

T-10443

T-10443

TEMPORARY

Name John Carl Webber Jr.
Testamentary Trust
 Address 12800 S.E. Cowboy Ct
Prineville, OR 97754
541 416-1048 541 447-5174

Change in POA POA
 Date Filed _____
 Initial notice date 8/21/2007
 DPD issued date _____
 PD issued date _____
 PD notice date _____
 Date of FO 10-17-07 Vol 73 Page 458

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

DESCRIPTION OF WATER RIGHT(S)

Name of Stream WellTrib. of PRY CreekUse IRCounty Crook

Quantity of water (CFS) _____

No. of Acres 6.4

Name of ditch _____

App # G-10652 Per # G-9902 Cert # 65427 PR Date 1982

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

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

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

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

FEES PAID		
Date	Amount	Receipt #
<u>8-22-07</u>	<u>202.00</u>	<u>89301</u>

FEES REFUNDED		
Date	Amount	Receipt#

Assignments: _____

Irrigation District N/A

Agent Becky Jones 1919 S.E. Paulina Hwy Prineville, OR 97754 541 447-5174
541-416-1098

CWRE N/ACC's list Crook County 300 NE 3rd St. Prineville, OR 97754LLO: Fred W. Hink 13640 SE Remington Rd Prineville, OR 97754RLO: John C. Webber Jr same Address as above☐ - Oversized map - Location _____

**STATE OF OREGON
WATER RESOURCES DEPARTMENT**

RECEIPT # **89301**

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

INVOICE # _____

RECEIVED FROM: Jackie K. Webber
BY: _____

APPLICATION	
PERMIT	
TRANSFER	<u>T-10443</u>

CASH: ☐ CHECK: # 1068 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D \$ 202.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES	<u>PLA 46111</u>	\$
OTHER: (IDENTIFY)		\$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

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

WATER RIGHTS:

0201 SURFACE WATER	EXAM FEE \$	0202 RECORD FEE \$
0203 GROUND WATER	\$	0204 \$
0205 TRANSFER	<u>\$202.00</u>	

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 _____

CODE _____ VENDOR # _____

DESCRIPTION _____ \$ _____

9301

DATED: 8-22-07 BY: [Signature]



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

October 19, 2007

JOHN C. WEBBER JR
TESTAMENTARY TRUST
12800 SE COWBOY COURT
PRINEVILLE OR 97754

Reference: Temporary Transfer 10443

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

The change shall be effective at the end of the 2006 irrigation season. The use shall revert to the authorized place of use at the end of the 2008 irrigation season.

The final order also terminated temporary transfer T-10177. If you have any questions please contact the transfer section at 503-986-0883 or Susan Douthit at 503-986-0858.

Sincerely,

Sarah Henderson
Executive Support

cc: Watermaster #11
Becky Jones, Agent (1919 SE Paulina Hwy, Prineville, OR 97754)
Fred W. Hink (13640 SE Remington Rd, Prineville, OR 97754)

Enclosure



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

In the Matter of Transfer Application	)	FINAL ORDER TERMINATING A
T-10443, Crook County	)	TEMPORARY TRANSFER
	)	RECORDED IN SPECIAL ORDER
	)	VOLUME 69 PAGES 184 - 186
	)	(T-10177) AND APPROVING A
	)	TEMPORARY CHANGE IN PLACE OF
	)	USE AND AN ADDITIONAL POINT OF
	)	APPROPRIATION

Authority

ORS 537.705 and 540.505 to 540.580 establish the process in which a water right holder may submit a request to temporarily transfer the place of use and, if necessary to convey the water to the temporary place of use, the point of appropriation authorized under an existing water right. OAR Chapter 690, Division 380 implements the statutes and provides the Department's procedures and criteria for evaluating transfer applications.

Applicant

JOHN CARL WEBBER JR.
TESTAMENTARY TRUST
12800 SE COWBOY CT
PRINEVILLE, OR 97754

Agent

BECKY JONES
1919 SE PAULINA HWY
PRINEVILLE, OR 97754

Findings of Fact

1. On May 17, 2006, an application was filed by Becky Jones on behalf of the John C. Webber, Jr. Testamentary Trust, proposing to temporarily transfer the place of use and point of appropriation under Certificate 65427 for a period of three years. The application was assigned number T-10177.
2. A final order approving Transfer Application T-10177 was issued on July 26, 2006, as evidenced by Special Order Volume 69, Pages 184 – 186. The final order contains a condition reverting the water right to the authorized place of use and the concurrent termination of the new point of appropriation at the end of the 2008 irrigation season.

NOTICE OF RIGHT TO PETITION FOR RECONSIDERATION OR JUDICIAL REVIEW

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

3. On August 22, 2007, the Department received a temporary transfer application from the applicant requesting that the point of appropriation approved under Transfer T-10177 be changed to a different well. Further communication with the applicant and the agent revealed that the previously approved point of appropriation did not yield water sufficient to irrigate the temporary place of use authorized under Special Order Volume 69, Pages 184 - 186.
4. The request to change to a different point of appropriation cannot be processed under Special Order Volume 69, Pages 184 – 186. In order to process the new request the previous change under T-10177 must first be terminated.
5. The Department finds that Becky Jones, authorized agent on both temporary transfer applications (T-10177 and T-10443) is authorized to seek termination of temporary transfer T-10177.
6. Termination of Transfer Application T-10177 in advance of the 2008 irrigation season is consistent with OAR 690-380-8002 (3).
7. The final order recorded in Special Order Volume 69, Pages 184 – 186 will be of no further force or effect upon issuance of this order.
8. On August 22, 2007, Becky Jones, on behalf of the John Carl Webber Jr. Testamentary Trust, filed an application to temporarily change the point of appropriation and place of use under Certificate 65427 for two years. The Department assigned the application number T-10443.
9. The portion of the first right to be transferred is as follows:
Certificate: 65427 in the name of SYLVIA WHITMORE (perfected under Permit G-9902)
Use: IRRIGATION of 2.0 ACRES
Priority Date: FEBRUARY 17, 1982
Rate: 0.01 CUBIC FOOT PER SECOND (cfs)
Limit/Duty: ONE-EIGHTIETH cfs per acre, not to exceed 3.0 acre-feet per acre during the irrigation season of each year
Source: A WELL in the DRY CREEK BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
16 S	16 E	WM	13	NW SW	1480 FEET NORTH AND 1210 FEET EAST FROM THE SW CORNER OF SECTION 13

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	16 E	WM	13	NW SW	2.0

10. A change in point of appropriation is necessary to convey the water to the proposed temporary place of use. Transfer Application T-10443 proposes to move the authorized point of diversion approximately 2900 feet in a northerly direction from the authorized point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Survey Coordinates
16 S	16 E	WM	13	NW NW	1160 FEET SOUTH AND 510 FEET EAST FROM THE NW 1/4 CORNER OF SECTION 13

11. Transfer Application T-10443 also proposes to change the place of use of the right to:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
16 S	16 E	WM	13	NW NW	2.0

12. Notice of the application for temporary transfer was published on September 4, 2007, pursuant to ORS 540.520 and OAR 690-380-4000. No comments were filed in response to the notice.
13. Water has been used within the last five years according to the terms and conditions of the right, and there is no information in the record that would demonstrate that the right is subject to forfeiture under ORS 540.610.
14. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing right were present within the five-year period prior to submittal of Transfer Application T-10443.
15. The proposed change would not result in enlargement of the right.
16. The proposed change would not result in injury to other water rights. This finding is made through an abbreviated review recognizing that the transfer may be revoked under ORS 540.523(6) if the Department later finds that the transfer is causing injury to any existing water right.

Conclusions of Law

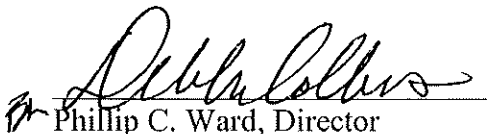
The temporary changes in point of appropriation and place of use proposed in Transfer Application T-10443 are consistent with the requirements of ORS 540.523 and OAR 690-380-8000.

Now, therefore, it is ORDERED:

1. Temporary Transfer T-10177, recorded in Special Order Volume 69, Pages 184 -186, is terminated and no longer in effect.
2. The changes in point of appropriation and place of use proposed in Transfer Application T-10443 are approved.
3. The former place of use **shall not** be irrigated as part of this water right during the 2007 or 2008 irrigation seasons.

4. The use shall revert to the authorized place of use at the end of the 2008 irrigation season. The authorization to use the new point of appropriation shall be terminated concurrently.
5. The approval of this temporary transfer may be revoked or modified if the Department finds the change causes injury to any existing water right.
6. A subsequent application for permanent transfer of Certificate 65427 shall be subject to a full and complete review to determine consistency with the requirements of OAR Chapter 690, Division 380. Approval of this temporary transfer does not establish a precedent for approval of a subsequent application filed for a permanent transfer.
7. The use of water from the temporary point of appropriation and on the temporary place of use shall be in accordance with the terms and conditions of Certificate 65427.
8. The time during which water is used under this approved temporary transfer does not apply toward a finding of forfeiture under ORS 540.610.
9. When required by the Department, the water user shall install an in-line flow meter or other suitable device for measuring and recording the quantity of water used. The type and plans of the measuring device must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.
10. The use of the remaining water right described by Certificate 65427 shall continue to be in accordance with the terms and conditions of Certificate 65427.

Dated at Salem, Oregon this 17 day of October, 2007.


