T-12248

T-12248

RA

Regular

Name Sage Hollow Ranch, LLC (Bosma)

Address 3620 Independence Rd
Sunnyside, WA 98944

Change in POU, USE, POA, APOA
Date Filed 1/15/16
Initial notice date 1/26/16 re-noticed
DPD issued date
PD issued date 2-24-17
PD notice date 2-28-17
Date of FO ____ Vol ____ Page ____

C-Date
COBU due date
COBU Received date
Certificate issued

DESCRIPTION OF WATER RIGHT(s)

Name of Stream A Well,

Trib. of Columbia River

Use Irrigation, Supplemental County Morrow WMS
Quantity of water (CFS) 1.12, 0.07, 0.84, 0.35 No. of Acres
Name of ditch

App # G-1402	Per #	Cert # 49726	PR Date 3/2/1959	
App # G-1402	Per #	Cert # 55317	PR Date 3/2/1959	
App # G-1411	Per # G-1284	Cert # 49727	PR Date 3/6/1959	Date
App # G-1411	Per # G-1284	Cert # 55316	PR Date 3/6/1959	
App #	Per #	Cert #	PR Date	

FEES PAID

Date	Amount	Receipt #
1/15/16	5,250.00	118628
4/3/17	338.90	122265
3/30/17	700.00	123031
4/7/17	700.00	123100

FEES REFUNDED

Amount	Receipt#

Assignments:

Irrigation District Columbia Improvement District

Agent William I. Porfily

CWRE ~~William I. Porfily~~
CC's list Willow Creek Dairy (Te Velde), PO Box 47, Boardman OR 97818

☐ - Oversized map – Location

From: MCCARTY Patricia E * WRD
Sent: Monday, October 26, 2020 5:10 PM
To: Molly A. Reid
Subject: RE: T-12248

Hi Molly,
It isn't on admin hold by anyone's request. It is in the queue for a hearing because of the two protests. In the meantime, we have not been contacted by the new owner of the property, and we don't know if, as the receiving landowner, they want to continue with the transfer. I have spoken with Mr. Bosma and have told him that, given that OWRD is not referring any files to hearing, I can't say when the department would try to get a response from the new owners. At this time, the file is listed as waiting for referral.
Sincerely,
Patricia McCarty

From: Molly A. Reid <mreid@geoengineers.com>
Sent: Monday, October 26, 2020 2:22 PM
To: MCCARTY Patricia E * WRD <Patricia.E.Mccarty@oregon.gov>
Subject: T-12248

Hi Patricia: I am working with the Bosma family on some research concerning several of their properties in Morrow County. Regarding T-12248 – can you tell me if this is on Administrative Hold? If so, can you direct me to any documents that may provide us with some detail as to what needs to be done to move this application one way or the other? Thanks a bunch.

Molly A. Reid
Senior Planner | GeoEngineers, Inc.
Telephone: 509.209.2846
Mobile: 541.310.7264
Email: mreid@geoengineers.com

8019 W. Quinault Ave., Suite 201
Kennewick, WA 99336
www.geoengineers.com

Disclaimer: Any electronic form, facsimile or hard copy of the original document (email, text, table, and/or figure), if provided, and any attachments are only a copy of the original document. The original document is stored by GeoEngineers, Inc. and will serve as the official document of record.

Confidentiality: This message is confidential and intended solely for use of the individual or entity to whom it is addressed. If you are not the person for whom this message is intended, please delete it and notify me immediately, and please do not copy or send this message to anyone else.

From: MCCARTY Patricia E * WRD
Sent: Thursday, May 07, 2020 4:31 PM
To: Maura Fahey
Cc: JARAMILLO Lisa J * WRD; MUCKEN Alyssa M * WRD; FRENCH Dwight W * WRD; KOWITZ Chris C * WRD
Subject: RE: Status of Protest - T-12248

Hi Maura,
The statute and rules don't address what the Department can do when an applicant becomes inactive, at least after a protest has been filed. There is no specific authority or direction, so pending applications (of various varieties) can persist without resolution. The department tries to get a response from the applicant but so far we don't have a process to close out an application without consent from the applicant. I am copying the administrator and the managers on this message to give them a chance to weigh in if they have more information than I do.
Sincerely,
Patricia McCarty

From: Maura Fahey [mailto:maura@crag.org]
Sent: Thursday, May 7, 2020 4:20 PM
To: MCCARTY Patricia E * WRD <Patricia.E.Mccarty@oregon.gov>
Subject: Re: Status of Protest - T-12248

Hi Patricia,

Thank you for your response. Out of curiosity, is there any point at which the Department would administratively close the application, vacate the preliminary determination, or take some other action where a protest has been pending for a number of years without any action from the applicant?

Thank you,
Maura

--
Maura Fahey
Staff Attorney
Crag Law Center
3141 E Burnside St.
Portland, OR 97214
Office: 503.525.2722
Fax: 503.296.5454

Protecting and Sustaining the Pacific Northwest's Natural Legacy.

> On May 7, 2020, at 4:07 PM, MCCARTY Patricia E * WRD <Patricia.E.Mccarty@oregon.gov> wrote:
>
> Hi Maura,
> There has been no activity on this transfer in quite some time. As you know, there is a new landowner involved and at this point, we do not know if they intend to pursue resolution of the protests, proceed

to hearing, or withdraw the application. The protests will not be referred for hearing until resources become available and we don't yet have a sense of when that will be. Let me know if you have any further questions.
Sincerely,
Patricia McCarty

From: Maura Fahey [mailto:maura@crag.org]
Sent: Tuesday, April 21, 2020 4:21 PM
To: MCCARTY Patricia E * WRD <Patricia.E.Mccarty@oregon.gov>
Subject: Re: Status of Protest - T-12248

Hi Patricia,

I am hoping you can give me another update on the status of the protest for Transfer Application T-12248. I recognize that the Department may not be moving forward with referring protests at this time, but I believe when Brian Posewitz last checked in with you on this specific protest in Sept. 2019, it was still quite a ways down the list of protests waiting for referral. Do you have any sense of where it currently stands in the cue and when it might get referred to hearing?

Thank you,
Maura

—
Maura Fahey
Staff Attorney
Crag Law Center
3141 E Burnside St.
Portland, OR 97214
Office: 503.525.2722
Fax: 503.296.5454

Protecting and Sustaining the Pacific Northwest's Natural Legacy.

On Mar 25, 2019, at 12:09 PM, Maura Fahey <maura@crag.org> wrote:

Thank you.

--
Maura Fahey
Staff Attorney
Crag Law Center
3141 E Burnside St.
Portland, OR 97214
Office: 503.525.2722
Fax: 503.296.5454
Email: maura@crag.org

Protecting and Sustaining the Pacific Northwest's Natural Legacy.

On Mar 25, 2019, at 10:17 AM, MCCARTY Patricia E * WRD <Patricia.E.Mccarty@oregon.gov> wrote:

Hi Maura,
The department will not be referring the protest until after the start of the new biennium. I'm afraid that's the extent of what I know at this point.
Sincerely,
Patricia McCarty

From: Maura Fahey [mailto:maura@crag.org]
Sent: Monday, March 25, 2019 9:57 AM
To: MCCARTY Patricia E * WRD
Subject: Status of Protest - T-12248

Hi Patricia,

I am writing to check whether there is any update on the status of the protest for Transfer Application T-12248. I have some planned time away from the office in May and June and would like to know whether I can expect the protest to be referred to hearing during that time period so I can plan accordingly.

Thank you,
Maura

--
Maura Fahey
Staff Attorney
Crag Law Center
3141 E Burnside St.
Portland, OR 97214
Office: 503.525.2722
Fax: 503.296.5454
Email: maura@crag.org

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On Oct 2, 2018, at 1:44 PM, MCCARTY Patricia E * WRD <Patricia.E.Mccarty@oregon.gov> wrote:

Hi Maura,
That transfer is being handled by our counsel, and at this time, due to other activities of the applicant, the protests are not being referred to hearing. There is no estimate on when they will be referred. Please check back and we will let you know what we know.
Sincerely,
Patricia McCarty

From: Maura Fahey [mailto:maura@crag.org]
Sent: Tuesday, October 02, 2018 1:34 PM
To: MCCARTY Patricia E * WRD
Subject: Re: your address change

Hi Patricia,

Thank you for getting back to me. My new contact information is listed below in my email signature.

My other question was regarding the status of the protest for the Transfer Application T-12248, filed on March 30, 2017. I am just wondering whether there is any update on when/if the protest will be referred to contested case. I know there was another protest of the same application being processed first, but I am not up to date on the status of that case. Any information you can provide would be much appreciated.

Thank you,
Maura

–
We've moved! Please note my new contact info below.

