM, OR
- ☒ Fees – Amount enclosed: \$ 2700.
See <http://www.wrd.state.or.us/OWRD/PUBS/forms.shtml#fees> or call (503) 986-0883.
- ☐ ☒ N/A Affidavit(s) of Consent.
- ☒ ☐ 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 Land Use Information Form with approval and signature (or signed land use form receipt stub). 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 For changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation, Water Well Report/Well Log.

(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
- ☐ Additional signature(s) required ☐ Part _____ is incomplete

Other/Explanation _____

Staff: _____ 503-986-0 _____

Date: ____/____/____

T011669

Part 2 of 4 – Transfer Application Map Checklist

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 – 47°32'15.5") or degrees-decimal with five or more digits after the decimal (ex

RECEIVED BY OWRD

SEP 26 2013

SALEM, OR

Part 3 of 4 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME	PHONE NO.	ADDITIONAL CONTACT NO.
GREG AMARAL TRUSTEE OF THE GREG AMARAL	707-864-1196	1011669

LTD. PENSION PLAN AND TRUST			
ADDRESS 1606 Amaral Court			FAX NO. 707-864-1198
CITY Fairfield	STATE CA	ZIP 94534	E-MAIL** amaralranch@aol.com

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

AGENT/BUSINESS NAME Lori Graves/SPF Water Engineering, LLC		PHONE NO. 108-383-4140	ADDITIONAL CONTACT NO.
ADDRESS 300 E. Mallard Dr., Ste. 350		FAX NO. 208-383-4156	
CITY Boise	STATE ID	ZIP 83706	E-MAIL** lgraves@spfwater.com

** BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.

☐ Check this box if this project is fully or partially funded by the American Recovery and Reinvestment Act. (Federal stimulus dollars)

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 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) has been conveyed.

Permanent Transfers Only (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 that 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.

I understand that prior to Department approval of the transfer, 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 paper: _____

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

Applicant signature

Print Name (and Title if applicable)

Date

Applicant signature

Print Name (and Title if applicable)

Date

In your own words tell us what change(s) you want made and the reason for the change(s): Locate the point of diversion on applicant's property and change the place of use to reflect current irrigation practices.

RECEIVED BY OWRD

SEP 26 2013

T011669

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.
- ☐ 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. (To learn about sale agreements please visit our web site at: <http://www1.wrd.state.or.us/pdfs/Transfer-PropertyTransactions.pdf>)

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

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 Vale Oregon Irrigation District	ADDRESS 521 A Street West	
CITY Vale	STATE OR	ZIP 97918

- ☐ 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 local governments (each county, city, municipal corporation, or tribal government) within whose jurisdiction water will be diverted, conveyed or used.

ENTITY NAME Malheur County Planning & Zoning	ADDRESS 251 "B" Street West #12	
CITY Vale	STATE OR	ZIP 97918

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

RECEIVED BY OWRD

1011669

SEP 26 2013

Part 4 of 4 – Water Right Information
SALEM, OR

Please use a separate Part 4 for each water right being changed. See instructions at http://www.wrd.state.or.us/OWRD/PUBS/docs/Hints_Forms_MS_Word.doc

CERTIFICATE # 7049

Description of Water Delivery System

System capacity: **5.45** cubic feet per second (cfs) **OR**

2446 gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at some time within the last five years. Include information on the pumps, canals, pipelines and sprinklers used to divert, convey and apply the water at the authorized place of use. **The original Harris Ditch diversion system changed when VOID was formed. Water under this certificate is now diverted from Bully Creek Reservoir and exercised through the 196 Vale Canal.**

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	1/4	1/4	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1	<input checked="" type="checkbox"/> Authorized <input type="checkbox"/> Proposed		18 S	44 E	19		SE		Original Harris Ditch pod
2	<input type="checkbox"/> Authorized <input checked="" type="checkbox"/> Proposed		19 S	44 E	4	NE	NW	3	
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								
	<input type="checkbox"/> Authorized <input type="checkbox"/> Proposed								