Phillip C. Ward, Director

Mailing Date: OCT 22 2007

Water Right Transfer Checklist

Transfer T-10443

Transfer Specialist: Susan Douthit

Transfer Type: Temporary

Applicant Name/Address: John Carl Webber Jr. Testamentary Trust, 12800 SE Cowboy Court, Prineville, OR 97754

Agent Name/Address: Beck Jones, 1919 SE Paulina Hwy, Prineville, OR 97754

CWRE Name/Number: NONE

Rec Landowner Name/Address: John L. Webber Jr., Same address as applicant

Irr. District Name/Address: NONE

Affected Gov'ts Name/Address: Crook County, 300 NE 3rd St. Prineville, OR 97754

Commentors: Name/Address: CLO - Fred W. Hink, 13640 SE Remington Rd, Prineville, OR 97754

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☒	☒	G 10652	G 9902	65427	☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	
☐	☐				☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: <u>08/22/07</u>	Proposed Action(s): POU POD HST APOD USE OTHER: POU/POA	
Fees Pd: <u>202.00</u>	WM District: <u>11</u>	ODFW District: <u>NONE</u>
Initial Notice: <u>08/21/07</u>	WM Review sent: <u>08/31/07 9-4-07</u>	ODFW Review sent: <u>NONE</u>
Acknowledgement Letter Sent ☒		GW Review sent: <u>08/31/07 9-4-07</u>

Processing Dates & Actions

Deficiency Contacts: _____

Newspaper Pub Affid Due: _____

☐ not required

DPD Mailed: _____

Affid of Pub Rec'd: _____

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

Last Day Published: _____

PD Mailed: _____

Affidavit Reminder Sent: _____

PD Weekly Notice: _____

Reminder Deadline: _____

Preliminary Determination

☐ Electronic Files uploaded

☐ Preliminary Determination

☐ PD Cover letter

☐ Fee Refund Due

☐ PD Notice

☐ Remaining Rights

☐ File Assigned/ ModPod updated

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: <u>DJP</u>
Date: _____	Date: _____	Date: <u>10/9/07</u>
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____
Comments/Special Issues: _____		

Special Order Volume: Vol 73 Pages 458

Final Order Signature Date: OCT 17 2007

Notice of FO email'd to processors _____

Susan

Application

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

Water right subject to transfer

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

Application Map

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

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

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

Ownership

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

Evaluation (materials needed for peer reviewer in bold)

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

Reviews/comments/conditions received?

☒ Watermaster☒ ODEW☒ GW

Headgate

☐ When in the judgment☐ Prior to diverting☐ Existing and maintain

Measuring Devices

☐ When in the judgment☐ Prior to diverting☐ Existing and maintain

Fish Screen Devices

☐

Injury: Y N

Enlargement: Y N

Conditions to avoid enlargement/injury -

dup of 10177
 well 100' away from where approved under 10177
 terminate early 10177

Memorandum

October 4, 2007

TO: T-10443 and G-16596

FROM:  Ken Lite, Hydrogeologist

SUBJECT Potential Interference with Croo 51249

Applicant has requested 35 GPM from a well in close proximity to domestic wells. One of users of a shared well (Croo 51249), and another adjacent well owner have expressed concern about new irrigation uses in the area. I have completed an evaluation of the potential to interfere with the adjacent domestic wells that could result from water use under T-10443 or G-16596.

The evaluation included a time-drawdown analysis at well Croo 51249, 100-ft distance from a well pumping at a rate of 35 GPM for 180 days. Models were run for aquifer properties that ranged from $T = 500$ gpd/ft at $S = 0.002$ to $T = 5,000$ gpd/ft at $S = 0.02$. The aquifer properties have been estimated from a single-well test at Croo 2560 (G-10652), and from estimates of aquifer storage properties in the subbasin. I believe the range of values used in the evaluation likely bracket what would be found at the site.

The results of the analysis are an estimate of drawdown at Croo 51249 that ranges between 6-ft and 58-ft after 180 days, with a residual drawdown (after 365 days) of about 0.5 to 5.5-ft.

It appears that pumping the well proposed in T-10443 and G-16596 will result in a few to several feet of interference with Croo 51249. However, it also appears that substantial interference (injury) is not likely due the amount of interference predicted as compared to the height of the water column in the impacted well.

Susan Douthit

Subject: 10443 - Webber
Start Date: Wednesday, September 05, 2007
Due Date: Wednesday, October 10, 2007

Status: Not Started
Percent Complete: 0%

Total Work: 0 hours
Actual Work: 0 hours

Owner: Susan Douthit

Looks like the same change as 10177 approved. 10177 doesn't expire until the end of 2008 so I don't think this transfer is necessary. Left a message with the agent today 9-5-07. 9/10/2007 Actually, the poa is different than the one authorized under 10177 by 100 feet. Amend re-poa location sent to GW. Need to terminate 10177. Will do in same order as 10443. FO drafted and can be issued 10/4. 10/2 awaiting GW review. 10/4 Chatted with Ken Lite about need for this transfer eval. He needs to verify location of well w/watermaster. If he gets response he'll get gw review out asap.



Oregon

Theodore R. Kulongoski, Governor

Water Resources Department

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

August 30, 2007

JOHN C. WEBBER JR
TESTAMENTARY TRUST
12800 SE COWBOY COURT
PRINEVILLE OR 97754

Reference: Temporary Transfer 10443

On August 22, 2007 we received your water right transfer application. The application was accompanied by \$202.00. Our receipt 89301 is enclosed.

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

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

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

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

cc: Watermaster #11
Groundwater
Fred Hink (13640 SE Remington Rd, Prineville OR 97754)
Becky Jones, Agent (1919 Se Paulina Hwy, Prineville OR 97754)

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 08/21/07

The Department seeks comment on the recently-filed application listed below. Any person may comment on the application. Comments must be received by the Department within 30 days of the date of this notice. 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: CROOK
Transfer: 10443
Water Right: CERT 65427
Priority Date: 1982
Name: JOHN CARL WEBBER JR. TESTAMENTARY TRUST
Address: 12800 SE COWBOY COURT, PRINEVILLE OR 97754
Change: POU/POA
Source: WELL
Authorized POA: T16S R16E 13
Proposed POA: T16S R16E 13
Authorized POU: T16S R16E 13
Proposed POU: T16S R16E 13

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.

AHN: Sarah Henderson

Susan



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

Watermaster Review Form: Water Right Transfer

Transfer Application: T-10443

Review Due Date: 10-3-07

Applicant Name: John Carl Webber

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

Reviewer(s): J. Giffin

Date of Review: Sep. 10, 2007

1. Do you have information suggesting that the water rights may be subject to forfeiture?
☐ Yes ☒ No If "Yes", describe the information and indicate if you intend to file a cancellation affidavit or if you need additional time to determine if a cancellation affidavit should be filed: _____
2. Is there a history of regulation on the source that serves the right proposed for transfer that has involved the right and downstream water rights? ☐ Yes ☒ No Generally characterize the frequency of any regulation or explain why regulation has not occurred: _____
3. Check here if it appears that downstream water rights benefit from return flows resulting from the current use of the right? ☐ If you check the box, generally characterize the locations where the return flows likely occur and list the water rights that benefit most: _____
4. Are there upstream water rights that would be affected by the proposed change?
☐ Yes ☒ No If "Yes", describe how the rights would be affected and list the rights most affected: _____
5. For POD changes and instream transfers, check here if there are channel losses between the old and new PODs or within the proposed instream reach? ☐ If you check the box, describe and, if possible, estimate the losses: _____
6. Would distribution of water for the right after the proposed change result in regulation of other water rights that would not have occurred if use of the existing right was maximized?
☐ Yes ☒ No If "Yes", explain: _____
7. For POU changes, would the original place of use continue to receive water from the same source? ☐ Yes ☒ No ☐ N/A If "Yes", explain: _____
8. For POU or USE changes, would use of the existing right at "full face value," result in the diversion of more water than can be used beneficially and without waste? ☐ Yes ☒ No If "Yes", explain: _____
9. Are there other issues not identified through the above questions? ☐ Yes ☒ No If "Yes", explain: _____
10. What alternatives may be available for addressing any issues identified above: _____

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SALEM OREGON

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

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

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

RECEIVED
SEP 13 2007
WATER RESOURCES DEPT
SALEM OREGON



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

Application for Water Right Transfer

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

1. TYPE OF TRANSFER APPLICATION

Please check one	
☐ Permanent Transfer	☐ Instream Transfer
☒ Temporary Transfer (1 to 5 yrs.)	☐ Permanent
• total number of years: <u>2</u>	☐ Time-Limited
(begin year: <u>2007</u>)	☐ Drought Transfer
(end year: <u>2008</u>)	☐ Other

2. APPLICANT INFORMATION

Name: John Carl Webber Jr Testamentary TRUST
First Last
 Address: 12800 S.E. Lowboy C.T.
Prineville Oregon 97754
City State Zip
 Phone: (541) 416-1098 (541) 447-5174
Home Work Other
 Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: Becky Jones
First Last
 Address: 1919 S.E. Paulina Hwy
Prineville Oregon 97754
City State Zip
 Phone: (541) 447-5174 (541) 416-1098
Home Work Other
 Fax: _____ E-Mail address: _____

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

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

T 10443

Last revised: 7/27/2007

Transfer Application/1

FS

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

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

	Application / Decree	Permit / Previous Transfer	Certificate
1.	6-10652	6-9902	65427
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (Description of Proposed Change(s) to a Water Right) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - ☒ Place of Use ☐ Point of Diversion (POD) ☐ Additional Point of Diversion
 - ☐ Character of Use ☒ Point of Appropriation (POA, or well) ☐ Additional POA
 - ☐ Instream Transfer ☐ Surface Water POD to Ground Water POA
 - ☐ Substitution of Supplemental Groundwater right for Primary Surface water right
 - ☐ Historic POD change ☐ Other
- Reason(s) for change(s): Water Trees and Alfalfa while waiting on
Groundwater Application.

5. WATER DELIVERY SYSTEM

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

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

From Fred Hink ground well submersible pump 15 hp pump

- System capacity: .05 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

T 10443

6. EVIDENCE OF BENEFICIAL WATER USE

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

N/A
Per Debbie

7. AFFECTED DISTRICTS

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

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

8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

Crook County

300 NE 3rd St.

Prineville, OR 97754

T 10443

9. LAND OWNERSHIP

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

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners (for Permanent Transfers see Section 12(c)):

Names of Current Landowner(s): Fred W. Hink
First Last

Address: 17640 SE Remington Rd.
Prineville OR 97754
City State Zip

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

If "No", provide the following information:

Names of Receiving Landowner(s): John L. Webster Jr Testamentary Trust
First Last

Address: 12800 SE Lowbey Ct
Prineville OREGON 97754
City State Zip

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

10. Other Remarks (optional)

T 10443

A separate page providing the information in this section must be completed for each certificate, permit, decree, or other right involved in the proposed transfer.

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

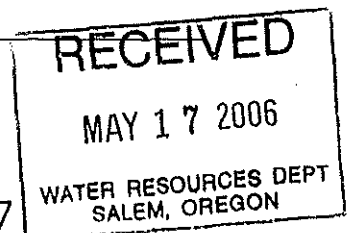
Attach additional copies as necessary to describe locations of other proposed points of diversion or appropriation. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

[illegible]

Attach additional copies as necessary to describe locations of other proposed places of use. Clearly mark each of the additional copies with the appropriate Certificate Number or other identifying number. Not applicable to applications for transfers to instream water rights.