Maura Fahey
Staff Attorney
Crag Law Center
3141 E Burnside St.
Portland, OR 97214
Office: 503.525.2722
Fax: 503.296.5454
Email: maura@crag.org

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On Oct 2, 2018, at 1:14 PM, MCCARTY Patricia E * WRD <Patricia.E.Mccarty@oregon.gov> wrote:

Hi Maura,
I'm just getting a chance to respond to your voice message from last week. If you can send me your new contact information I will make sure it gets updated. Did you also have other questions I can answer (my notes aren't detailed)?

Patricia McCarty
Protest Program Coordinator
Oregon Water Resources Department
503-986-0820

From: MCCARTY Patricia E * WRD
Sent: Wednesday, July 19, 2017 11:54 AM
To: 'maura@crag.org'
Subject: Status of T-12248

Dear Ms. Fahey,
In response to your phone message on July 18th requesting an update on the status of CRAG's protest on T-12248, I can tell you that the department has not referred the protest for a contested case hearing to date. The applicant is in the process of resolving the other protest on the application. When the department begins the referral process for CRAG's protest we will let you know.

Sincerely,
Patricia McCarty
Protest Program Coordinator
Oregon Water Resources Department
(503) 986-0820

CRAG LAW CENTER
LEGAL AID FOR THE ENVIRONMENT SINCE 2001

Maura C. Fahey
Staff Attorney
maura@crag.org

March 30, 2017

VIA HAND DELIVERY

Dwight French, Administrator
Water Rights Services Division
Oregon Water Resources Department
725 Summer St. NE, Suite A
Salem, Oregon 97301-1266

Re: Protest of Preliminary Determination on Transfer Application T-12248

Dear Mr. French,

Please find enclosed for filing a protest of the Preliminary Determination on Transfer Application T-12248, filed on behalf of Columbia Riverkeeper, Center for Biological Diversity, Center for Food Safety, Food & Water Watch, Human Oregon, and WaterWatch of Oregon. Also enclosed is the $700 protest fee.

Thank you for your assistance in this matter. Please do not hesitate to contact me if you have any questions or concerns.

Sincerely,

Maura Fahey

cc. Sage Hollow Ranch, LLC
William I. Porfily, Agent for Applicant
Willow Creek Dairy
Martha Pagel, Counsel for Willow Creek Dairy

Enclosures

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STATE OF OREGON

WATER RESOURCES DEPARTMENT

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

RECEIPT # 123031 INVOICE # _____

RECEIVED FROM: Crag Law Center

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-12248

CASH: ☐ CHECK:# ☒ 3432 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 700.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	$
_____	OTHER: (IDENTIFY) _____	$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 47235

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

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

0223 OTHER (IDENTIFY) Protest Fees 700.00

0536 TREASURY 0437 WELL CONST. START FEE

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

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY

RECEIVED OVER THE COUNTER

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

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 123031 DATED: 3/30/17 BY: [signature]

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BEFORE THE OREGON WATER RESOURCES DEPARTMENT

In the Matter of Transfer Application T-12248, Morrow County (Application by Sage Hollow Ranch LLC)	))))))	Protest of Columbia Riverkeeper, Center for Biological Diversity, Center for Food Safety, Food & Water Watch, Humane Oregon, and WaterWatch of Oregon

The parties identified herein as the protestants ("Protestants") hereby protest the application and preliminary determination ("Preliminary Determination") of the Oregon Water Resources Department ("Department") in the above matter. Pursuant to OAR 690-380-4030 and OAR 690-002-0030, Protestants state as follows:

A. Facts Showing Protestants Are Entitled to Relief.

Through evidence presently available, and/or through a reasonable opportunity for further investigation and discovery, Protestants will show:

1. Sage Hollow Ranch LLC ("Sage Hollow") is the holder of groundwater rights reflected in certificates 49726, 49727, 55317 and 55316 ("Water Rights"). Sage Hollow has used the Water Rights to irrigate crops during an irrigation season from March 10 through October 15 of each year. On average, Sage Hollow has used a total of approximately 1,000 acre feet of water per year under the Water Rights.

2. The wells used under the Water Rights draw water from underground basalt formations. The formations hold water in distinct layers that may or may not be hydrologically connected. In 1976, based on declining groundwater levels, the Department closed the basalt formations to further groundwater appropriations and designated the area as the Ordnance Basalt Critical Groundwater Area.

3. The Preliminary Determination would allow Greg te Velde, dba Willow Creek Dairy and/or Lost Valley Farm, ("Willow Creek") to use the Water Rights at a new location.

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with new wells, for year-round operation of a dairy. The water would be used as drinking water for approximately 9,000 cows initially and, eventually, for as many as 30,000 cows. The water also would be used in dairy operations for such things as cooling milk and washing animal waste from the barns. Under the Preliminary Determination, Willow Creek could use as much as 1,036.72 acre feet of water per year.

4. The wells currently used for the Water Rights are such that the Department cannot determine which distinct layers of groundwater the wells are getting water from or how much water is coming from which layers. The Department cannot determine either whether or at what depths water is present in the same layers as the proposed new well locations. Therefore, the Department cannot determine whether use of water from the proposed new wells would draw from the same sources of water. A reasonable opportunity for discovery and further investigation may show that the proposed new wells will in fact draw water from a different source than the current wells.

5. The proposed transfer will constitute an enlargement. The area on which the Water Rights would be used by Willow Creek is smaller than the area on which Sage Hollow has used the Water Rights. Therefore, the Preliminary Determination would result in use of more water per acre than has occurred under the Water Rights in the past.

6. Sage Hollow's use of water under the Water Rights fluctuated from year to year based on factors such as the acreage and crops planted, temperatures during the growing season, and precipitation during the growing season. Willow Creek's use will not fluctuate as much. For this and other reasons, Willow Creek will use more water per year, on average, than Sage Hollow did.

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7. Willow Creek will divert more water at the new point of appropriation, on an average annual basis, than Sage Hollow could put to beneficial use under the Water Rights. Therefore, Willow Creek will divert more water at the new point of appropriation than has been legally available to Sage Hollow at the original point of appropriation.

8. Willow Creek's use under the proposed transfer also will constitute an enlargement because water appropriated and used will be reused, sometimes many different times, for uses including drinking water for cows (perhaps after use in operations), washing pens, flushing barns and, even irrigation after several other uses.

9. Use of water by Willow Creek as proposed in the Preliminary Determination will result in another, existing water right not receiving previously available water to which it is legally entitled. This will happen because the new wells will be closer to other, existing water rights, because Willow Creek will use water year-round, and because Willow Creek will, in fact, use more water per year on average than Sage Hollow did.

10. Use of water by Willow Creek as proposed in the Preliminary Determination also will injure existing water rights by diminishing the quality of groundwater and/or surface water, through return flows and/or otherwise, such that one or more existing water right no longer is able to receive previously available water to which it is legally entitled because the diminished quality of the water impairs the beneficial use and/or reduces the amount and/or timing of water suitable for the beneficial use.

11. A reasonable opportunity for discovery and further investigation may show that changes to the Water Rights as proposed to be allowed under the Preliminary Determination will affect the quantity of return flows to surface and/or groundwater in way that injures one or more other existing water rights.

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12. Although Willow Creek will eventually use more water per year, on average, than Sage Hollow has, Willow Creek originally will use less. Willow Creek cannot make beneficial use of the full amount of the Water Rights within the time contemplated by Oregon water law. In any event, Willow Creek cannot make beneficial use of the full amount of the Water Rights by the first October 1 that is one year after the transfer would be approved. Willow Creek cannot make beneficial use of the full amount of the Water Rights until approximately 2031.

13. A reasonable opportunity for discovery and further investigation may show that the original place of use will continue to receive water from the same source after any transfer is approved.

14. A reasonable opportunity for discovery and further investigation may show that some portion of the Water Rights have not been put to beneficial use for a period of five successive years before the proposed transfer.

15. A reasonable opportunity for discovery and further investigation may show that Sage Hollow is not ready, willing and able to use the full amount of water allowed under the Water Rights.

B. How the Preliminary Determination Is in Error and Deficient (Not Required but Set Forth for Further Identification of Issues).

The Preliminary Determination is in error and deficient for reasons including the following:

1. The Preliminary Determination would result in water being taken from a new source, in a critical groundwater area where new appropriations are prohibited, under existing Water Rights.

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2. The Preliminary Determination would result in enlargement of the use under the Water Rights.

3. The Preliminary Determination would result in injury to other existing water rights.

4. The Preliminary Determination would change the season of use, which is not an authorized change to a water right.

5. The Preliminary Determination approves a transfer for more water than can be put to beneficial use within one year plus the time until the next October 1, or otherwise within a reasonable time as contemplated by Oregon water law.

6. A reasonable opportunity for discovery and further investigation may show that the Preliminary Determination will fail to keep the original place of use from receiving water from the same source.