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

- | | |
|--|---|
| <input checked="" type="checkbox"/> Place of Use (POU) | <input type="checkbox"/> Supplemental Use to Primary Use (S to P) |
| <input type="checkbox"/> Character of Use (USE) | <input type="checkbox"/> Point of Appropriation/Well (POA) |
| <input checked="" type="checkbox"/> Point of Diversion (POD) | <input type="checkbox"/> Additional Point of Appropriation (APOA) |
| <input type="checkbox"/> Additional Point of Diversion (APOD) | <input type="checkbox"/> Substitution (SUB) |
| <input type="checkbox"/> Surface Water POD to Ground Water POA (SW/GW) | <input type="checkbox"/> Government Action POD (GOV) |

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

- ☐ Yes Complete only the Proposed ("to" 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.

RECEIVED BY OWRD

1011669

SEP 26 2013

Please use additional pages of Table 2 as needed

Table 2. Description of Changes to Water Right Certificate # 7049

List only the part of the right that will be changed. For the acreage in each ¼ ¼, list the change proposed. If more than one change, specify the acreage associated with each change. If more than one POD/POA, specify the acreage associated with each POD/POA.

Authorized ("from" lands) as they appear BEFORE THE CHANGES													Proposed Changes (see "CODES" from previous page)	Proposed ("to" lands) AFTER THE CHANGES															
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			
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			
"	"	"	"	"	"	"	"	"	"	EXAMPLE	"	"	"	2	S	9	E	2	SW	NW	500		5.0		POD #6	1901			
19	S	44	E	4	NE	NW		3	21	Irrigation	1	1884	POU/POD	19	S	44	E	4	NE	NW		3	12		2	1884			
19	S	44	E	4	NW	NW		4	40	Irrigation	1	1884	POU/POD	19	S	44	E	4	NW	NW		4	39		2	1884			
19	S	44	E	4	SW	NW			4	Irrigation	1	1884	POU/POD	19	S	44	E	4	SW	NW			1.0		2	1884			
													POU/POD	19	S	44	E	5	NE	NE		1	12		2	1884			
													POU/POD	19	S	44	E	5	SE	NE			1.0		2	1884			
TOTAL ACRES									65						TOTAL ACRES									65					

Additional remarks: Authorized and proposed acres are north of Farmers Ditch in Vale Oregon Irrigation District. Remaining acres are below Farmers Ditch in Warm Springs Irrigation District and are not proposed for change.

RECEIVED BY OWRD

For Place of Use or Character of Use Changes

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

If YES, list the certificate, water use permit, or ground water registration numbers: 74080, 74081.

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

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

Ground water supplemental Permit or Certificate # _____;

Surface water primary Certificate # _____.

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____

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)

OR

- ☐ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log.

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 adequate information is likely to delay the processing of your transfer application. For proposed wells, we recommend that you consult a licensed well driller, geologist, or certified water right examiner for the proper information needed to complete the table.