Remarks: _____

T 10177



8. ATTACHMENTS

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

Form A – Evidence of Use Affidavits

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

Form B – Instream Water Right Transfer

- ☐ Required for instream transfers only.

Map

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

Evidence of Lien Holder Notification

- ☐ Copies of the written notification of the proposed transfer provided by the applicant to each lien holder, unless the water right has been quit claimed.

Recorded Deed

- ☒ Required for temporary transfers only.

Land Use Information Form:

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

Water Well Reports/Well Logs:

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

Fees:

- ☒ **Amount enclosed:** \$ 202.00
- See the Department's Fee Schedule at www.wrd.state.or.us or call (503) 986-0900.

9. SIGNATURES

I (we) understand that prior to approval of a permanent transfer and after issuance of a draft preliminary determination by the Department, I (we) must submit:

- (1) A report on ownership and lien information prepared by a title company within the last three months if required under OAR 690-380-3000(13), and
- (2) If I (we) are not the landowners, proof that the landowner or entity to which the water right has been quitclaimed consents to the transfer or that ownership information is not required.

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

Becky Jones
applicant signature

Becky Jones
name (print)

5-12-06
date

applicant signature

name (print)

date

Before submitting your application, be sure you have:

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

Transfer Application/7

T. 10177

T 10443

RECEIVED

MAY 17 2006

WATER RESOURCES DEPT
SALEM, OREGON

07/12/2006 15:55 541-388-5181

WTR RESOURCES D/SCR

PAGE 02/02

NOTICE TO WATER WELL CONTRACTOR
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97339
within 90 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

State Well No. 165/6E-13

State Permit No. _____

(1) OWNER:

Name Sylvia Whitmore
Address PLR Davis Rd
Prineville, Oregon 97754

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure to then it.

(3) TYPE OF WELL:

Drilled ☒
Driven ☐
Jetted ☐
Mined ☐

(4) PROPOSED USE (check):

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

(5) CASING INSTALLED:

Material ☐ Welded ☒
8" diam. from 0 ft. to 19 ft. Casing 150
" diam. from _____ ft. to _____ ft. Casing _____
" diam. from _____ ft. to _____ ft. Casing _____

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used _____

Size of perforations _____ in. by _____ in.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.
perforations from _____ ft. to _____ ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name _____

Type _____ Model No. _____
Diam. _____ Slot size _____ Net from _____ ft. to _____ ft.
Diam. _____ Slot size _____ Net from _____ ft. to _____ ft.

(8) WELL TESTS:

Drawdown is shown? water level is
lowered below static level

Is a pump test made? ☐ Yes ☒ No If yes, by whom? _____
Flow: _____ gal/min with _____ ft. drawdown after _____ hrs.

Flow: _____ gal/min with _____ ft. drawdown after _____ hrs.

Flow: _____ gal/min with _____ ft. drawdown after _____ hrs.

Temperature of water _____ Depth of water _____

(9) CONSTRUCTION:

Well seal—Material used Cement
Well sealed from land surface to _____ ft.
Diameter of well here to bottom of seal _____ in.
Diameter of well here below seal _____ in.
Number of sacks of cement used in well seal _____ sacks
How was cement gravel placed? Pumped

Was a drive shoe used? ☐ Yes ☒ No If yes, location _____ ft.

Did any strata contain unobtainable water? ☐ Yes ☒ No

Type of water _____ depth of strata _____

Method of sealing strata off _____

Was well gravel packed? ☐ Yes ☒ No Size of gravel _____

Gravel placed from _____ ft. to _____ ft.

(10) LOCATION OF WELL:

County Clatsop Driller's well number 154
T. 13 S. 16 R. 16 W. W.

Bearing and distance from section or subdivision corner _____

(11) WATER LEVEL: Completed well.

Depth at which water was first found 150 ft.

Static level 150 ft. below land surface. Date 10-18-79

Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 8

Depth drilled 180 ft. Depth of completed well 180 ft.

Formation: Describe color, texture, grain size and structure of materials;
and show thickness and nature of each stratum and aquifer penetrated,
with at least one entry for each change of formation. Report each change in
position of static water level and indicate principal water-bearing strata.

MATERIAL	From	To	WEL
Sandy Top Soil	0	1	
Yellow Claystone	1	80	
Hard Gray Basalt	80	150	
Broken Gray Basalt with	150	160	
Yellow Clay seams	160	180	
Hard Black Rock	180	180	

RECEIVED

NOV 18 1979

WATER RESOURCES DEPT

SALEM, OREGON

Work started 10-23-79 completed 10-25-79

Date well drilling machine moved off of well 10-25-79

Drilling Machine Operator's Certification:

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

(Signed) David M. Mader Date 11-8-79

Drilling Machine Operator's License No. 768

Water Well Contractor's Certification:

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

Name MODNET WELL DRILLING

Address PLR 200 DAVIS ROAD PRINEVILLE

(Signed) David M. Mader (Water Well Contractor)

Contractor's License No. 584 Date 11-8-79

(USE ADDITIONAL SHEETS IF NECESSARY)

07-1000-110

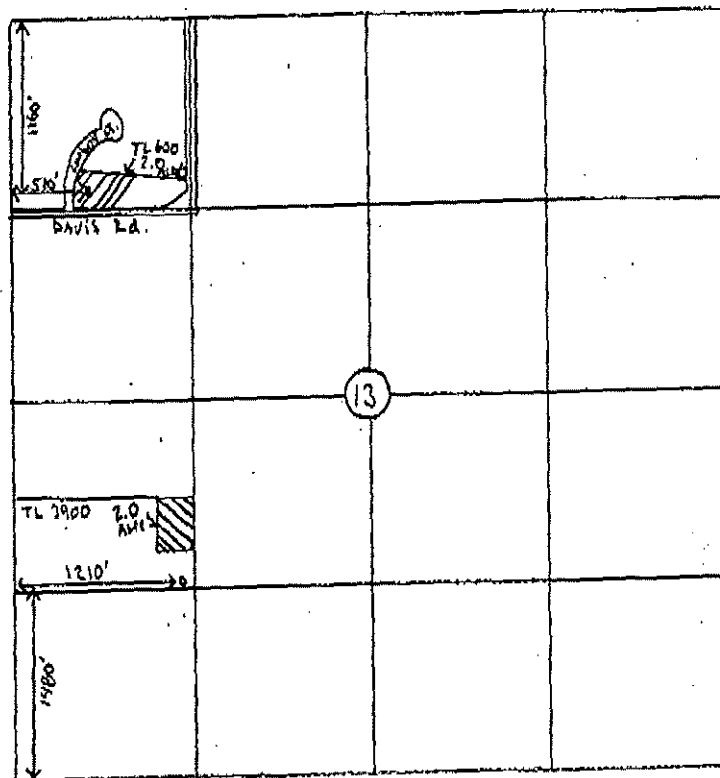


Scale
1"=1320'

Township 16 South Range 16 East Section 13, W.M.

▨ - Transferred to

▨ - Transferred From



From Well: 1480' North & 1210' East of the SW 1/4 Corner of S. 13, T. 16 S, R. 16 E, W.M.
To Well: 1160' South & 510' East of the NW 1/4 Corner of S. 13, T. 16 S, R. 16 E, W.M.

Temp Transfer Application
Application No. Permit No.
IN NAME OF

..... CARL Weber

Surveyed 19..... by

T 10443

Page 1 of 1

T 10443

STATE OF OREGON
COUNTY OF CROOK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SYLVIA WHITMORE
915 PLR DAVIS ROAD
PRINEVILLE, OREGON 97754

confirms the right to use the waters of A WELL in the DRY CREEK BASIN for the purpose of IRRIGATING 6.4 ACRES.

The right has been perfected under Permit G-9902. The date of priority is FEBRUARY 17, 1982. The right is limited to not more than 0.05 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 SW 1/4, SECTION 13, T 16 S, R 16 E, W.M.; 1480 FEET NORTH AND 1210 FEET EAST FROM THE SW CORNER OF SECTION 13.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acra-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

NW 1/4 SW 1/4 6.4 ACRES
SECTION 13
TOWNSHIP 16 SOUTH, RANGE 16 EAST, W.M.

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.

WITNESS the signature of the Water Resources Director, affixed MARCH 18, 1991.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 65427.

G-10652.JCL

A 2.0 ac
Δ poa

.001
2 ac
0.01
on
bump

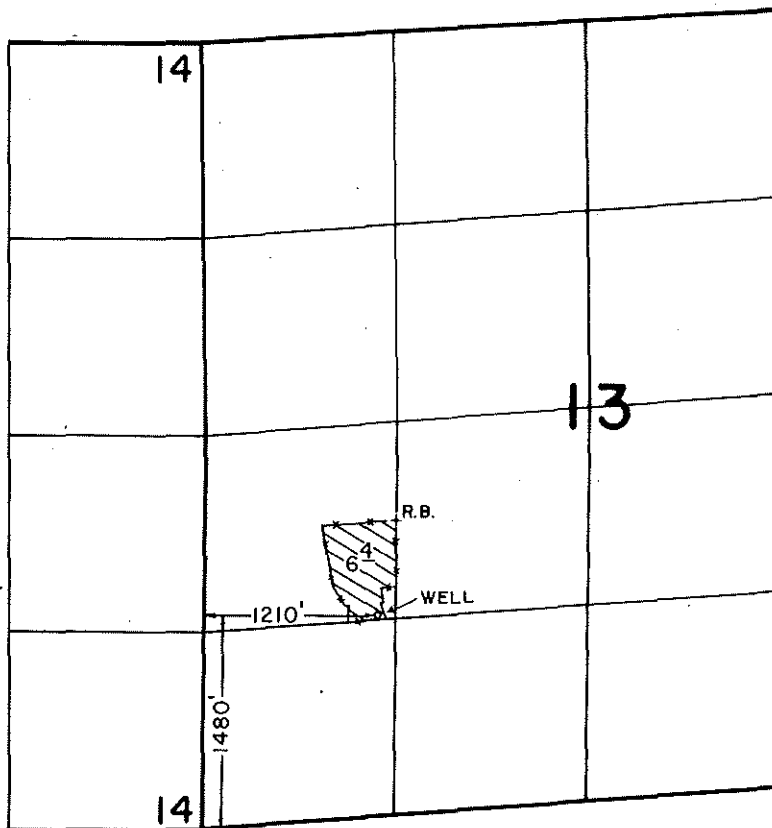
T 10443

T 10177

RECEIVED
MAY 17 2006
WATER RESOURCES DEPT
SALEM, OREGON



T.16 S., R.16 E., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

Application No. G-10652 Permit No. G-9902....
IN NAME OF

.....SYLVIA WHITMORE.....