7. A reasonable opportunity for discovery and further investigation may show that the Preliminary Determination will allow transfer of Water Rights forfeited through non-use for five or more successive years.

8. A reasonable opportunity for discovery and further investigation may show that the Preliminary Determination would allow Sage Hollow to transfer the Water Rights even though it is not ready, willing and able to use the full amount of water allowed under the Water Rights.

C. Specific Relief or Action Requested.

Protestants request a final order denying the application.

D. Name, Address and Telephone Number of Protestants.

The names and addresses of the Protestants are as follows:

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Center for Biological Diversity PO Box 11374 Portland, Oregon 97211	Center for Food Safety 917 SW Oak St. Suite 300 Portland, OR 97205
Columbia Riverkeeper 111 Third St. Hood River, OR 97031	Food & Water Watch 1028 SE Water Ave. Suite 245 Portland, OR 97214
Humane Oregon 8508 SE Eleventh Avenue Portland, OR 97202	WaterWatch of Oregon 213 SW Ash Street, Suite 208 Portland, OR 97204

Protestants will designate one party as the primary contact at a later date.

E. Name and address of other person or persons necessary to, or having a direct interest in, the proceeding.

The following other persons are necessary to, or have a direct interest in, the proceeding:

SAGE HOLLOW RANCH LLC 3620 INDEPENDENCE RD SUNNYSIDE, WA 98944	WILLOW CREEK DAIRY PO BOX 1210 BOARDMAN, OR 97818

F. Citation of Legal Authority.

Protestants rely on legal authorities including the following:

1. ORS 537.705
2. ORS 540.505 through ORS 540.580, including: ORS 540.510; ORS 540.520 and ORS 540.530.
3. ORS 540.610 and ORS 540.631.
4. OAR Chapter 690 Division 380, including: OAR 690-380-0100(2), (3); OAR 690-380-2110; OAR 690-380-2200; OAR 690-380-2300; OAR 690-380-4010; OAR 690-380-5140; OAR 690-380-6010.

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G. Protest Fee.

Pursuant to ORS 536.050, the required fee of $700 is included with this protest.

H. Request for Hearing.

Protestants request a contested case hearing.

Dated: March 30, 2017

Respectfully submitted,

Maura C. Fahey, OSB No. 133549
Emma A. O. Bruden, OSB No. 163525
Crag Law Center
917 SW Oak Street, Suite 417
Portland, Oregon 97205
(503) 525-2722

Of Attorneys for Protestants

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PROOF OF SERVICE

The undersigned hereby certifies that the foregoing protest was served by regular first-class mail, on the date indicated below, as follows:

SAGE HOLLOW RANCH LLC 3620 INDEPENDENCE RD SUNNYSIDE, WA 98944	WILLOW CREEK DAIRY PO BOX 1210 BOARDMAN, OR 97818
WILLIAM PORFILY PO BOX 643 STANFIELD, OR 97875 (Agent for Applicant)	MARTHA O. PAGEL SHONEE D LANGFORD SCHWABE WILLIAMSON & WYATT PC 530 CENTER ST NE STE 400 SALEM OR 97301 (Attorney for Willow Creek Dairy)

Dated: March 30, 2017

Maura Fahey

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STATE OF OREGON

WATER RESOURCES DEPARTMENT

RECEIPT # 123100

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

INVOICE # _____

RECEIVED FROM: Stoel Rives LLP

BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-12248

CASH: ☐ CHECK:# ☒ 900780 OTHER: (IDENTIFY) ☐ _____

TOTAL REC'D $ 700.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	$
_____	OTHER: (IDENTIFY) _____	$

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

4270 WRD OPERATING ACCT

MISCELLANEOUS 47235

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

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

0223 OTHER (IDENTIFY) Protest Fees $700.00

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		$

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OVER THE COUNTER

_____ TREASURY OTHER / RDX

FUND _____ TITLE _____

OBJ. CODE _____ VENDOR # _____

DESCRIPTION _____ $

RECEIPT: 123100 DATED: 4/7/17 BY: _____

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STATE OF OREGON
WATER RESOURCES DEPARTMENT
WATER RIGHTS DIVISION

Before the Director of the Water Resources Department

In the Matter of Water Right Transfer Application Number T-12248 Submitted by Sage Hollow Ranch LLC	))))	**PROTEST OF PETE AND TRESSA MEENDERINCK AND MEENDERINCK LAND CO. LLC; REQUEST FOR CONTESTED CASE HEARING**

Pursuant to ORS 540.520(6) and OAR 690-380-4030, Pete and Tressa Meenderinck and Meenderinck Land Company LLC (collectively, the "Meenderincks") protest the Preliminary Determination dated February 24, 2017 for Water Right Transfer Application Number T-12248 (the "Application"). A copy of the Preliminary Determination is attached to this Protest as Exhibit A, and a copy of the Application is attached to this Protest as Exhibit B. The Oregon Water Resources Department (the "Department") issued the Preliminary Determination in response to the Application, which was received by the Department on August 2, 2016. The Preliminary Determination recommends that the Department approve the Application. The Meenderincks protest the Preliminary Determination and request a contested case hearing because the proposed transfer will likely injure existing water rights, including those held by the Meenderincks.

1. Protestants' Name and Address

The Protestants' contact information is as follows:

Pete and Tressa Meenderinck
P.O. Box 1011
Hermiston, Oregon 97838

Meenderinck Land Company LLC
P.O. Box 485
Jerome, Idaho 83338

Orders, notices, and other correspondence concerning this matter should be sent to legal counsel representing the Meenderincks in this matter as follows:

David E. Filippi
Stoel Rives LLP
760 SW Ninth Avenue, Suite 3000
Portland, Oregon 97205
(503) 294-9529 (telephone)
david.filippi@stoel.com (email)

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2. Protestants' Interest in the Preliminary Determination

The Meenderincks hold groundwater rights in Morrow County under Certificate 83438 and T-8867. Certificate 83438 authorizes the use of groundwater from a well located in Section 14, Township 3 North, Range 26 East, Willamette Meridian. T-8867 authorizes the use of groundwater from two wells: the same well authorized under Certificate 83438 and a second well, also located in Section 14, Township 3 North, Range 26 East, Willamette Meridian.

The Application proposes to change the authorized points of appropriation under four water right certificates held by Sage Hollow Ranch LLC: Certificates 49726, 49727, 55316, and 55317 (the "Sage Hollow Certificates"). The Meenderincks' wells are within two miles of the new points of appropriation proposed by the Application. The authorized points of appropriation for the Sage Hollow Certificates are two existing wells: MORR 595/590 and MORR 591.[1] The existing wells are located approximately 1.5–2 miles north and 2 miles west from the Meenderincks' wells. The three new wells proposed in the Application are between 2 and 2.5 miles south of the existing wells, MORR 595/590 and MORR 591, and are located closer to the Meenderincks' wells.[2]

In addition to changing the points of appropriation, the Application proposes to change the place of use and character of use (currently irrigation) of the Sage Hollow Certificates. The receiving landowner, Willow Creek Dairy, intends to use the groundwater for construction and operation of a dairy.

The Meenderincks have an interest in whether the Department approves the Application because the use of water, as proposed in the Application, has the potential to injure Meenderincks' water rights. As explained in the next section, the Meenderincks believe that the proposed transfer, if approved, would impact groundwater levels in an area already designated as a critical groundwater area, causing injury to the Meenderincks' water rights. The Preliminary Determination does not require sufficient conditions to protect Meenderincks' water rights from such injury.

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[1] MORR 595/590 is located 1390 feet north and 2390 feet west from the Southeast corner of Section 4, Township 3 North, Range 26 East, Willamette Meridian. MORR 591 is located 840 feet south and 430 west from the Northeast corner of Section 4, Township 3 North, Range 26 East, Willamette Meridian.

[2] Proposed Well 1 is located 2390 feet south and 3660 feet west from the Northeast corner of Section 16, Township 3 North, Range 26 East, Willamette Meridian. Proposed Well 2 is located 290 feet south and 10 feet east from the Northwest corner of Section 22, Township North, Range 26 East, Willamette Meridian. Proposed Well 3 is located 130 feet north and 950 feet east from the Southwest corner of Section 16, Township 3 North, Range 26 East, Willamette Meridian.

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3. Argument

Aside from exceptions not relevant here, "whenever the holder of a water use subject to transfer for irrigation, domestic use, manufacturing purposes, or other use, for any reason desires to change the place of use, the point of diversion, or the use made of the water, an application to make such change . . . shall be filed with the Water Resources Department." ORS 540.520(1); *see Huff v. Bretz*, 285 Or 507, 517 (1979). The Department may not approve a transfer application that would result in injury or that does not satisfy all additional requirements for water transfers. OAR 690-380-5000(1)(d)-(e); *see* ORS 540.530(1)(a).