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

RECEIVED BY OWRD

1011669

SEP 26 2013

ATTACHMENT A
ORIGINAL POU & POD MAPS

RECEIVED BY OWRD

SEP 26 2013

SALEM, OR



Authorized POD

ORIGINAL DECREE MAP GEOREFERENCED ONTO AERIAL PHOTO

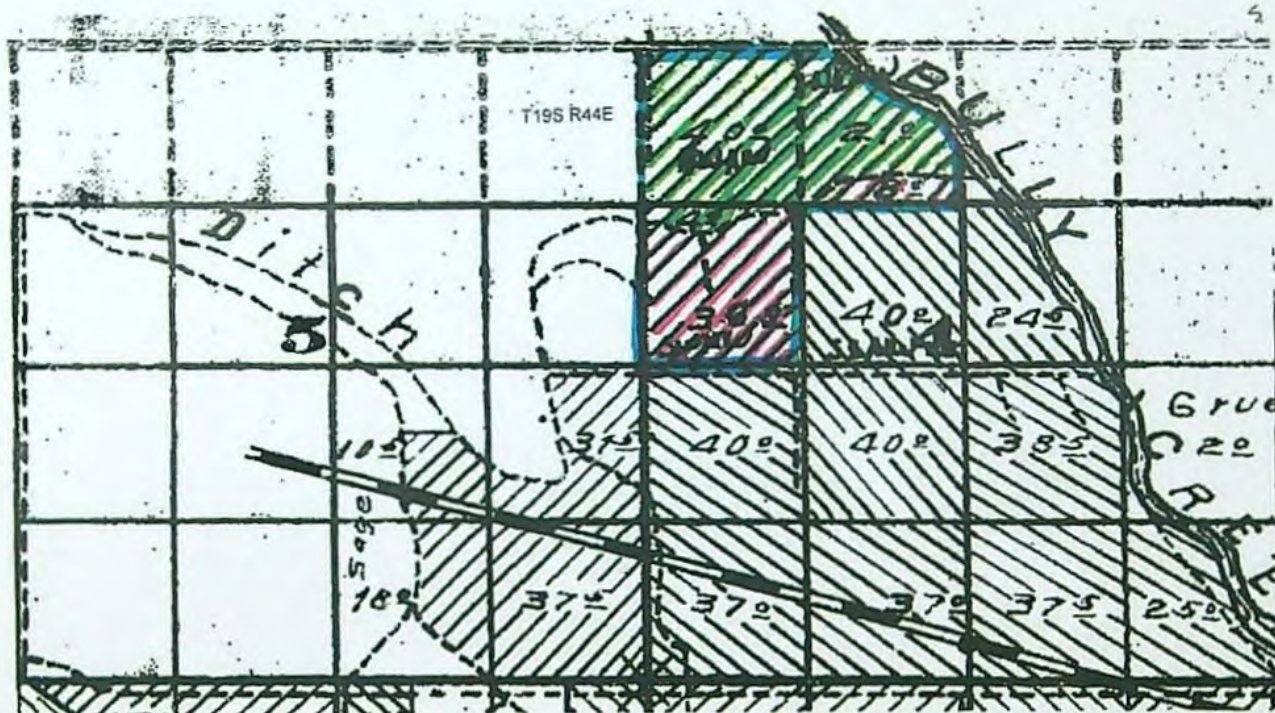
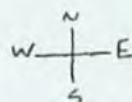
RECEIVED BY OWRD

SEP 26 2013

SALEM, OR

1011669

CERTIFICATE 7049 MAP



- Certificate 7049 authorized place of use
- Acres proposed for Change
- Acres unchanged