Surveyed SEPT. 7, 1989, by B. W. BISHOP....

2-26-90
PTS



Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMO

FORWARD TO:

Susan Douthett
FIELD TRANSFER PROCESSOR WORKING ON THIS TRANSFER

DATE: 9-4-07

FROM:

X

WATERMASTER, DISTRICT # _____
GROUNDWATER SECTION

(SIGNATURE)

K. Lite
Signed by injury reviewer

SUBJECT:

TEMPORARY TRANSFER # 10443 Date Signed 10/5/2007

A change in:

POU

POA

of water.

In the name(s) of

John Carl Webber Jr. Test. Trust

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY*

WOULD RESULT IN INJURY* to an existing water

right.

*The approval of this transfer application would result in injury to other water rights because _____

* See 10/4/2007 memo

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion ...

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary ...

The enclosed copy of the transfer application and map(s) is for your records.

T-10443



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

Application for Water Right Transfer

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

1. TYPE OF TRANSFER APPLICATION

Please check one

☐ Permanent Transfer	☐ Instream Transfer
☒ Temporary Transfer (1 to 5 yrs.)	☐ Permanent
• total number of years: <u>2</u>	☐ Time-Limited
(begin year: <u>2007</u>)	☐ Drought Transfer
(end year: <u>2008</u>)	☐ Other

2. APPLICANT INFORMATION

Name: John Carl Webber Jr Testamentary Trust
First Last
 Address: 12800 S.E. Lowkey CT.
Pineville Oregon 97754
City State Zip
 Phone: (541) 416-1098 (541) 447-5174
Home Work Other
 Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: Betty Jones
First Last
 Address: 1919 S.E. Paulina Hwy
Pineville Oregon 97754
City State Zip
 Phone: (541) 447-5174 (541) 416-1098
Home Work Other
 Fax: _____ E-Mail address: _____

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

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

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

	Application / Decree	Permit / Previous Transfer	Certificate
1.	6-10652	6-9902	65427
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (Description of Proposed Change(s) to a Water Right) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
 - ☒ Place of Use ☐ Point of Diversion (POD) ☐ Additional Point of Diversion
 - ☐ Character of Use ☒ Point of Appropriation (POA, or well) ☐ Additional POA
 - ☐ Instream Transfer ☐ Surface Water POD to Ground Water POA
 - ☐ Substitution of Supplemental Groundwater right for Primary Surface water right
 - ☐ Historic POD change ☐ Other
- Reason(s) for change(s): Water Trees and Alfalfa while waiting on
Groundwater Application.

5. WATER DELIVERY SYSTEM

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

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

From Fred Hink ground well submersible pump 15 HP pump

- System capacity: .05 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

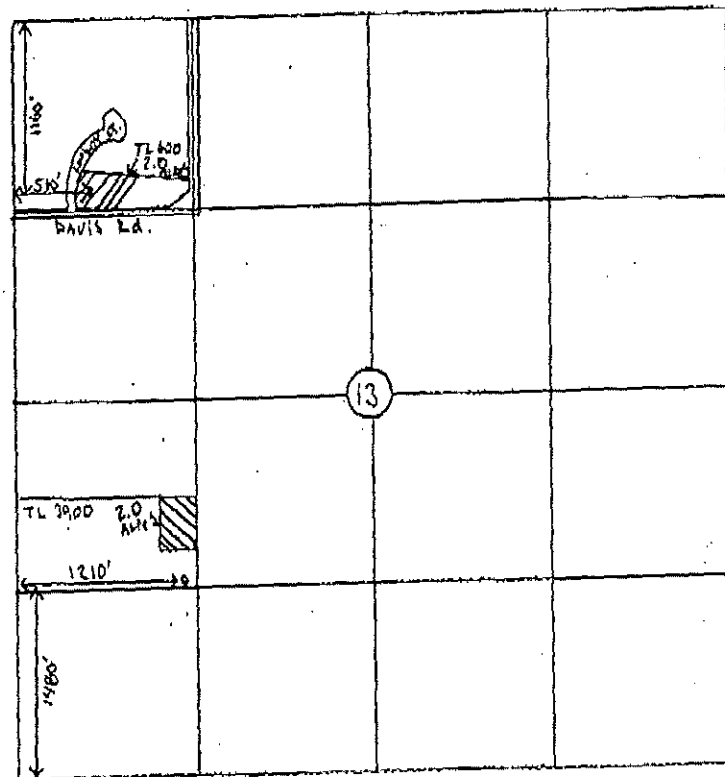
T 10443



Scale
1"=1320'

Township 16 South Range 16 East Section 13, W.M.

▨ - Transferred to ▨ - Transferred From



From well: 1480' North & 1210' East of the SW 1/4 Corner of S. 13, T. 16 S, R. 16 E, W.M.
To well: 1160' South & 510' East of the NW 1/4 Corner of S. 13, T. 16 S, R. 16 E, W.M.

Temp Transfer Application
Application No. Permit No.
IN NAME OF

..... CARL Weber

Surveyed 19..... by

WATER RESOURCES DEPARTMENT MEMORANDUM

DATE 10/5/2007

APPLICATION_NUMBER T 10443

OWNER WEBBER, JOHN C.

AMOUNT_REQUESTED 11 GPM NUMBER_OF_WELLS 1 BASIN DESCHUTES

QUADRANGLE_MAP_1 STEARNS BUTTE

SUB_BASIN CROOKED RIVER
COUNTY CROOK

WELL_# 1 WELL_LOG_STATUS DRILLED, LOG AVAILABLE POA_AMOUNT 11 GPM

WELL_LOG_NUMBER CROO 53454 DPN_LOG_1

TWNSHP 16S RANGE 16E SECTION 13 QQQ BBC

PROPOSED_LEGAL_LOCATION 1160 FEET SOUTH AND 510 FEET EAST OF THE NW CORNER, SECTION 13

DISTANCE_FROM_STREAM_1 700 FEET STREAM_1 DRY CREEK

DISTANCE_FROM_STREAM_2 4,900 FEET STREAM_2 CROOKED RIVER

PROPOSED_WELL_DEPTH

WELL_ELEV 3770 STREAM_ELEV 3770 WELL_ELEV_minus_STREAM_ELEV 0

WELL_DEPTH 240 SWL 60

SEAL_DEPTH 18 SWL_DATE 7/20/2007

CASING_DEPTH 18? FIRST_WATER_DEPTH 60?

LINER_DEPTH NONE WELL_TEST_1_TYPE AIR

PERFORATIONS_SCREEN_1 NONE

YIELD_1 100 GPM

PERFORATIONS_SCREEN_2

DRAWDOWN_1

AQUIFER_TYPE SEMI CONFINED DURATION_1 1 HR

HYDRAULIC_CONNECTION NOT AT NEAREST REACH

DIVISION_9_FINDING

ZONE_OF_IMPACT

CONDITIONED_WATER_RIGHTS_IN_AREA

OTHER_NEARBY_WATER_RIGHTS G-14594; G-14854; G-15666

DENSITY_OF_NEARBY_WELLS RURAL RESIDENTIAL, AGRICULTURE

COMMENTS "TO" WELL OBTAINS WATER FROM BASALT WATER BEARING ZONES IN THE DESCHUTES FM. OR PRINEVILLE BASALT (LIKELY PRINEVILLE BASALT). GW FLOW DIRECTION IS UNKNOWN, BUT IT IS LIKELY TOWARDS THE CROOKED RIVER. "FROM" WELL IS POA (CROO 2560) ON G-10652. TEMPORARY (2 YEARS) TRANSFER. NOTE, DID INTERFERENCE ANALYSIS FOR IMPACT ON NEARBY DOMESTIC WELLS AT WATER RIGHT APPLICATION G-16596 RATE (SEE 10/5/2007MEMO).

REFERENCES USGS WRI REPORT 00-4162; USGS WRI REPORT 02-4015; USGS OPEN-FILE REPORT 97-197; DOGAMI OPEN-FILE REPORT O-07-12; STEARNS BUTTE QUADRANGLE MAP; APPL. FILE T-10443; WELL REPORT CROO 53454; PUMP TEST RECORD (USER ID 12317).

WELL ID: Croo 2560 (G-10652)

Local ID: HML-Augmentation

Date: 4/19/2000

Time: 11:22

INPUT

Construction:	
Casing dia. (d_c)	8 Inch
Annulus dia. (d_w)	8 Inch
Screen Length (L)	30 Feet
Depths to:	
water level (DTW)	150 Feet
Top of Aquifer	150 Feet
Base of Aquifer	180 Feet
Annular Fill:	
across screen --	Open Hole
above screen --	Cement
Aquifer Material -- Permeable Basalt	
FLOW RATE	14.4 GPM