As explained below, the Department must deny the Application for the following reasons: (A) the proposed transfer will likely injure Meenderincks' water rights by interfering with Meenderincks' wells and impacting Meenderincks' ability to withdraw water during low periods; (B) the proposed wells will violate the Department's well construction standards by accessing more than one aquifer; (C) the proposed wells cannot be guaranteed to access the same water source as the existing wells; and (D) an observation well is necessary to prevent injury to Meenderincks' water rights and to protect the groundwater resource but the Preliminary Determination failed to require an observation well as a condition of approval.

A. The proposed transfer will likely increase interference with the Meenderincks' wells and cause injury to their water rights.

Without additional conditions, the proposed transfer would allow Willow Creek Dairy to use the transferred water rights in a way that would likely result in injury to the Meenderincks' existing water rights. "Injury" means "a proposed transfer would result in another, existing water right not receiving previously available water to which it is legally entitled." OAR 690-380-0100(3). A transfer results in injury if it adversely affects the ability of an existing water right holder to withdraw water during low water periods. *See Kerivan v. Water Res. Comm'n*, 188 Or App 491, 499–500 (2003) (court found that causing adverse impact to a water right holder's "ability to withdraw water . . . during low water periods" is an "injury" for purposes of evaluating a proposed water right transfer).

The points of appropriation proposed by the Application are located in the Ordnance Basalt Critical Groundwater Area ("CGWA"). The Ordnance Basalt CGWA was established in 1976 to correct overdraft and to prevent excessive declines in groundwater levels. No new groundwater appropriation is allowed in the Ordnance Basalt CGWA. OAR 690-507-0070(3)(a); OAR 690-507-0080(3)(a). The Department has determined that total declines in the deep basalt aquifer are at historic levels, even though the rate of decline in the aquifer has slowed. *See* Memorandum, Water Resources Commission, Review of Conditions in Critical Groundwater Areas, Attachment 6 (Nov. 18, 2010).

Department staff determined that the changes proposed in the Application are *likely* to result in increased interference with other ground water rights. *See* Ground Water Review Form for T-12248, at 3 (Oct. 6, 2016) (the "Ground Water Review," attached as Exhibit C). The Ground Water Review explained: "The proposed [points of appropriation] are about ½ mile closer to nearby basalt wells, which will *increase well-to-well interference*." *Id.* (emphasis added). This is particularly troubling given that this increased interference would occur in an

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aquifer that has already been designated as part of a CGWA. As noted above, the Meenderincks' basalt wells are closer to the proposed points of appropriation than the existing points of appropriation, and the March 2016 Ground Water Review evidences the likelihood for such wells to be adversely affected by well-to-well interference.

Due to the close proximity of the proposed wells to Meenderincks' wells and the depleted state of the groundwater source, use of water as contemplated in the Preliminary Determination will likely result in increased interference with Meenderincks' wells. The Department has explained that interference between groundwater users is a "significant issue" in the Umatilla Basin. Oregon Water Resources Department, *Ground Water Supplies in the Umatilla Basin* 3 (Apr. 3, 2003). Such interference occurs when one water user pumps water from the aquifer, and water levels in the aquifer decline for other water users. *Id.* Water level declines cause increased pumping lifts, increased costs for other users, and, in some cases, the inability of users to pump enough water to satisfy their water rights. *Id.*

The Ground Water Review refers to a "slight[]" increase in interference, but the Ground Water Review does not provide a detailed analysis of how the proposed transfer would affect each nearby basalt well, such as the Meenderincks' wells. Without such analysis, the Department cannot accurately assess the potential for injury to existing water rights, particularly given the documented groundwater level declines in the aquifer and the Department's past recognition that interference is a "significant issue." Moreover, the Department has previously stated that determining whether a well is likely to cause interference is very difficult to do in advance of well construction. *See Kusyk v. Water Resources Dep't*, 164 Or App 738, 740–41 (2000) (Department staff stated that "predicting interference between wells is very difficult. It is something that requires actual use to demonstrate."). If actual pumping from the proposed wells causes a greater degree of interference than anticipated in the Ground Water Review, such interference would likely increase pumping lifts and increase costs for the Meenderincks. Yet the Preliminary Determination does not propose conditions sufficient to protect against this possibility. Given the difficulty in predicting the potential for interference, the Department erred in failing to include in the Preliminary Determination a condition that would protect the Meenderincks in the event interference is more than "slight."

The administrative order that established the Ordnance Basalt CGWA defines two basalt aquifers: aquifers less than 400 feet deep are termed the shallow basalt aquifer and those more than 400 feet deep are the deep basalt aquifer. *Ground Water Supplies in the Umatilla Basin* at 7. There are several differences between the two aquifers. *Id.* Groundwater in the deep aquifer is confined and is less easily recharged. *Id.* Moreover, while groundwater levels in the shallow aquifer are "stable," groundwater levels in the deep basalt aquifer "are not currently stable." *Id.* at 7–8. Groundwater levels in the deep aquifer are continuing to decline and have resulted in total lowering of water levels by up to 180 feet. *Id.* at 8. On this basis, even if the groundwater levels across the deep aquifer are relatively uniform, the continuing declines in groundwater levels are likely to exacerbate interference caused by the proposed wells.

As a result of the effects of interference and continually declining groundwater levels in the Ordnance Basalt CGWA, use of water consistent with the Preliminary Determination could result in regulation of the Meenderincks' water rights that would not have occurred otherwise. Such regulation would be an "injury" as the term is defined by the Department's rules.

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Given the state of the groundwater resource, there is a high potential for well-to-well interference. In the event that substantial interference is determined, the watermaster is required to distribute groundwater "in accordance with the relative rights . . . of the appropriators involved." OAR 690-250-0110(2). The Meenderincks' groundwater rights have a later priority date than the Sage Hollow Certificates. The water rights under the Sage Hollow Certificates have priority dates in 1959. The Meenderincks' water rights have priority dates in 1960. Thus, if groundwater levels continue to decline, eventually preventing Willow Creek Dairy and the Meenderincks from pumping enough water to satisfy their water rights, then the watermaster could be required to distribute groundwater to Willow Creek Dairy before distributing water to the Meenderincks. By negatively impacting the Meenderincks' ability to withdraw water during low water periods, the proposed transfer would injure the Meenderincks' water rights. *See Kerivan*, 188 Or App at 499–500 (adversely impacting a water right holder's "ability to withdraw water . . . during low water periods" is an "injury" for purposes of evaluating a proposed water right transfer).

If the Department approves the Application, the Department must condition approval to prevent injury to Meenderincks' water rights. Specifically, the Department must require that, if the proposed transfer would cause substantial interference with Meenderincks' groundwater rights, then use of the transferred groundwater right must be regulated. The Department adopted such a condition when it approved a transfer application T-7058 in 2002. Special Order Vol. 56, p. 2039. The Department order contained the following condition:

> "5. If substantial or undue interference with an existing ground water right, including and [*sic*] exempt use, with a priority date, as defined in OAR 690-250-130, senior to the date of this transfer application of November 9, 1993, occurs, due to withdrawal of water from any ground water right transferred by this order, the use of the transferred ground water right shall be regulated to mitigate the interference."

Id. A condition like the one adopted for T-7058 above is necessary to prevent injury to Meenderincks' wells if the Department approves the Application.

B. The wells proposed by the Application violate the Department's well construction standards.

The wells proposed to be constructed by the Application do not comply with the Department's "single aquifer" well construction rule. For that reason, the Department may not approve the Application.

No person may "use or attempt to use any groundwater" or "construct or attempt to construct any well" except in compliance with all applicable rules adopted by the Commission under ORS 537.505 to 537.795. ORS 537.535(1). The "single aquifer" rule prohibits wells from being "constructed in a manner that allows commingling or leakage of ground water by gravity

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flow or artesian pressure from one aquifer[3] to another." OAR 690-200-0043. The construction standard is intended to prevent the depressurization of aquifers. Constructing a well that is open to multiple water-bearing aquifers with a distinct water level head can, over time, depressurize the aquifer and exacerbate water level decline. *See* Ground Water Review at 2.

The proposed wells do not comply with the "single aquifer" well construction requirement. The Application proposes that three new wells be drilled to a depth of 750-1,000 feet and that casing be installed to 150 feet below the land surface. Based on hydraulic head data,[4] Department staff found that there are "at least two [Columbia River Basalt Group] aquifers within 800 feet of land surface" at the location of the proposed well sites.[5] Ground Water Review at 2. One aquifer is located at approximately 400 feet below land surface and at least one additional aquifer is located at an elevation between 400 and 800 feet below land surface. *Id.* Because the proposed wells have open intervals from 150 feet to 750-1,000 feet below land surface, and because at least two aquifers exist between 400 feet and 800 feet below land surface, the proposed wells would access more than one aquifer. Therefore, the proposed wells violate the well construction standard set out in OAR 690-200-0043. The Department lacks authority to approve a transfer that would violate well construction standards.