RECEIVED BY OWRD

SEP 26 2013

T011669

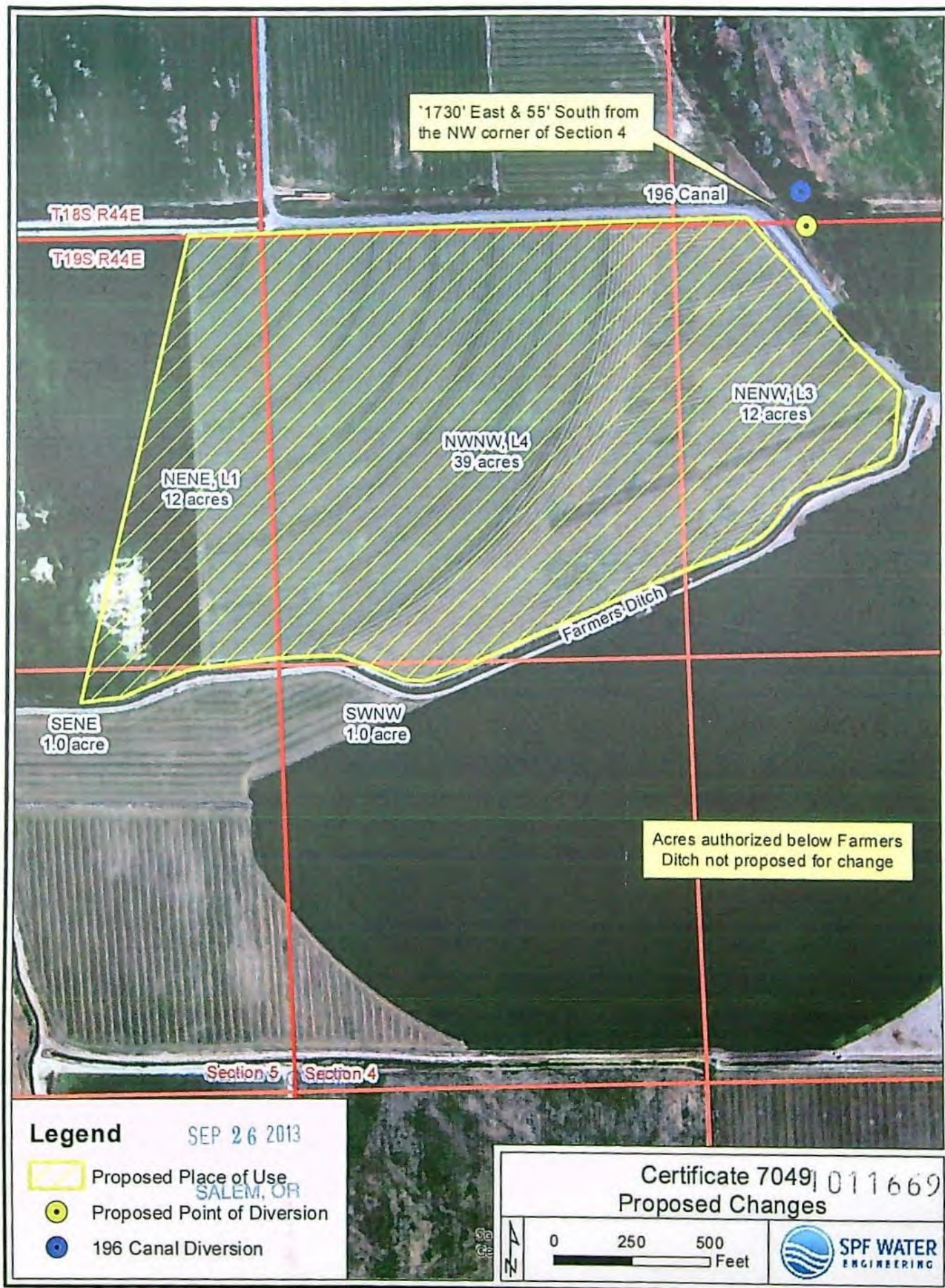
SALEM, OR

ATTACHMENT B
PROPOSED POU & POD MAP

RECEIVED BY OWRD

SEP 26 2013

SALEM, OR





ATTACHMENT C
TAX LOT 3700 BOUNDARY MAPS

RECEIVED BY OWRD

SEP 26 2013

SALEM, OR

TAX LOT 3700 BOUNDARY MAP

GREG AMARAL TRANSFER



Copyright 2011 ORMAP. All rights reserved. Sun Sep 8 2013 11:04:26 AM

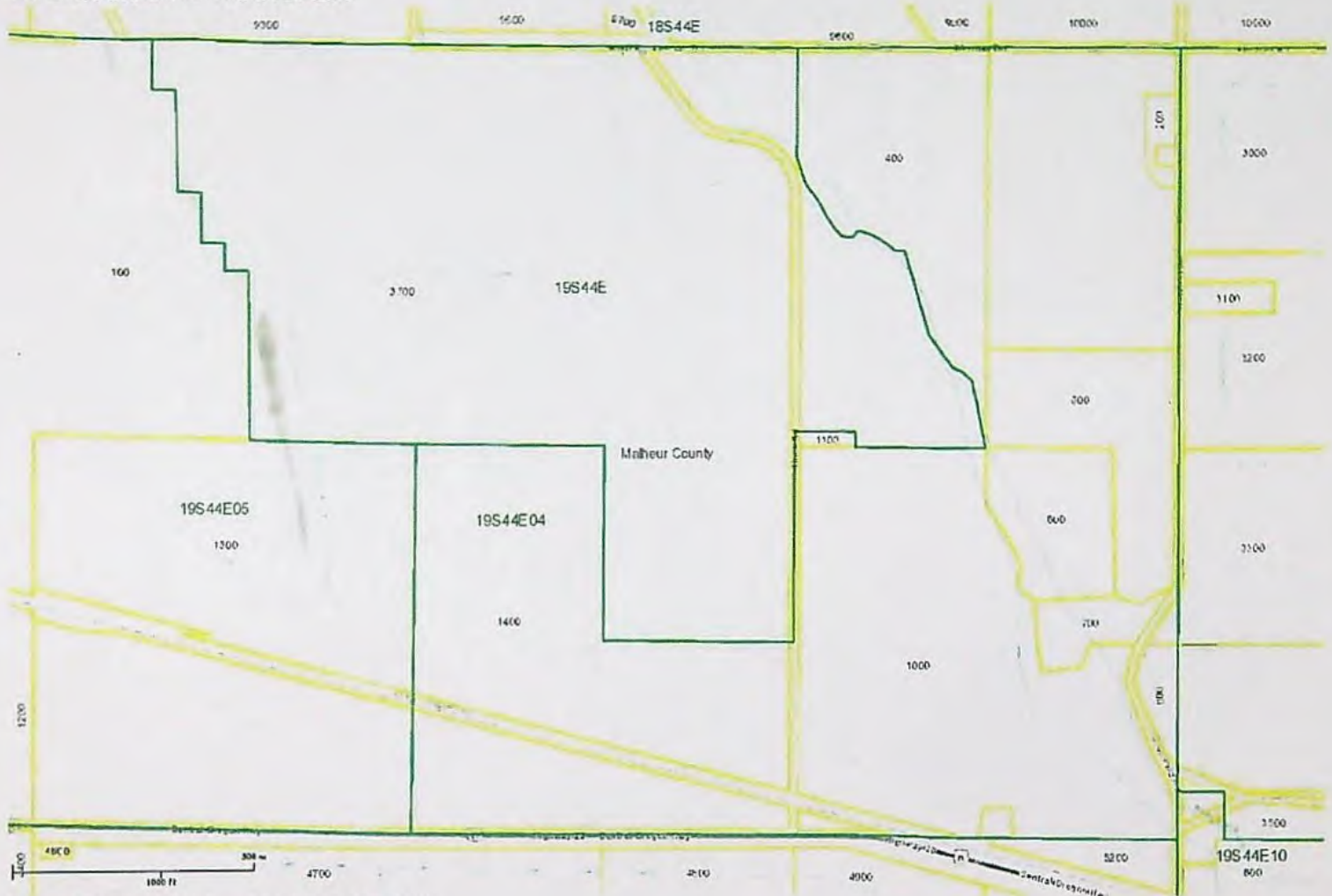
RECEIVED BY OWRD

SEP 26 2013

SALEM, OR

TAX LOT 3700 BOUNDARY MAP

GREG AMARAL TRANSFER



Copyright 2011 ORMAP. All rights reserved. Sun Sep 8 2013 11:05:01 AM

RECEIVED BY OWRD

SEP 26 2013

SALEM, OR

ATTACHMENT D
EVIDENCE OF USE AFFIDAVIT

RECEIVED BY OWRD

SEP 26 2013

SALEM, OR

Warm Springs Irrigation District

334 Main Street North
Vale, OR 97918

Invoice

Date	Invoice #
2/20/2018	3084

Bill To
Greg Amaral Vale Ranches, LLC 1606 Amaral Court Fairfield, CA. 94534

PAID
03/12/2018

Due Date	Account No.
2/20/2018	3801

Item	Quantity	Description	Rate	Amount
acres	174.1	Merritt Place	39.75	6,920.48
acres	104.2	Mason Place	39.75	4,141.95
acres	405.9	Vale Ranch	39.75	16,134.53
Account Charge			85.00	85.00
			Total	\$27,281.96