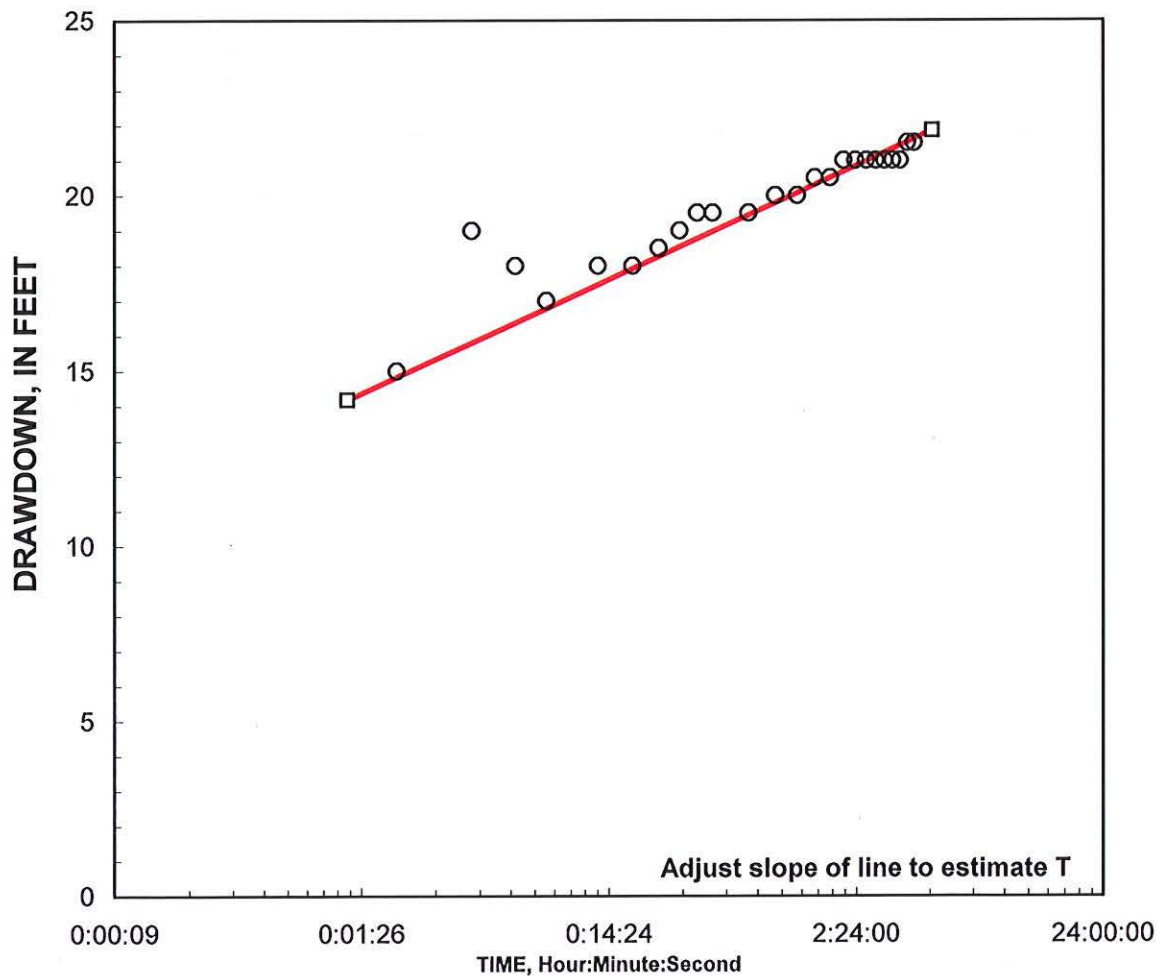
COMPUTED

Aquifer thickness = 30 Feet

Slope = 3.241874 Feet/log10

Input is consistent.

K = 5.2 Feet/Day

T = 160 Feet²/Day

REMARKS:

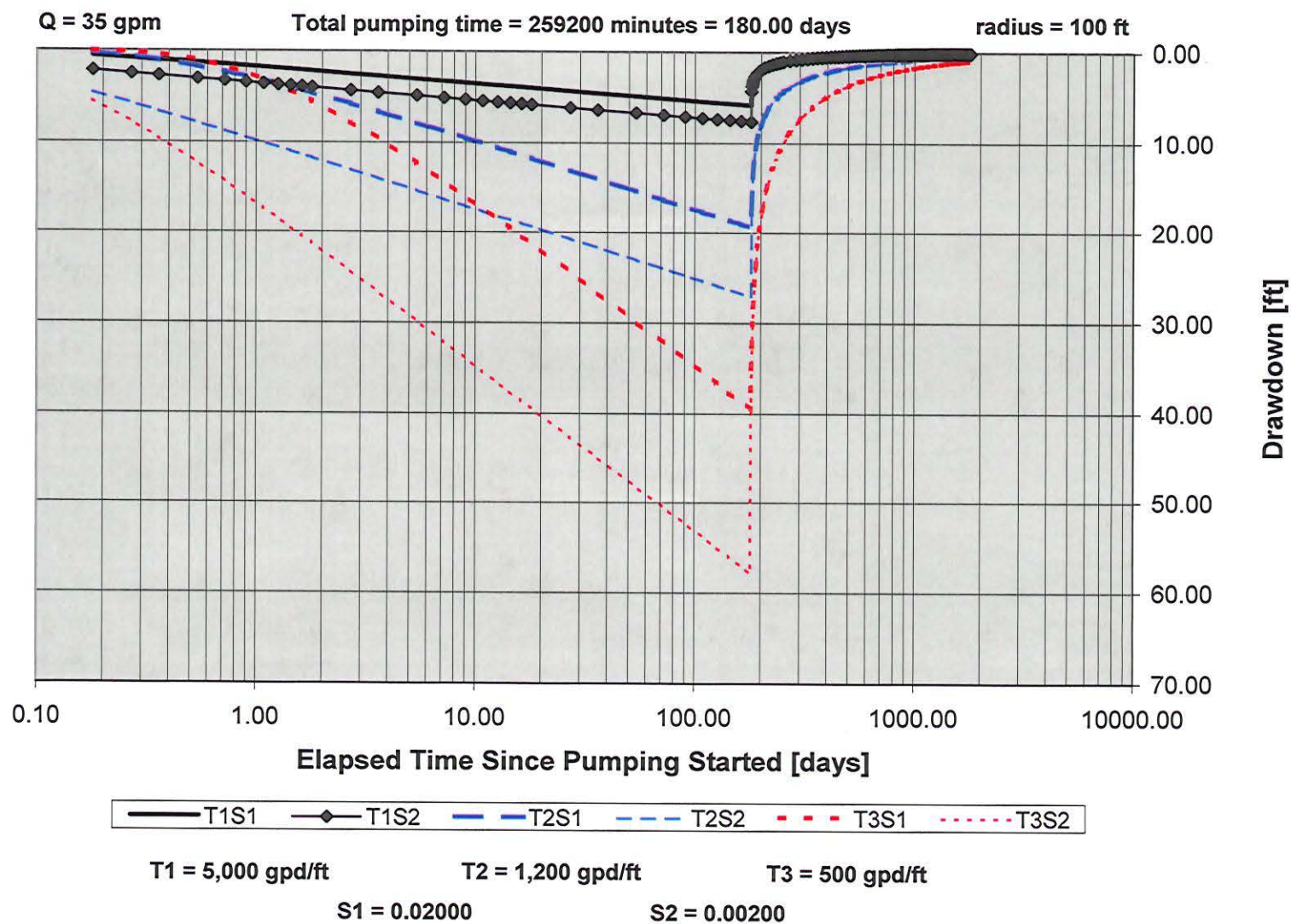
Cooper-Jacob analysis of single-well aquifer test

4- hour pump test for well Croo 2560 (G-10652) in T16S/R16E-13; Located in Dry Creek area, south of Prineville.

 $SP = .6698$

Reduced Data		
	Time,	Water Level
Entry	Date Hr:Min:Sec	Feet
1	4/19/00 11:22:00	129.00
2	4/19/00 11:24:00	144.00
3	4/19/00 11:26:00	148.00
4	4/19/00 11:28:00	147.00
5	4/19/00 11:30:00	146.00
6	4/19/00 11:35:00	147.00
7	4/19/00 11:40:00	147.00
8	4/19/00 11:45:00	147.50
9	4/19/00 11:50:00	148.00
10	4/19/00 11:55:00	148.50
11	4/19/00 12:00:00	148.50
12	4/19/00 12:15:00	148.50
13	4/19/00 12:30:00	149.00
14	4/19/00 12:45:00	149.00
15	4/19/00 13:00:00	149.50
16	4/19/00 13:15:00	149.50
17	4/19/00 13:30:00	150.00
18	4/19/00 13:45:00	150.00
19	4/19/00 14:00:00	150.00
20	4/19/00 14:15:00	150.00
21	4/19/00 14:30:00	150.00
22	4/19/00 14:45:00	150.00
23	4/19/00 15:00:00	150.00
24	4/19/00 15:15:00	150.50
25	4/19/00 15:30:00	150.50

Theis Drawdown and Recovery at $r = 100$ ft From Pumping Well



Theis Time-Drawdown Worksheet

Written by Karl C. Wozniak September 1992. Last modified
References: Theis (1935), Freeze and Cherry (1979)
See bottom of worksheet for detailed references and modifications

**Calculates Theis nonequilibrium drawdown and recovery
radial distance, r, from a pumping well for 3 different
2 different S values.**

Input Data:

Total Pumping Time, t:		259200
Radial Distance, r, From Pumping Well:		100
Pumping Rate, Q:		35
Transmissivity	T1 (high)	5,000
	T2 (med)	1,200
	T3 (low)	500
Storativity	S1 (high)	0.020000
	S2 (low)	0.002000

Output Data:

Total Pumping Time, t: 259200 [minutes]
radius = 100 ft
Q = 35 gpm = 4.68 ft³/min
Total pumping time = 259200 minutes = 180.00 days
T1 = 5,000 gpd/ft
T2 = 1,200 gpd/ft
T3 = 500 gpd/ft

Memorandum

October 4, 2007

TO: T-10443 and G-16596

FROM:  Ken Lite, Hydrogeologist

SUBJECT Potential Interference with Croo 51249

Applicant has requested 35 GPM from a well in close proximity to domestic wells. One of users of a shared well (Croo 51249), and another adjacent well owner have expressed concern about new irrigation uses in the area. I have completed an evaluation of the potential to interfere with the adjacent domestic wells that could result from water use under T-10443 or G-16596.

The evaluation included a time-drawdown analysis at well Croo 51249, 100-ft distance from a well pumping at a rate of 35 GPM for 180 days. Models were run for aquifer properties that ranged from $T = 500$ gpd/ft at $S = 0.002$ to $T = 5,000$ gpd/ft at $S = 0.02$. The aquifer properties have been estimated from a single-well test at Croo 2560 (G-10652), and from estimates of aquifer storage properties in the subbasin. I believe the range of values used in the evaluation likely bracket what would be found at the site.

The results of the analysis are an estimate of drawdown at Croo 51249 that ranges between 6-ft and 58-ft after 180 days, with a residual drawdown (after 365 days) of about 0.5 to 5.5-ft.

It appears that pumping the well proposed in T-10443 and G-16596 will result in a few to several feet of interference with Croo 51249. However, it also appears that substantial interference (injury) is not likely due the amount of interference predicted as compared to the height of the water column in the impacted well.

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Oregon

John A. Kitzhaber, M.D., Governor

Water Resources Department

Commerce Building
158 12th Street NE
Salem, OR 97301-4172
(503) 378-3739
FAX (503) 378-8130

INTEROFFICE MEMO

FORWARD TO:

Susan Douthett
FIELD TRANSFER PROCESSOR WORKING ON THIS TRANSFER

DATE: 9-4-07

FROM:

X WATERMASTER, DISTRICT # _____
GROUNDWATER SECTION

(SIGNATURE) K. Lite
Signed by injury reviewer

SUBJECT:

TEMPORARY TRANSFER # 10443 Date Signed 10/5/2007

A change in:

POU POA of water.