C. The Application cannot guarantee that the new points of appropriation will be confined to the same aquifer as the current points of appropriation.

Changes in appropriation must be restricted to the same aquifer. OAR 690-380-2110(2). Under the Sage Hollow Certificates, groundwater is withdrawn from two wells: MORR 595/590 and MORR 591. MORR 595/590 and MORR 591 are drilled to depths of approximately 800

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[3] "Aquifer" is defined to mean "a geologic formation, group of formations, or part of a formation that contains saturated and permeable material capable of transmitting water in sufficient quantity to supply wells or springs and that contains water that is similar throughout in characteristics such as potentiometric head, chemistry, and temperature." OAR 690-200-0050(9).

[4] The Department has explained that the thick interiors of basal flows generally have very low porosity and permeability and act as confining beds. This physical geometry produces a stack of thin, tabular aquifers (interflow zones) separated by thick confining beds (flow interiors). There is very little natural connection between the stacked aquifers. *See* Special Order Vol. 95, p. 599. The main source of information that the Department uses to estimate the thickness of an aquifer are static water levels measured at each water bearing zone encountered during well drilling, as recorded in the driller's log. *Id.* at 600. Different static water levels at different drilling depths indicate the existence of distinct aquifers. *Id.*

[5] Staff's findings were based on data collected from existing wells: MORR 595/590 and MORR 591. Ground Water Review Form for T-12248 (Oct. 6, 2016). Staff concluded that the same Columbia River Basalt Group aquifers extend through the proposed well sites as through the sites of MORR 595/590 and MORR 591. *Id.*

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feet and the wells are constructed with 700-800 foot open intervals. Ground Water Review at 2. At least two separate aquifers exist within 800 feet of land surface at the location of MORR 595/590 and MORR 591: one aquifer at approximately 400 feet below land surface and at least one additional aquifer at an elevation between 400 and 800 feet below land surface. *Id.* Thus, MORR 595/590 and MORR 591 access at least two separate aquifers. *Id.*

The proposed wells cannot ensure that water is appropriated from the same aquifers accessed by the MORR 595/590 and MORR 591. As discussed above, the proposed wells cannot be constructed in the same manner as MORR 595/590 and MORR 591 (i.e., accessing multiple aquifers). Department staff stated that there is insufficient information to determine "what portion of the use is from the various water bearing zones intercepted by MORR 595 and MORR 591." *Id.* at 3. For that reason, if the proposed wells are constructed to comply with the "single aquifer" standard specified in OAR 690-200-0043, then the wells will necessarily withdraw too much water from one of the aquifers that are currently accessed by MORR 595/590 and MORR 591 (i.e., it would be impossible to ensure that the relative proportion of water withdrawn from each aquifer will be the same before and after the transfer). The Department should deny the Application because the Application cannot satisfy the dual requirements that changed points of appropriation be confined to the same aquifer and that wells be constructed to access a single aquifer.

D. The Preliminary Determination disregards staff's recommendation to require an observation well as a condition of approval, even though such a well is required to evaluate groundwater levels and is necessary to prevent injury to neighboring groundwater users.

The 1976 order establishing the Ordnance Basalt CGWA requires owners and operators of wells[6] within the Ordnance Basalt CGWA to "equip their wells with . . . adequate water level measuring facilities" and gives the Department authority to approve or disapprove such facilities. Special Order Vol. 27, pp. 72-73. The order further requires the Department to annually evaluate the groundwater supply in the Ordnance Basalt CGWA. *Id.* at 73.

The installation of at least one observation well is required to satisfy the water level measurement obligations set out in the 1976 order. Department staff explained that the change in use proposed by the Application, from seasonal irrigation use to year-round dairy operation use, would make it "very difficult" for the Department to conduct its annual water level assessment.[7] Due to the proposed year-round use, staff recommended that an observation well be installed to effectively evaluate groundwater levels.[8] Staff also stated that an observation well would be

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[6] Owners and operators of wells used for exempted purposes are excluded from this requirement. Special Order Vol. 27, p. 72.

[7] *See* Email from Jen L. Woody (June 27, 2016); *see also* Email from Ivan K. Gall (June 25, 2016).

[8] Ground Water Review Form for T-12248 (Oct. 6, 2016); Ground Water Review Form for T-12248 (Mar. 24, 2016); Ground Water Review Form for T-12248 (Feb. 25, 2016).

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necessary to avoid injury to nearby water users and to protect the groundwater resource. *See id.* Despite staff's recommendations, the Preliminary Determination does not condition approval of the Application on the installation of an observation well.

Because the 1976 order requires the Department to make an annual evaluation of the groundwater supply in the Ordnance Basalt CGWA, and because staff has concluded that an observation well is necessary for an effective evaluation, the Department does not have authority to approve the Application without requiring installation of an observation well.

4. Protest Filing Requirements

The Meenderincks' protest is timely filed. Any person may submit a protest against the Preliminary Determination within 30 days after the last publication of newspaper notice of the Preliminary Determination. ORS 540.520(6). The notice of the Preliminary Determination was last published in the Hermiston Herald on March 8, 2017. Therefore, any protests of the Preliminary Determination must be submitted on or before April 7, 2017.

The Meenderincks have included with this Protest the protest fee of $700. *See* ORS 536.050(1)(j); OAR 690-380-4030(2). The Meenderincks have complied with the provisions of OAR 690-002-0030. *See* OAR 690-380-4030(2). The Protest is in writing and includes a detailed statement of:

> "(a) Facts sufficient to show that the protestant is entitled to the relief or action requested;
>
> "(b) The specific relief or action requested;
>
> "(c) The name and address of the protestant and other person or persons necessary to, or having a direct interest in, the proceeding; and
>
> "(d) Citation of legal authority or basis for the claim or relief asserted or requested."

OAR 690-002-0030(1). Finally, the Protest includes proof of service upon the persons whose rights or application are protested as required by OAR 690-002-0030(2).

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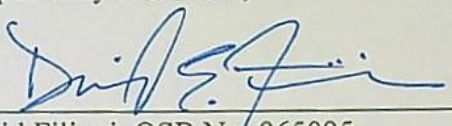
5. Conclusion and Request for Contested Case Hearing

For the reasons set forth above, the Department should deny the Application or condition its approval to avoid injury to the Meenderincks' groundwater rights.

DATED: April 7, 2017

Respectfully submitted,



David Filippi, OSB No. 965095
Kirk Maag, OSB No. 105507
Hayley Siltanen, OSB No. 164825
Of Attorneys for Pete and Tressa Meenderinck

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Oregon
Kate Brown, Governor

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

February 27, 2017

SAGE HOLLOW RANCH LLC
3620 INDEPENDENCE RD
SUNNYSIDE WA 98944

SUBJECT: Water Right Transfer Application T-12248

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12248. 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 Hermiston Herald 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 503-986-0886 or Patrick.K.Starnes@oregon.gov if I may be of assistance.

Sincerely,

Kelly Starnes
Transfer Program Analyst
Transfer and Conservation Section

cc: Transfer Application T-12248
Greg Silbernagel, Watermaster 5 District *(via e-mail)*
William I. Porfily, Agent for the applicant *(via e-mail)*
Willow Creek Dairy, Receiving Landowner *(via e-mail)*
Dale G. VanSchoiack, CWRE #333 *(via e-mail)*
David E. Filippi, Stoel Rives LLP, Representing Commenters

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BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-12248, Morrow County	)	PRELIMINARY DETERMINATION PROPOSING APPROVAL OF AN ADDITIONAL POINT OF APPROPRIATION, A CHANGE IN POINTS OF APPROPRIATION, A CHANGE IN PLACE OF USE, A CHANGE IN CHARACTER OF USE, AND A PARTIAL CANCELLATION OF A WATER RIGHT.

Authority

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

Applicant

SAGE HOLLOW RANCH LLC
3620 INDEPENDENCE RD
SUNNYSIDE, WA 98944

Receiving Landowner

WILLOW CREEK DAIRY (TE VELDE)
P.O. BOX 1210
BOARDMAN, OR 97818

Findings of Fact

1. On January 15, 2016, Sage Hollow Ranch LLC filed an application to change the points of appropriation, change the place of use, and change the character of use under Certificates 49726, 49727, 55317, and 55316. The Department assigned the application number T-12248.

2. Willow Creek Dairy (Te Velde) is the receiving landowner who will be responsible for completion of the changes.

3. Notice of the application for transfer was published on January 26, 2016, and again on September 6, 2016, pursuant to OAR 690-380-4000. Timely comments were filed in response to the notice.