Warm Springs Irrigation District

334 Main Street North
Vale, OR 97918

Invoice

Date	Invoice #
2/15/2017	2852

Bill To
Greg Amaral Vale Ranches, LLC 1606 Amaral Court Fairfield, CA. 94534

PAID
03/06/2017

Due Date	Account No.
3/15/2017	3801

Item	Quantity	Description	Rate	Amount
acres	174.1	Merritt Place(174.1acres)	39.00	6,789.90
acres	104.2	Mason Place(104.2acres)	39.00	4,063.80
acres	405.9	Twin Silos(405.9	39.00	15,830.10
Account Charge			85.00	85.00
			Total	\$26,768.80

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

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.

Original
sent to
Salem

Date

and sworn to (or affirmed) before me this ____ day of _____, 20____.

Notary Public for Oregon

My Commission Expires: _____

Supporting Documents	Examples
<input type="checkbox"/> 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
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none">• Power usage records for pumps associated with irrigation use• Fertilizer or seed bills related to irrigated crops• Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none">• 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
<input checked="" type="checkbox"/> 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
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED BY OWRD

SEP 26 2013

FS
SALEM, OR

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

Signature of Affiant

Date

Signed and sworn to (or affirmed) before me this ____ day of _____, 20 ____.

Notary Public for Oregon

My Commission Expires: _____

Supporting Documents	Examples
<input type="checkbox"/> 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
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • 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
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>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.</p> <p>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</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED BY OWRD

SEP 26 2013

FS
SALEM, OR

Application for Water Right Transfer Evidence of Use Affidavit



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

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

State of Oregon)
) ss

County of MALHEUR)

I, GALEN JANTZ, in my capacity as FARM MANAGER,

mailing address 1275 HWY 20-26, VALE OR 97918

telephone number (541)473-4166, being first duly sworn depose and say:

RECEIVED BY OWRD

SEP 23 2013

SALEM, OR

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

☒ Personal observation

☐ Professional expertise

2. I attest that:

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

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

Certificate #	Township		Range		Mer	Sec	1/4 1/4		Gov't Lot or DLC	Acres (if applicable)
7049	19	S	44	E		4	NE	NW	3	21
						4	NW	NW	4	40
						4	SW	NW		4

OR

☐ Confirming Certificate # ____ has been issued within the past five years; **OR**

☐ Part or all of the water right was leased instream at some time within the last five years. The
instream lease number is: ____ (Note: If the entire right proposed for
transfer was not leased, additional evidence of use is needed for the portion not leased instream.); **OR**

☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for
non-use would be rebutted under ORS 540.610(2) is attached.

☐ Water has been used at the actual current point of diversion or appropriation for more than
10 years for Certificate # ____ (For Historic POD/POA Transfers)

(continues on reverse side)

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

[Signature]
Signature of Affiant

9-19-13
Date

Signed and sworn to (or affirmed) before me this 9th day of Sept, 2013.