In the name(s) of

John Carl Webber Jr. Test. Trust

In my opinion (assuming the right is valid), the proposed change

MAY BE MADE WITHOUT INJURY*
right.

WOULD RESULT IN INJURY* to an existing water

*The approval of this transfer application would result in injury to other water rights because _____

* See 10/4/2007 memo

The existing right may not be valid because _____

Headgate notices HAVE HAVE NOT Been issued for diversion from the source(s) which serve(s) this right.

If for change in point of diversion, is there any intervening point(s) for diversion between the authorized and proposed points of diversion? (Yes or No) _____

In my opinion, the order approving the subject transfer application should include the following in regard to the appropriator installing suitable measuring devices in the diversion works:

_____ (1) PRIOR to the diverting of water at the new point of diversion . . .

_____ (2) WHEN IN the judgement of the watermaster it becomes necessary . . .

The enclosed copy of the transfer application and map(s) is for your records.



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

Application for Water Right Transfer

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

1. TYPE OF TRANSFER APPLICATION

Please check one	
☐ Permanent Transfer	☐ Instream Transfer
☒ Temporary Transfer (1 to 5 yrs.)	☐ Permanent
• total number of years: <u>2</u>	☐ Time-Limited
(begin year: <u>2007</u>)	☐ Drought Transfer
(end year: <u>2008</u>)	☐ Other

2. APPLICANT INFORMATION

Name: John Carl Webber Jr Testamentary Trust
First Last
 Address: 12800 S.E. Lowbry Ct.
Prineville Oregon 97754
City State Zip
 Phone: (541) 416-1098 (541) 447-5174
Home Work Other
 Fax: _____ E-Mail address: _____

3. AGENT INFORMATION

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

Name: Becky Jones
First Last
 Address: 1919 S.E. Paulina Hwy
Prineville Oregon 97754
City State Zip
 Phone: (541) 447-5174 (541) 416-1098
Home Work Other
 Fax: _____ E-Mail address: _____

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

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

T 10443

Last revised: 7/27/2007

Transfer Application/1

FS

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

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

	Application / Decree	Permit / Previous Transfer	Certificate
1.	6-10652	6-9902	65427
2.			
3.			
4.			
5.			
6.			

- Attach a **separate Supplemental Form A** (Description of Proposed Change(s) to a Water Right) for **each** water right listed above.
- Check **all** proposed change(s) included in this transfer application:
- ☒ Place of Use ☐ Point of Diversion (POD) ☐ Additional Point of Diversion
☐ Character of Use ☒ Point of Appropriation (POA, or well) ☐ Additional POA
☐ Instream Transfer ☐ Surface Water POD to Ground Water POA
☐ Substitution of Supplemental Groundwater right for Primary Surface water right
☐ Historic POD change ☐ Other
- Reason(s) for change(s): Water Trees and Alfalfa while waiting on Groundwater Application.

5. WATER DELIVERY SYSTEM

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

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

From Fred Hink brand well submersible pump 15 hp pump

- System capacity: .05 cubic feet per second (cfs). If the transfer involves multiple rights that have independent systems, describe the capacity for each system separately.

T 10443

6. EVIDENCE OF BENEFICIAL WATER USE

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

N/A
Per Debbie

7. AFFECTED DISTRICTS

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

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

8. LOCAL GOVERNMENTS

- List the name and mailing address of all local governments (i.e., each county, city, municipal corporation, or tribal government within whose jurisdiction water will be diverted, conveyed or used).

Crook County

300 NE 3rd St.

Prineville, OR 97754

T 10443

9. LAND OWNERSHIP

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

If "No", provide the following information. For Temporary Transfers, also include a notarized statement granting consent to the transfer from each of the landowners (for Permanent Transfers see Section 12(c)):

Names of Current Landowner(s): Fred W. Hink
First Last

Address: 13640 SE Remington Rd.

Prineville OR 97754
City State Zip

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

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

If "No", provide the following information:

Names of Receiving Landowner(s): John L. Webber Jr. Testamentary Trust
First Last

Address: 12800 SE Lowhey Ct

Prineville OR 97754
City State Zip

- Check one of the following:

☐ The receiving landowner will be responsible for completion of the proposed changes after the final order is issued. All notices and correspondence should be sent to this landowner.

☒ The applicant will remain responsible for completion of changes. Notices and correspondence should continue to be sent to the applicant and applicant's agent.

☐ N/A. (Not applicable. Application is for an Instream Water Right Transfer.)

10. Other Remarks (optional)

1 10443

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

9. SIGNATURES

- (1) A report on ownership and lien information prepared by a title company within the last three months if required under OAR 690-380-3000(13), and
- (2) If I (we) are not the landowners, proof that the landowner or entity to which the water right has been quitclaimed consents to the transfer or that ownership information is not required.

Becky Jones Becky Jones 5-12-06

applicant's name name (print) date

Becky Jones _____ _____

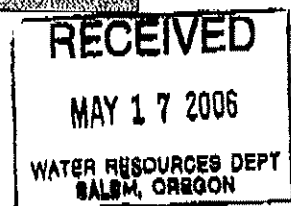
applicant signature name (print) date

Before submitting your application, be sure you have:

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

T. 10177

T 10443



07/12/2006 15:55 541-388-5101

WTR RESOURCES D/SCR

PAGE 02/02

NOTICE TO WATER WELL CONTRACTOR:
The original and first copy of this report
are to be filed with the

WATER RESOURCES DEPARTMENT,
SALEM, OREGON 97310
within 30 days from the date
of well completion.

WATER WELL REPORT

STATE OF OREGON

(Please type or print)

(Do not write above this line)

CR00

2560

State Well No.

State Pattern No.

165/6E-13

(1) OWNER:

Name Sylvia Whitmore
Address PLR Davis Rd
Prineville Oregon 97754

(2) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure to then fill.

(3) TYPE OF WELL:

Artery ☒ Driven ☐
S ☐ Jetted ☐
D ☐ Bored ☐

(4) PROPOSED USE (check):

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

(5) CASING INSTALLED:

8" Diam. from 4' to 19' ft. Casing 250
" Diam. from " to " ft. Casing
" Diam. from " to " ft. Casing

(6) PERFORATIONS:

Perforated? ☐ Yes ☒ No

Type of perforator used

Size of perforations in. by in.
perforations from " to " ft.
perforations from " to " ft.
perforations from " to " ft.

(7) SCREENS:

Well screen installed? ☐ Yes ☒ No

Manufacturer's Name

Type _____ Model No. _____
Diam. _____ Slot size _____ Set from " to " ft.
Diam. _____ Slot size _____ Set from " to " ft.

(8) WELL TESTS:

Drawdown is amount water level is lowered below static level

Is a pump test made? ☐ Yes ☒ No If yes, by whom?
Flow: gal/min. with ft. drawdown after hrs.

Flow: 30 gal/min. with 10' drawdown after 1 hr.
Flow: _____

Temperature of water _____ Depth at which flow encountered _____ ft.

(9) CONSTRUCTION:

Well seal—Material used Cement
Well sealed from land surface to _____ ft.
Diameter of well here to bottom of seal _____ in.
Diameter of well here below seal _____ in.
Number of sacks of cement used in well seal _____ sacks
How was cement grout placed? pumped

Was a drive shoe used? ☐ Yes ☒ No If yes, location _____ ft.
Did any strata contain unwater? ☐ Yes ☒ No

Type of strata _____ depth of strata _____
Method of sealing strata off _____

Was well gravel packed? ☐ Yes ☒ No Size of gravel: _____
Gravel placed from _____ ft. to _____ ft.

(USE ADDITIONAL SHEETS IF NECESSARY)

WTR-0002-110

(10) LOCATION OF WELL:

County Grant Driller's well number 154
" " Section 13 T. 16 R. 16 W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.

Depth at which water was first found 150 ft.
Static level 150 ft. below land surface. Date 10-28-79
Artesian pressure _____ lbs. per square inch. Date _____

(12) WELL LOG:

Diameter of well below casing 8Depth drilled 180 ft. Depth of completed well 180 ft.

Formation: Describe color, texture, grain size and structure of materials; and show thickness and nature of each stratum and aquifer penetrated, with at least one entry for each change of formation. Report each change in position of static water level and indicate principal water-bearing strata.

MATERIAL	From	To	SWL
Sandy Top Soil	0	1	
Yellow Claystone	1	80	
Hard Gray Basalt	80	150	
Broken Gray Basalt with Yellow Clay seams	150	160	
Hard Black Rock	160	180	

RECEIVED	NOV 20 1979	WATER RESOURCES DEPT	SALEM, OREGON
WATER RESOURCES DEPT	NOV 20 1979	SALEM, OREGON	

Work started 10-23-79 completed 10-25-79
Date well drilling machine moved off of well 10-25-79

Drilling Machine Operator's Certification:

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

(Signed) David M. Mays Date 11-2-79
(Drilling Machine Operator)

Drilling Machine Operator's License No. 768

Water Well Contractor's Certification:

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

Name ADAPET WELL DRILLING (type or print)
Address PLR 200 Davis Road PRINEVILLE

(Signed) David M. Mays (Water Well Contractor)

Contractor's License No. 584 Date 11-8-79

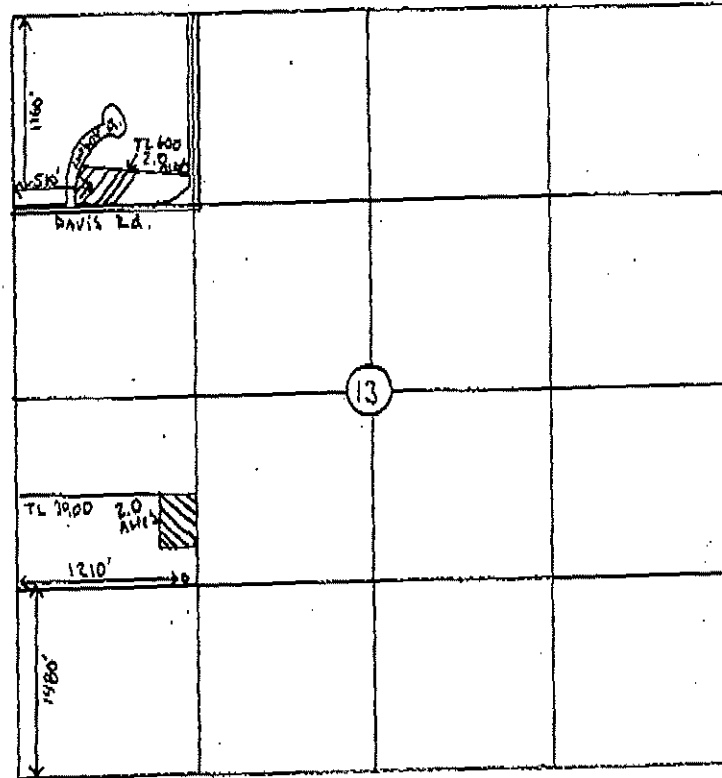


Scale
1"=1320'

Township 16 South Range 16 East Section 13, W.M.