4. On February 22, 2016, the applicant's agent clarified that the proposed change in character of use was intended to be for year round agricultural use for construction and operation of a diary.

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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 February 25, 2016, the Department received timely comments concerning potential injury to nearby water rights from David E. Filippi, Stoel Rives LLP on behalf of Pete and Tressa Meenderinck and Meenderinck Land Co. LLC. The Meenderinck's are very concerned that the use of groundwater for the proposed dairy will result in injury to the Meenderinck's existing water rights.

6. The Department will condition the Transfer to address any injury and enlargement issues.

7. On March 16, 2016, the application was amended to indicate the correct locations of the two proposed points of appropriation.

8. On August 2, 2016, the application was amended again requesting an additional well be added to the application.

9. On November 28, 2016, a draft preliminary determination was issued. Following the issuance of the draft, it was determined that the draft required amending.

10. On December 21, 2016, a revised draft preliminary determination was issued. Following the issuance of the revised draft, the Department determined that the draft did not describe a proposed partial cancellation, nor did it include additional condition(s) to prevent enlargement of the rights; and the previously revised draft did not correctly describe the irrigation season authorized by the Ordinance Critical Groundwater area.

11. On February 24, 2017, a revised draft preliminary determination was issued. The applicant requested that the Department proceed with issuance of a Preliminary Determination

12. The first right to be transferred is as follows:

Certificate: 49726 in the name of GEORGE S BULOW (perfected under Permit G-1319)
Use: IRRIGATION OF 207.3 ACRES
Priority Date: MARCH 2, 1959
Rate: 1.12 CUBIC FEET PER SECOND
Limit/Duty: 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.
Source: A WELL within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

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Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	SW NW	1.3
3 N	26 E	WM	4	SE NW	1.7
3 N	26 E	WM	4	NE SW	36.0
3 N	26 E	WM	4	NW SW	35.4
3 N	26 E	WM	4	SW SW	30.4
3 N	26 E	WM	4	SE SW	35.0
3 N	26 E	WM	4	NE SE	0.2
3 N	26 E	WM	4	NW SE	2.9
3 N	26 E	WM	4	SW SE	33.6
3 N	26 E	WM	4	SE SE	30.8
				Total	207.3

13. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2.0 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SE NE	WELL 1 (NORTH WELL) - 2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
3 N	26 E	WM	22	NW NW	WELL 2 (SOUTH WELL) - 290 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 22

14. Transfer Application T-12248 proposes an additional point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SW SW	WELL 3 - 130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

15. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

16. Transfer Application T-12248 also proposes to change the place of use of the right to:

YEAR ROUND AGRICULTURAL USE FOR CONSTRUCTION AND OPERATION OF A DAIRY				
Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

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17. The second right to be transferred is as follows:

Certificate: 55317 in the name of GEORGE AND JERRY BULOW (perfected under Permit G-1319)
Use: IRRIGATION OF 12.2 ACRES
Priority Date: MARCH 2, 1959
Rate: 0.07 CUBIC FOOT PER SECOND
Limit/Duty: 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.
Source: WELL #1 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE SE	7.9
3 N	26 E	WM	4	SW SE	1.0
3 N	26 E	WM	4	SE SE	3.3
				Total	12.2

18. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SE NE	WELL 1 (NORTH WELL) - 2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
3 N	26 E	WM	22	NW NW	WELL 2 (SOUTH WELL) - 290 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 22

19. Transfer Application T-12248 proposes an additional point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SW SW	WELL 3 - 130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

20. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

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21. Transfer Application T-12248 also proposes to change the place of use of the right to:

YEAR ROUND AGRICULTURAL USE FOR CONSTRUCTION AND OPERATION OF A DAIRY				
Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

22. The third right to be transferred is as follows:

Certificate: 49727 in the name of GEORGE S BULOW (perfected under Permit G-1284)
Use: IRRIGATION OF 198.3 ACRES
Priority Date: MARCH 6, 1959
Rate: 0.84 CUBIC FOOT PER SECOND
Limit/Duty: 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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: A WELL within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NE NE	840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4

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Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE NE	0.3
3 N	26 E	WM	4	NW NE	4.4
3 N	26 E	WM	4	SW NE	30.3
3 N	26 E	WM	4	SE NE	26.0
3 N	26 E	WM	4	NE NW	37.2
3 N	26 E	WM	4	NW NW	33.6
3 N	26 E	WM	4	SW NW	30.8
3 N	26 E	WM	4	SE NW	34.4
3 N	26 E	WM	4	NE SE	0.9
3 N	26 E	WM	4	NW SE	0.4
				Total	198.3

23. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2.5 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SE NE	WELL 1 (NORTH WELL) - 2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
3 N	26 E	WM	22	NW NW	WELL 2 (SOUTH WELL) - 290 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 22

24. Transfer Application T-12248 proposes an additional point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SW SW	WELL 3 - 130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

25. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

26. Transfer Application T-12248 also proposes to change the place of use of the right to:

YEAR ROUND AGRICULTURAL USE FOR CONSTRUCTION AND OPERATION OF A DAIRY				
Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

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27. The fourth right to be transferred is as follows:

Certificate: 55316 in the name of GEORGE AND JERRY BULOW (perfected under Permit G-1284)
Use: IRRIGATION OF 85.2 ACRES
Priority Date: MARCH 6, 1959
Rate: 0.35 CUBIC FOOT PER SECOND (CFS); BEING 0.19 CFS FROM WELL 1 AND 0.16 CFS FROM WELL 2
Limit/Duty: 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.
Sources: WELLS 1 and 2 within the COLUMBIA RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NE NE	WELL 2 (NORTH WELL) - 840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4
3 N	26 E	WM	4	NW SE	WELL 1 (SOUTH WELL) - 1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

IRRIGATION WELL 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE SE	23.0
3 N	26 E	WM	4	NW SE	23.1

IRRIGATION WELL 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE NE	18.4
3 N	26 E	WM	4	NW NE	13.4
3 N	26 E	WM	4	SE NE	7.3

28. Transfer Application T-12248 proposes to move the authorized points of appropriation approximately 2.5 miles from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SE NE	WELL 1 (NORTH WELL) - 2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
3 N	26 E	WM	22	NW NW	WELL 2 (SOUTH WELL) - 290 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 22

29. Transfer Application T-12248 proposes an additional point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SW SW	WELL 3 - 130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

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30. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

31. Transfer Application T-12248 also proposes to change the place of use of the right to:

YEAR ROUND AGRICULTURAL USE FOR CONSTRUCTION AND OPERATION OF A DAIRY				
Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

Transfer Review Criteria (OAR 690-380-4010)

32. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

33. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12248.

34. Transfer Application T-12248 proposes to change the type of use from irrigation during the irrigation season to year-around agricultural use for the construction and operation of a dairy. The proposed change in character of use could result in enlargement if not conditioned to prevent use of more water than could have been lawfully diverted under the existing authorized use.

35. The irrigation season of the Ordnance Critical Groundwater area (CGWA) as defined in Special Order Volume 27, page 68, is March 10 through October 15 of each year (220 days).

36. The Department can consider the change in season of use for Transfer Application T-12248, because the aquifer acts as storage and if the annual water use is the same, the changing of the season of use from irrigation use to year-around will not change the overall balance in the aquifer.

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37. The following table lists the annual water use (volume) of each water right (based upon the Ordnance CGWA irrigation season) and the pro-rated rate for the proposed year round use.

Certificate	Authorized Rate	Pro-rated Rate for year round use (220 days / 365 days) x auth. rate	Total volume allowed based upon Ordnance CGWA irrigation season (Auth. Rate x 1.98 af/day x 220 days)
49726	1.12 cfs	0.675 cfs	487.87 af
49727	0.84 cfs	0.506 cfs	365.90 af
55316	0.35 cfs	0.211 cfs	152.46 af
55317	0.07 cfs	0.042 cfs	30.49 af
Total	2.38 cfs	1.434 cfs	1036.72 af

38. The proposed changes, as conditioned, would not result in injury to other water rights.

39. The proposed changes, as conditioned, would not result in enlargement.

40. All other application requirements are met.

Partial Cancellation of a Water Right

41. On December 8, 2016, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Brian Bosma, owner of Sage Hollow Ranch. The right to be cancelled is as follows:

Certificate: 49727 in the name of GEORGE S BULOW (perfected under Permit G-1284)
Use: SUPPLEMENTAL IRRIGATION OF 4.5 ACRES
Priority Date: MARCH 6, 1959
Limit/Duty: 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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: A WELL in the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NE NE	840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4.

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Authorized Place of Use to be Cancelled:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	SW NW	1.2
3 N	26 E	WM	4	SE NW	1.6
3 N	26 E	WM	4	NE SW	1.4
3 N	26 E	WM	4	NW SW	0.2
3 N	26 E	WM	4	NW SE	0.1
				Total	4.5

Determination and Proposed Action

The additional point of appropriation, change in points of appropriation, change in place of use, and change in character of use proposed in Transfer Application T-12248 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the portion of the abandoned right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the portion of the abandoned right will be cancelled.