[Signature]
Notary Public for Oregon
My Commission Expires: 9-19-13

Supporting Documents	Examples
<input type="checkbox"/> 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
<input type="checkbox"/> Copies of receipts from sales of irrigated crops or for expenditures related to use of water	<ul style="list-style-type: none"> • Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
<input type="checkbox"/> Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	<ul style="list-style-type: none"> • 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
<input checked="" type="checkbox"/> Aerial photos containing sufficient detail to establish location and date of photograph	<p>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.</p> <p>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</p>
<input type="checkbox"/> Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

RECEIVED BY OWRD

SEP 23 2013

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 MALHEUR) ss

I, GALEN JANTZ, in my capacity as FARM MANAGER,
mailing address 1275 HWY 20-26, VALE OR 97918

telephone number (541)473-4166, being first duly sworn depose and say:

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

☒ Personal observation ☐ Professional expertise

2. I attest that:

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

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

Certificate #	Township		Range		Mer	Sec	¼ ¼	Gov't Lot or DLC	Acres (if applicable)
7049	19	S	44	E		4	NE NW	3	21
						4	NW NW	4	40
						4	SW NW		4

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)

RECEIVED BY OWRD

SEP 26 2013

ATTACHMENT E
SUPPLEMENTAL FORM D

RECEIVED BY OWRD

SEP 26 2013

SALEM, OR



District Permanent Water Right Transfer Supplemental Form D

WATER RIGHTS ISSUED IN THE NAME OF OR WITHIN THE BOUNDARIES OF A DISTRICT

The Department encourages applicants to coordinate with districts during the planning and preparation of transfer applications involving water rights issued in the name of a district or involving the transfer of water rights located within the boundaries of a district.

This form must be included with your transfer application if the transfer involves rights issued in the name of a district or within a district.

1. APPLICANT INFORMATION

Name: GREG AMARAL TRUSTEE OF THE GREG AMARAL LTD. PENSION PLAN AND TRUST

Address: 1606 Amaral Court

City: Fairfield

State: CA

Zip: 94534

Home Phone: _____

Work Phone: 707-864-1196

Other Phone: _____

Fax: 707-864-1198

**E-Mail address: amaralranch@aol.com

2. DISTRICT INFORMATION

District Name: Vale Oregon Irrigation District

Address: 521 A Street West

City: Vale

State: OR

Zip: 97918

Home Phone: _____

Work Phone: 541-473-3243

Other Phone: 541-881-9279

Fax: _____

**E-Mail address: void@fmtc.com

** By providing an e-mail address, the district and the applicant consent to receive all correspondence from the Department electronically. Copies of the final order documents will also be mailed.

RECEIVED BY OWRD

SEP 26 2013

3. WATER RIGHT(S) INVOLVED IN TRANSFER

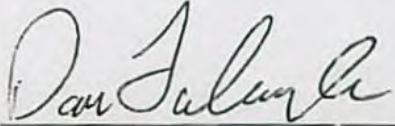
List the water right(s) involved in this transfer:

	Application / Decree	Permit / Previous Transfer	Certificate
1.		-	7049
2.		-	
3.		-	
4.		-	
5.		-	
6.		-	

4. DISTRICT CONCURRENCE WITH PROPOSED WATER RIGHT TRANSFER

The district certifies the following:

- (1) The applicant has conferred with the district about the proposed water right transfer application;
- (2) The district has reviewed the applicant's proposed water right transfer application and maps; and
- (3) The district concurs with the proposed water right transfer application.



District Manager Signature

Dan Fulwyler

Name (print)

9-18-2013

Date

RECEIVED BY OWRD

SEP 26 2013

District Concurrence
SALEM, OR



ORIGINAL DECREE MAP GEOREFERENCED ONTO AERIAL PHOTO

RECEIVED BY OWRD

SEP 26 2013

T011669

SALEM, OR



Oregon

John A. Kitzhaber, MD, 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.wrd.state.or.us

October 8, 2013

GREG AMARAL
1606 AMARAL COURT
FAIRFIELD, CA 94534

Reference: Application T- 11669

On September 6, 2013, we received your water right Transfer application. The application was accompanied by \$2700.00. Our receipt number 110076 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 Oregon Department of Fish and Wildlife to determine if a fish screen is needed.

Your application will be examined to determine whether additional information is needed. We will notify you if further information or corrections to the application or map are required.

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 in the new place of use or from the new point of diversion 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)986-0883.