▨ - Transferred to

▨ - Transferred From



From Well: 1480' North & 1210' East of the SW 1/4 Corner of S. 13, T. 16 S, R. 16 E, W.M.
To Well: 1160' South & 510' East of the NW 1/4 Corner of S. 13, T. 16 S, R. 16 E, W.M.

Temp Transfer Application
Application No. Permit No.
IN NAME OF

..... CARL Weber

Surveyed 19..... by

STATE OF OREGON
COUNTY OF CROOK
CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

SYLVIA WHITMORE
915 PLR DAVIS ROAD
PRINEVILLE, OREGON 97754

confirms the right to use the waters of A WELL in the DRY CREEK BASIN for the purpose of IRRIGATING 6.4 ACRES.

The right has been perfected under Permit G-9902. The date of priority is FEBRUARY 17, 1982. The right is limited to not more than 0.05 CUBIC FOOT PER SECOND or its equivalent in case of rotation, measured at the well.

The well is located as follows:

NW 1/4 SW 1/4, SECTION 13, T 16 S, R 16 E, W.M.; 1480 FEET NORTH AND 1210 FEET EAST FROM THE SW CORNER OF SECTION 13.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited to ONE-EIGHTIETH of one cubic foot per second per acre, or its equivalent for each acre irrigated and shall be further limited to a diversion of not to exceed 3.0 acre-feet per acre for each acre irrigated during the irrigation season of each year.

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

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

NW 1/4 SW 1/4 6.4 ACRES
SECTION 13
TOWNSHIP 16 SOUTH, RANGE 16 EAST, W.M.

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.

WITNESS the signature of the Water Resources Director, affixed MARCH 18, 1991.

/s/ WILLIAM H. YOUNG

William H. Young

Recorded in State Record of Water Right Certificates numbered 65427.

G-10652.JCL

RECEIVED

MAY 17 2006

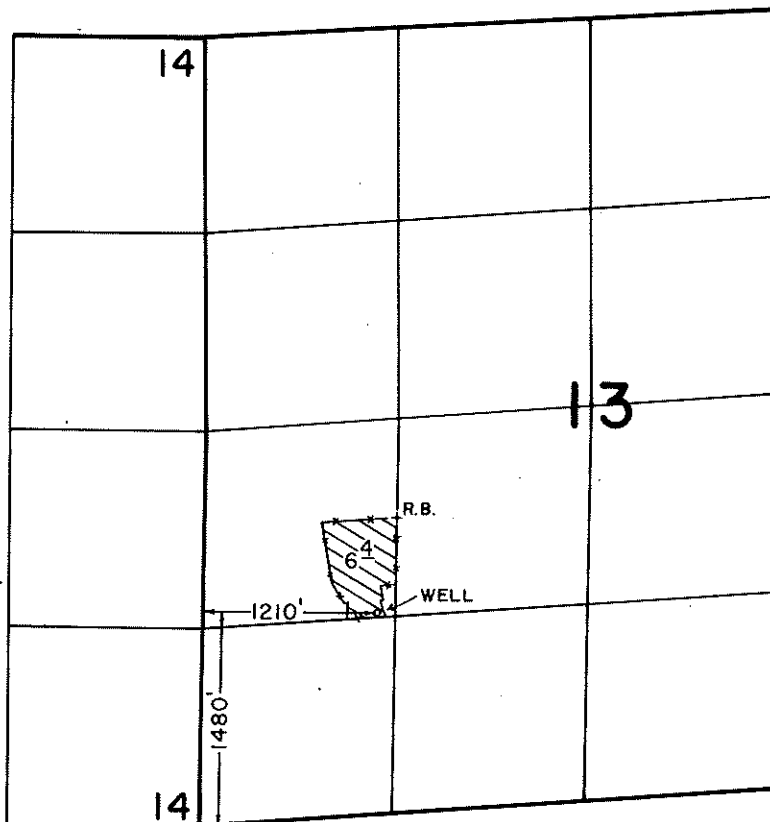
WATER RESOURCES DEPT
SALEM, OREGON

T 10177

T 10443



T.16 S., R.16 E., W.M.



SCALE: 1" = 1320'

FINAL PROOF SURVEY
UNDER

Application No. G-10652 Permit No. G-9902....
IN NAME OF

.....SYLVIA WHITMORE.....

Surveyed SEPT. 7, 1989, by B. W. BISHOP....

GROSS INCOME QUESTIONNAIRE FOR CROOK COUNTY, OREGON

For Special Assessment of Non-EFU Farmland As Defined Under ORS 308A.050 – 308A.128

***** To avoid possible disqualification, submit completed forms NO LATER THAN APRIL 15 *****

Note: Income questionnaires returned after April 15 may result in a maximum \$250 late fee ORS 308A.089

FRED HINK
13640 SE REMINGTON
PRINEVILLE, OR 97754

Information

Return this Questionnaire to:

Crook County
Assessor's Office
200 NE Second Suite 200
Prineville OR 97754

PROPERTY DESCRIPTION (List all properties in your farm unit)

Account Numbers	Map & Tax Lot Numbers	Parcel Total Acreage	Land Under Deferral Acreage
12786	16-16-13C TL 3900	20	19

RECEIVED

JUN 23 2006

WATER RESOURCES DEPT
SALEM OREGON

NOTICE: A YEARLY EXCISE OR INCOME TAX RETURN MUST BE FILED WITH THE DEPARTMENT OF REVENUE BY THE FARMLAND OWNER OR THE OPERATOR OF THE FARM UNIT (ORS 308A.071).

☐ If this box is checked submit a copy of a "Schedule F" for each year listed below.

OWNERS LAND USE:

- **Do not record** any acres you rented to a farm operator. Record those acres in the **RENTED LAND USE** section.
- Please indicate below the number of acres used per land type, for the years shown.
- Total acres identified above must be accounted for below.
- **"All years"** below must be completed regardless of whether or not you owned the property.

YEAR	FARMED ACRES					OTHER ACRES			TOTAL ACRES
	IRRIGATED	NON-IRRIGATED	IMMATURE	LAND UNDER FARM BLDGS.	FARM WOODLOT (20 acres Max.)	HOMESITE	FORESTED LAND NOT IDENTIFIED AS WOODLOT	LAND NOT FARMED	
	Cropland, Pasture, Mature Orchards, Hybrid Poplars # of Acres	Cropland, Pasture, Mature Orchards, Christmas Trees, Hybrid Poplars # of Acres	Orchards, Perennials, Christmas Trees, Hybrid Poplars # of Acres	# of Acres	Submit mapped location # of Acres	# of Acres	Include any acres specially assessed as forestland here # of Acres	Submit mapped location # of Acres	
2005	7					1		12	20
2004	7					1		12	20
2003	7					1		12	20
2002	7					1		12	20
2001	7					1		12	20

OWNER'S INCOME : Complete this section for any acres you farmed yourself.

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

State of Oregon)
County of Crook) ss

I, Fred W Hink, in my capacity as Owner,
mailing address 13640 S.E. Remington Rd.
telephone number (541) 447-4015, being first duly sworn depose and say:

1. I attest that:

- ☒ Water was used during the previous five years on the entire authorized place of use of the water right proposed for transfer as described on the accompanying transfer application, or
☐ The water right is not subject to forfeiture and documentation that a presumption of forfeiture for non-use would be rebutted under ORS 540.610(2) is attached.

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

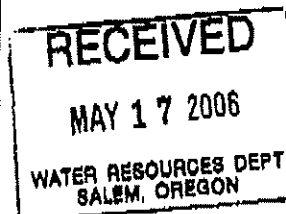
☒ Personal observation ☐ Professional expertise

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

Township	Range	Mer	Sec	Section	City/Town or DDC	Acres (if applicable)
16 S	16 E		13	Nw/Sw		6.4

(continues on reverse side)

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



T 10177

T 10443

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

Pasture

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

Submersible pump

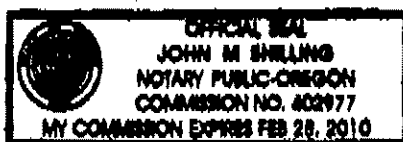
6. One or more of the following documentation supporting the above statements is attached:

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

Fred W. Hink
Signature of Affiant

5-12-06
Date

Signed and sworn to (or affirmed) before me this 12th day of May, 2006.

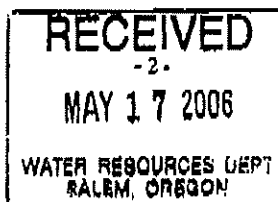


John M. Shilling
Notary Public for Oregon

My Commission Expires: Feb 28, 2010

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

Supplemental Form A



Affidavit Attesting to the Use of Water

T 10177

1 10443



Oregon Water Resources Department Land Use Information Form

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

To Be Completed By Applicant

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

A. Applicant

Name: John Carl Webber Jr Testamentary Trust
Address: 12800 S.E. Cowboy Ct
City: Prineville State: Ore Zip: 97754 Day Phone: 541-416-1098

B. Land and Location

Please provide information as requested below for all tax lots on or through which water will be diverted, conveyed, or used. Check "diverted" if water is diverted (taken) from its source on tax lot, "conveyed" if water is conveyed (transported) on tax lot, and "used" if water will be put to beneficial use on tax lot. More than one box may be checked. (Attach extra sheets as necessary.) Applicants for municipal use, or irrigation uses within irrigation districts, may substitute existing and proposed service area boundaries for the tax lot information requested below.