If Transfer Application T-12248 is approved, the final order will include the following:

1. *The additional point of appropriation, change in points of appropriation, change in place of use, and change in character of use proposed in Transfer Application T-12248 are approved. The portion of the right that has been abandoned is cancelled.*

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 Certificates 49726, 49727, 55317, and 55316 and any related decree.*

3. *All other terms and conditions of the order approving Ordnance Critical Ground Water Area remain in effect.*

4. *Water Right Certificates 49726, 49727, 55317, and 55316 are cancelled.*

5. *The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.*

6. *The quantity of water allowed for year round agricultural use for construction and operation of a dairy under the right described by Certificate 49726 shall not exceed a rate of diversion of 0.675 cubic foot per second (cfs) and a maximum total quantity of 487.87 acre-feet year round.*

7. *The quantity of water allowed for year round agricultural use for construction and operation of a dairy under the right described by Certificate 49727 shall not exceed a rate of diversion of 0.506 cubic foot per second (cfs) and a maximum total quantity of 365.90 acre-feet year round.*

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8. *The quantity of water allowed for year round agricultural use for construction and operation of a dairy under the right described by Certificate 55316 shall not exceed a rate of diversion of 0.211 cubic foot per second (cfs) and a maximum total quantity of 152.46 acre-feet year round.*

9. *The quantity of water allowed for year round agricultural use for construction and operation of a dairy under the right described by Certificate 55317 shall not exceed a rate of diversion of 0.042 cubic foot per second (cfs) and a maximum total quantity of 30.49 acre-feet year round.*

10. *Water use measurement and reporting 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 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.

    d. The water user shall maintain a record of all water used under each right for each month of the entire year. The record shall include the total number of hours pumped and the total quantity of water pumped. The record shall be submitted to the Department on an monthly basis.

11. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*

12. *The former place of use of the transferred rights shall no longer receive water under the rights.*

13. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before* ***October 1, 2031****. 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.*

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14. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 24th day of February, 2017.

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

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

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

T-12248

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

Amended 3-16-16 to Indicate the Correct Locations of the 2 Proposed P.O.A.s

Amended 8-02-16 to add Well Number 3 as a Proposed P.O.A.

☒ Part 1 – Completed Minimum Requirements Checklist.

☒ Part 2 – Completed Transfer Application Map Checklist.

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

☒ Part 4 – Completed Applicant Information and Signature.

☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 4 List them here: Certificates 49726, 55317, 49727, & 55316.** Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

☒ Completed Transfer Application Map.

☒ Completed Evidence of Use Affidavit and supporting documentation.

☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)

☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.

☒ ☐ N/A 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 Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)
WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):
___ Application fee not enclosed/insufficient ___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete
___ Additional signature(s) required ___ Part ____ is incomplete
Other/Explanation _____
Staff: _____ 503-986-0___ Date: ____/____/____

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

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

☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.

☒ ☐ N/A If **more than three** water rights are involved, separate maps are needed for each water right.

☒ Permanent quality printed with dark ink on good quality paper.

☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.

☒ A north arrow, a legend, and scale.

☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.

☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.

☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.

☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.

☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.

☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.

☒ ☐ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.

☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.

☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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FEE WORKSHEET for PERMANENT TRANSFER			**Part 3 of 5 – Fee Worksheet**
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	*1*	**$1,000**
	Types of change proposed: ☒ Place of Use ☒ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = 3 (2a) Subtract 1 from the number in line 2a = 2 (2b) *If only one change, this will be 0*		
2	Multiply line 2b by $800 and enter » » » » » » » » » » » » » »	*2*	**$1,600**
	Number of water rights included in transfer 4 (3a) Subtract 1 from the number in 3a above: 3 (3b) *If only one water right this will be 0*		
3	Multiply line 3b by $450 and enter » » » » » » » » » » » » » »	*3*	**$1,350**
	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 » ☒ Yes: enter $350 »		
4		*4*	$350
	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 » » » » » » » » » » » » » » » » » » ☒ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): 2.38 (5a) Subtract 1.0 from the number in 5a above: 1.38 (5b) If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: 2 (5c) and		
5	multiply 5c by $300, then enter on line 5 » » » » » » » »	*5*	**$600**
6	Add entries on lines 1 through 5 above » » » » » » » » » Subtotal:	*6*	$4900
	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » »	*7*	**0**
8	Subtract line 7 from line 6 » » » » » » » » » » » » **Transfer Fee:**	*8*	**$5,250**

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

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

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	*1*	$725.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) *If only one well this will be 0*		
2	Multiply line 2b by $350 and enter » » » » » » » » » » » » »	*2*	
3	Add entries on lines 1 through 2 above » » » » » » **Fee for Substitution**:	*3*	

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Sage Hollow Ranch, LLC (Bosma)			(509) 391-1100	(509) 391-1111
ADDRESS				FAX NO.
3620 Independence Rd.				
CITY	STATE	ZIP	E-MAIL	
Sunnyside	WA.	98944		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
William I. Porfily			(541) 449-1327	(541) 561-7259 cell.
ADDRESS				FAX NO.
P.O. Box 643				(541) 449-1327
CITY	STATE	ZIP	E-MAIL	
Stanfield	OR.		wporfily@gmail.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.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
We request the Order approving this transfer application be contingent upon and issued at the same time as the Order approving the affiliated Willow Creek Dairy (te Velde) application. We request 15 years to complete the Agricultural Use of water under this transfer after it is issued.

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

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

Check One Box

☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**

☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**

☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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

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

Applicant signature	Print Name (and Title if applicable)	Date
	Sage Hollow Ranch, LLC by: An Owner	

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

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Check the following boxes that apply:

☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.

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

☒ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
WILLOW CREEK DAIRY (TE VELDE)			**(559) 799-9111**	
ADDRESS				FAX NO.
P.O. Box 1210				
CITY	STATE	ZIP	E-MAIL	
Boardman	**OR.**	**97818**	**gjtevelde@aol.com**	

Describe any special ownership circumstances here: _____

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

IRRIGATION DISTRICT NAME	ADDRESS	
Columbia Irrigation District	**P.O. Box 47**	
CITY	STATE	ZIP
Boardman	**OR.**	**97818**

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
Morrow County	**Courthouse**	
CITY	STATE	ZIP
Heppner	**OR.**	**97836**

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

CERTIFICATE # 49726

Description of Water Delivery System

System capacity: **1.12** cubic feet per second (cfs) **OR**

_____ 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. **200 h.p turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	MORR 590	3 N	26 E	4	NW SE	400	1390' N & 2390' W from SE Corner of Sec. 4
1 (North Well)	☐ Authorized ☒ Proposed		3 N	26 E	16	SE NE	500	2390'S & 360'W from the NE Cor. Sec. 16
2 (South Well)	☐ Authorized ☒ Proposed		3 N	26 E	22	NW NW	500	290'S & 10'E from the NW Cor. Sec. 22
3	☐ Authorized ☒ Proposed		3 N	26 E	16	SW SW	500	130'N & 950'E from the SW Cor. Sec. 16

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 49726

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
TOTAL ACRES:									207.3					TOTAL ACRES:												

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 3	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 55317

Description of Water Delivery System

System capacity: 0.07 cubic feet per second (cfs) **OR**

_____ 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. **200 h.p turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	MORR 590	3 N	26 E	4	NW SE		1390' N & 2390' W from SE Corner of Sec. 4
1 (North Well)	☐ Authorized ☒ Proposed		3 N	26 E	16	SE NE	500	2390'S & 360'W from the NE Cor. Sec. 16
2 (South Well)	☐ Authorized ☒ Proposed		3 N	26 E	22	NW NW	500	290'S & 10'E from the NW Cor. Sec. 22
3	☐ Authorized ☒ Proposed		3 N	26 E	16	SW SW	500	130'N & 950'E from the SW Cor. Sec. 16

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 55317

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
TOTAL ACRES:									12.2					TOTAL ACRES:												

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 3	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 49727

Description of Water Delivery System

System capacity: **0.84** cubic feet per second (cfs) **OR**

_____ 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. **150 h.p. turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
2 (North Well)	☒ Authorized ☐ Proposed	MORR 591	3 N	26 E	4	NE NE		840' S & 430' W from the NE Corner of Sec. 4
1 (North Well)	☐ Authorized ☒ Proposed		3 N	26 E	16	SE NE	500	2390'S & 360'W from the NE Cor. Sec. 16
2 (South Well)	☐ Authorized ☒ Proposed		3 N	26 E	22	NW NW	500	290'S & 10'E from the NW Cor. Sec. 22
3	☐ Authorized ☒ Proposed		3 N	26 E	16	SW SW	500	130'N & 950'E from the SW Cor. Sec. 16