Cc: Watermaster Dist. #9 (via email)
Lori Graves, Agent

Enclosure



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

725 Summer Street NE, Suite A

Salem, OR 97301-1271

503-986-0900

FAX 503-986-0904

Notice of Application for Water Right Transfer, Temporary Transfer, or Permit Amendment October 8, 2013

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. The Director may presume that the transfer would be allowed by, and compatible with comprehensive plans unless an affected local government informs the Director otherwise within 30 days of this notice.

County: MALHEUR
Transfer: 11669
Water Right: CERT 7049
Priority Date: DECEMBER 31, 1884
Name: GREG AMARAL
1606 AMARAL COURT
FAIRFIELD, CA 94534
Change: point of diversion; place of use
Source: BULLY CREEK

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

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

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

Any person who provides comments within the comment period will receive a copy of the Department's preliminary determination of whether the application should be approved or rejected after the Department has completed a review of the application and will be provided an opportunity to protest the application and preliminary determination at that time. Comments should be sent to the Transfers Section at the Department's Salem office.

Regular Permanent Water Right Transfer Application Checklist

Checked by Aurha Date 10/1/13

Certs & acres involved:

(If OK, check box to left; if not, fill in the blank)

☒ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? Evidence of Use for 2 applications OK

☒ 2. Are fees included and correct? Fee paid: 2700.00
If not, the correct fee would be: _____, so the amount missing is: _____

Changes: _____

cfs involved: _____

Source: _____

► If a Substitution (see Page 5 of application)

Base fee for 1 well (POA)		\$725.00
Number of additional wells =	_____	x \$350.00 =
Total =		

► If a Government Action POD change (see: Page 5): ~~NO CHARGE~~

► If any other type of "regular permanent" transfer:

Base fee for one water right, one change and first cfs =		\$1,000.00
# of additional water rights beyond the first (see Part 4 of application) =	<u>0</u>	x \$450.00 = <u>0</u>
Additional fee for groundwater staff review if any number of changes to well location(s), additional well(s) or change from SW diversion point to a well =		\$350.00 <u>0</u>
1 or 2 additional TYPEs of change* (see Page 5 of application) =	<u>1</u>	x \$800.00 = <u>800.00</u>
If <u>Place of Use</u> or <u>Character of Use</u> change and transfer involves more than 1 cfs (based on primary acres x rate), # cfs or fraction above the first cfs =	<u>3</u>	x \$300.00 = <u>900.00</u>
HINT: Total cfs on WR (÷) total # acres on WR (x) # acres involved in transfer = # cfs involved in transfer		
Sub-total =		<u>2700.00</u>
If a letter from ODFW endorsing this as a "fish-friendly" transfer is included, multiply sub-total by 0.50 =		<u>—</u>
Total = sub-total minus 50% "fish-friendly" reduction, if applicable =		<u>2700.00</u>

*NOTE: [POD/APOD, POA/APOA, SW to GW, Gov Action] are all counted as one type
POU is counted as one type
[USE or (Supplemental to Primary)] are counted as one type

☒ 3. Page 3 of application: Have all the applicants listed at the top of the page signed?
If no, whose signature is missing? _____

☒ 4. Are all listed certificates or permits shown by WRIS as non-cancelled?
If no, which are cancelled? _____
For each cancelled certificate, if there has been a remaining right certificate issued that covers the lands in the left side of Table 2, list its number _____ and check the #4 box at left on this checklist.

☒ 5. If any certificate is in the name of a "district", is a Supplemental Form D from that district enclosed?
☐ N/A ☐ Form D needed from _____ (district)

6. If all #1-#5 boxes on this checklist are checked (with no remaining deficiencies identified), accept the application and assign it a numbered transfer folder. Put this check sheet in the transfer folder. If #1, #2, #3, #4 or #5 on this checklist is deficient, the application cannot be accepted. It should be returned and the deficiencies listed in the "staff" section at the bottom of Application Page 1, unless the applicant or agent can resolve the deficiencies within 2-3 days.