Tax Lot ID	Plan Designation (e.g. Rural Residential/RR-5)	Water to be: (check all that apply)	Proposed Land Use
<u>106</u>	<u>RR-5</u>	☐ Diverted ☒ Conveyed ☒ Used	<u>Alfalfa + Trees</u>
		☐ Diverted ☐ Conveyed ☐ Used	
		☐ Diverted ☐ Conveyed ☐ Used	
		☐ Diverted ☐ Conveyed ☐ Used	
		☐ Diverted ☐ Conveyed ☐ Used	
		☐ Diverted ☐ Conveyed ☐ Used	

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

CROOK COUNTY

C. Description of Proposed Use

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

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

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

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

Briefly describe:

ALFALFA, PINE TREES, MAPLE, AND OSCOPGIN
SIN ROPLER FAMILY, Fruit Trees

Indicate the source of the water to be used.

☐ Reservoir/Pond ☒ Ground Water ☐ Surface Water

Indicate the estimated quantity of water the use will require: 102 CFS ^{11 (source)} 6 GPM ☐ Acre-Feet

Last revised: 06/06/04

Receipt for Request for Land Use Information

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

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SALEM, OREGON

T 10443

T 10177

For Local Government Use Only

The following section must be completed by a planning official from each county and city listed unless the project will be located entirely within the city limits. In this case, only the city planning agency must complete this form. Please request additional forms as needed or feel free to copy.

A. Allowed Use

Check the appropriate box below and provide requested information.

- ☒ Land uses to be served by proposed water uses (including proposed construction) are allowed outright or are not regulated by your comprehensive plan. Cite applicable ordinance section(s): CC 18.44. Go to section B "Approval" below.
- ☐ Land uses to be served by proposed water uses (including proposed construction) involve discretionary land use approvals as listed in the table below.

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

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

B. Approval

Please provide printed name and written signature.

Name: Gordon Moore Date: 5/11/06

Title: Assistant Director Phone: 447-8156

Signature: Gordon Moore

C. Additional Comments

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

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

Receipt for Request for Land Use Information

Name of applicant: John C. Webber Jr Trust Trustee - Becky Jones

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

City or County: Crook County Prineville

Staff contact: _____ Phone: _____

Signature: _____ Date: _____

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SALEM, OREGON

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THIS INSTRUMENT IS A **WARRANTY DEED** BY **JOHN L. WITTE**, **GRANTOR**, to **JOHN L. WITTE**, **GRANTEE**, as the following described real property situated in **Section 13, Township 16 South, Range 16 E.W.M.**

A parcel of land in the **SW 1/4**, Section 13, Township 16 South, Range 16 E.W.M.
TRACT NO. 3: Beginning at a point located **S 0°57'30" W 682.99 feet** from the West 1/4 corner of Section 13, Township 16 South, Range 16 E.W.M., said point being on the West line of said Section 13; thence **S89°12'23" E 1307.77 feet** to the East line of the NW 1/4 of said Section 13; thence **S 0°57'30" W 665.53 feet** along said East line to the S.E. corner of said NW 1/4; thence **N 89°12'23" W 1310.97 feet** to the S.W. corner of said NW 1/4; thence **N 0°57'30" E 665.53 feet** along the West line of said Section 13 to the point of beginning, containing **20.00 acres** and subject to a road easement along the West boundary of this tract as Remington Road is constructed; and restrictions, covenants, rights of way and reservations of record, together with existing easements and rights of way.

TOGETHER WITH that certain 1978 Nashu HT Mobile Home, License No. **X152668**, Title No. **8325270905**, Vehicle I.D. No. **0822211**

THIS INSTRUMENT WILL NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. WHERE STANDING OR OCCUPANCY OF THE INSTRUMENT, THE PERSON ACQUIRING THE PROPERTY TO THE PROPERTY SHOULD COME WITH THE APPROPRIATE CITY OR COUNTY RECORDS DEPARTMENT TO VERIFY APPROVED USES. The full and actual consideration paid for the above described property is in terms of dollars is **\$58,000.00**.

Unless a change is requested all tax statements shall be sent to the Treasurer at the following address: **FLK, Box 918, Princeton, Oregon 97131**

DATED this 15 day of July, 1988.

John L. Witte
 John L. Witte

JOHN L. WITTE, County of Crook ss.

Personally appeared the above named **JOHN L. WITTE**, who acknowledged the foregoing instrument to be his own.

John L. Witte
 John L. Witte

AFTER RECORDING RETURN TO: **Michael J. Thompson, Attorney**
 Attorney at Law, P.O. Box 100
 Oregon 97131

JUL 19 1988

REC'D

MAY 1

WATER RES
 SALEM

T 10443

T 10177

WARRANTY DEED

0759501AH

JEFFERY E. MCSHATKO and DELL LYNN MCSHATKO, husband and wife,
Grantor(s) hereby grant, bargain, sell, warrant and convey to:
THOMAS L. LA FOLLETTE, SUCCESSOR TRUSTEE OF THE JOHN C. WEBBER, JR. TESTAMENTARY
TRUST,
Grantee(s) and grantee's heirs, successors and assigns the following described
real property, free of encumbrances except as specifically set forth herein in
the County of CROOK and State of Oregon, to wit:

Located in CROOK COUNTY, OREGON:

Lot Five (5) of Chuckwagon Acres Subdivision, according to the official plat
thereof on file and of record in the office of the County Clerk for Crook
County, Oregon.

1616 136 11600

REF:16792 CODE:29

SUBJECT TO: all those items of record and threat apparent upon the land, if
any, as of the date of this deed and those shown below (if any)
and the grantor will warrant and forever defend the said premises and every
part and parcel thereof against the lawful claims and demands of all persons
whomsoever, except those claiming under the above described encumbrances.

THIS INSTRUMENT WILL 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
APPROVED USES AND TO DETERMINE ANY LIMITS ON LAWNITE AGAINST FARMING OR FOREST
PRACTICES AS DEFINED IN THE 10.911.

AMERITILE

The true and actual consideration for this conveyance is 135,500.00.

Until a change is requested, all tax statements shall be sent to Grantee at the
following address: 181 NORTH GRANT STREET STE 204, CANBY, OR 97013

Dated this 6 day of July, 2001.

Jeffery E. McShatko
JEFFERY E. MCSHATKO

Dell Lynn McShatko
DELL LYNN MCSHATKO

State of Oregon
County of CROOK

This instrument was acknowledged before me on July 6, 2001 by
JEFFERY E. MCSHATKO AND DELL LYNN MCSHATKO.

April J. Hensley
Notary Public for Oregon

My commission expires _____

RECORD NO. 0759501AH

Return to:
JOHN C. WEBBER, JR. TESTAMENTARY TRUST
181 NORTH GRANT STREET STE 204
CANBY, OR 97013

1 10443

STATE OF OREGON } ss 1038.13
COUNTY OF CROOK }
I, _____, a Notary Public for the State of Oregon,
do hereby certify that the foregoing instrument was
acknowledged before me on this _____ day of _____,
2001, by _____ and _____,
and that they are the persons whose names are subscribed
to the foregoing instrument.

TO

1 10177

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- If you leased or crop-shared, complete those acres in the **RENTED LAND USE** section.
- Please indicate below the farm products and gross income you received (in \$) for each of the years indicated from farm activity on your land that you **farmed yourself** (acres not leased, rented or share-cropped with a farm operator).
- You **must deduct** the original purchase price from the gross sale price of any **livestock sold**.

YEAR	FARM PRODUCTS SOLD (must be at least 51% or required gross income)			FARM PRODUCTS CONSUMED (no more than 49% of required gross income)			TOTALS
	WHAT CROP, LIVESTOCK or SERVICE WAS SOLD? No firewood or timber sales	QUANTITY SOLD	TOTAL GROSS RECEIPTS (IN \$) FOR SALES OR SERVICES	WHAT WAS CONSUMED OR USED ON THE FARM? No firewood or timber	QUANTITY USED	TOTAL VALUE (IN \$) OF PERSONAL CONSUMPTION	TOTAL VALUE (IN \$) OF SALES, SERVICES AND PERSONAL CONSUMPTION
2005	Livestock		3,752	Hay	28 T	\$2800 -	\$6,552 -
2004	Livestock		2,250	Hay	28 T	\$2800 -	\$5050 -
2003	Livestock	Pigs + Hens	2,155	Hay	28 T	\$2800 -	\$4955 -
2002	Livestock	Pigs + Hens	2,383	Hay	28 T	\$2800 -	\$5,183 -
2001	Livestock		3,478	Hay	28 T	\$2240 -	\$5,918 -

IMPORTANT: The owner or the farm operator may return the "RENTED LAND USE" information below. If the farm operator completes the "RENTED LAND USE" information make a copy of the questionnaire (front and back) for the farm operator to complete. Both the signed and dated "original" and the farm operator "copy" must be submitted to the Assessor no later than April 15.

RENTED LAND USE: Complete this section for any acres you leased or crop-shared to a farm operator.

- **Do not record** any acres you farmed yourself. Record those acres in the **OWNERS LAND USE** section.
- ORS 308A.071 requires separate testing for any land that you leased, rented or crop shared with a farm operator.
- You **must deduct** the original purchase price from the gross sale price of **livestock sold** **FOR BOTH TESTS**.

YEAR	TEST # 1: INCOME INFORMATION FOR LAND YOU LEASED TO A FARM OPERATOR				TEST # 2: FARM OPERATOR'S INCOME INFORMATION (ALL LAND THE OPERATOR OWNS OR LEASES)	
	TOTAL ACRES LEASED	CASH RENT (IN \$) PAID TO YOU	NET CROP SHARE (IN \$) YOUR SHARE	FARM OPERATOR'S GROSS INCOME (IN \$) FROM FARM SALES OR SERVICES ON JUST YOUR LAND No firewood or timber sales	TOTAL ACRES IN FARM OPERATOR'S ENTIRE FARM OPERATION (Owned or Leased)	IS FARM OPERATOR'S ENTIRE GROSS INCOME MORE THAN \$3,000 FROM FARMING? IF "NO" PROVIDE AMOUNT (IN \$) No firewood or timber sales
2005	Farmland only	Farmland only	Farmland only		Farmland only	YES ☐ NO ☐
2004						YES ☐ NO ☐
2003						YES ☐ NO ☐
2002						YES ☐ NO ☐
2001						YES ☐ NO ☐

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(required)

FARMER OPERATOR NAME _____

PHONE NUMBER'S _____

DECLARATION: I declare under the penalties for false swearing as contained in ORS 305.990(4), that I have examined this document, including any attachments, and to the best of my knowledge it is true, correct and complete.

(Owner must sign to be valid)

SIGNATURE OF OWNER: Jeanne E. Hunt

(required)

Day Phone No. 447-4015

DATE 3/31/06