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 49727.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
TOTAL ACRES:									198.3					TOTAL ACRES:													

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: **N/A.**

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 # **N/A**;
Surface water primary Certificate # **N/A.**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 3	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 55316

Description of Water Delivery System

System capacity: 0.35 (cfs) **(being 0.19 cfs from Well # 1 & 0.16 cfs from Well # 2) OR**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at sometime 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. **POA # 1: 200 h.p turbine pump and a 50 h.p. turbine booster pump. POA # 2: 150 h.p. turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	MORR 590	3 N	26 E	4	NW SE		1390' N & 2390' W from SE Corner of Sec. 4
2 (North Well)	☒ Authorized ☐ Proposed	MORR 591	3 N	26 E	4	NE NE		840' S & 430' W from the NE Corner of Sec. 4
1 (North Well)	☐ Authorized ☒ Proposed		3 N	26 E	16	SE NE	500	2390'S & 360'W from the NE Cor. Sec. 16
2 (South Well)	☐ Authorized ☒ Proposed		3 N	26 E	22	NW NW	500	290'S & 10'E from the NW Cor. Sec. 22
3	☐ Authorized ☒ Proposed		3 N	26 E	16	SW SW	500	130'N & 950'E from the SW Cor. Sec. 16

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 55316

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.											Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼ ¼		Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
									85.2				POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
GRAND TOTAL ACRES for this Transfer :									503.0					GRAND TOTAL ACRES:												

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: N/A.

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 # N/A;
Surface water primary Certificate # N/A.

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # N/A

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Proposed # 1	No	N/A	750' to 1000'	16 in.	0 to 150'	Basalt-150-'	N/A	300'	Basalt	500 gpm
Proposed # 2	No	N/A	750' to 1000'	16 in.	0 to 150'	Basalt-150'	N/A	300'	Basalt	500 gpm
Proposed # 3	No	N/A	750' to 1000'	16 in.	0 to 150'	Basalt-150'	N/A	300'	Basalt	500 gpm

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

Ground Water Review Form:

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

Application: T-12248 Applicant Name: Sage Hollow Ranch LLC

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

Reviewer(s): Jen Woody Date of Review: 10/06/2016, supersedes reviews dated 2/25/2016 and 3/24/2016

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

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

---

1. Basic description of the changes proposed in this transfer: T-12248 proposes to make changes to 4 certificates to use groundwater in the Ordnance Basalt Critical Groundwater Area (CGWA). It proposes to move the 2 relevant points of appropriation (POAs) from T3N/R26E-Section 4 to T3N/R26E- Sections 16 and 22.

   Certificate 49726: authorizes MORR 595/590 for 1.12 cfs (207.3 acres primary irrigation), the transfer proposes to change the POA to 3 new wells.

   Certificate 55317 authorizes MORR 595/590 for 0.07 cfs (12 acres primary irrigation), the transfer proposes to change the POA to 3 new wells.

   Certificate 49727 authorizes one well (MORR 596 was authorized, MORR 591 is used as a replacement well) for 0.84 cfs (38.4 acres primary irrigation), the transfer proposes to change the POA to 3 new wells.

   Certificate 55316 authorizes MORR 595/590 and MORR 591 for 0.35 cfs total (85.2 acres primary irrigation), the transfer proposes to change the POA to 3 new wells.

   The certificates involved in this transfer are affected by the Ordnance Critical Groundwater Area Order (Special Order Volume 27, pp 40-86). Based on excessively declining groundwater levels, that order prohibited new allocation of groundwater from the CRBG aquifers within the Critical Area boundaries starting in 1976. Water use at MORR 595 and MORR 591 is summarized in Figure 1; average total annual use from the two wells is about 1,000 acre-feet.

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2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments:

The existing and proposed wells will produce from one or more water-bearing zones in the Columbia River Basalt Group (CRBG), a series of lava flows with a composite thickness greater than 10,000 feet in the Columbia Plateau (Kahle et al., 2011). Each flow is characterized by a series of internal features, which generally include a thin rubble zone at the contact between flows and a thick, dense, low porosity and low permeability interior zone. In some cases, sedimentary layers were deposited during the time between basalt flow emplacements. A flow top, sedimentary interbed (if present) and flow bottom are collectively referred to as an interflow zone. Unconfined groundwater occurs near the weathered top of the basalts, but most water occurs in interflow zones under confining conditions at the contacts between lava flows. CRBG flow features result in a series of stacked, thin aquifers that are confined by dense flow interiors. The low permeability of the basalt flow interiors usually results in little connection between stacked aquifers, which results in tabular aquifers with unique water level heads (Reidel et al., 2002).

Constructing a well that is open to multiple water-bearing zones with distinct water level heads commingles multiple aquifers. When the pump is off, water migrates through the well bore from an aquifer of higher pressure to an aquifer of lower pressure. Over time, this can depressurize the aquifer and exacerbate water level decline.

Hydrogeologic investigations by Sceva (1966) and McCall (1975) found that the same CRBG aquifers extend through the currently authorized POA location and the proposed POA locations, based on groundwater elevations and trends. Assuming the new POAs are constructed to no greater depth that the existing wells, they should encounter the same aquifer (same source).

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☒ Yes ☐ No There is more than one aquifer developed within the CRBG. MORR 595 and MORR 591 are constructed with 700-800 foot open intervals in the CRBG. There are at least two CRBG aquifers within 800 feet of land surface in this area. Each aquifer has a distinct head, as evidenced by UMAT 1543 and MORR 1720 which were reconstructed with casing and seal depths that allow access to a single CRBG aquifer per well (see Figure 3) . The shallow CRBG aquifer accessed by UMAT 1543, is located above approximately 400 feet below land surface and has a current February groundwater elevation of 490-500 feet above mean sea level (amsl). Between approximately 400 and 800 feet below land surface, the aquifer accessed by MORR 1720 has a current February groundwater elevation of 260-280 feet amsl (see Figure 3). Cascading water has been documented by Department staff when measuring the water level at MORR 595. MORR 591 has 18' of seal reported on the log, leaving the well open to alluvium and multiple aquifers within the CRBG. To access the same aquifers with new wells that meet current well construction standards, it may be necessary to install multiple wells to replace MORR 595, for example.

The existing wells do not meet current well construction standards requiring single aquifer completion, based on the large open intervals and the lack of information regarding surface seals. They will need to be repaired, converted to dedicated observation wells or abandoned. The proposed APOAs are described in the application with total depth of 750-1000 feet and 150 feet of casing and seal. This will not meet current well construction standards requiring wells access a single aquifer.

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b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): There is not enough available information to determine what portion of the use is from the various water bearing zones intercepted by MORR 595 and MORR 591.

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: The proposed POAs are about ½ mile closer to nearby basalt wells, which will increase well-to-well interference. A dedicated observation well condition is specified to protect the resource and other existing users. The CGWA order requires that all wells be equipped with water level measuring facilities, which allow monitoring of long term water level trends and the degree of well-to-well interference. Since the proposed POAs will be in use year-round, a dedicated observation well is recommended to meet that requirement.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: Groundwater elevations in the deep basalt aquifer are very consistent across the CGWA. That suggests that the basalt aquifers in this area are not extensively compartmentalized, which would exacerbate well-to-well interference. Interference is expected to be slightly increased by the change in location but similar in magnitude to current conditions.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☐ Yes ☒ No Comments: There is no significant change in surface water interference likely to result from the transfer.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
Stream: _____ ☐ Minimal ☐ Significant
Stream: _____ ☐ Minimal ☐ Significant
Provide context for minimal/significant impact: _____

6. What conditions or other changes in the application are necessary to address any potential issues identified above:

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References

McCall, William B., 1975, Ground-Water Conditions and Declining Water Levels in the Ordnance Area, Morrow and Umatilla Counties Oregon, State of Oregon Water Resources Department Groundwater Report No. 23, 134 p.

Oregon Water Resources Department, 1976, Special Order Volume 27, On the Determination of the Critical Ground Water Area in the Ordnance Area, Morrow and Umatilla Counties, Oregon, pp. 40-86.

Sceva, Jack E., 1966, A Brief Description of the Ground-water Conditions in the Ordnance Area Morrow and Umatilla Counties, Oregon, State of Oregon Ground Water Report No. 11, 43 p.

OWRD water level database, accessed 2/24/2016.

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LogId	WaterUseYear	PumpageFinalAF	PumpageFinalSource
MORR 591	1978	109.97	FM
MORR 591	1979	409.08	FM
MORR 591	1980	43.79	FM
MORR 591	1981	402.40	FM
MORR 591	1982	270.44	FM
MORR 595	1983		
MORR 591	1983	809.72	FM
MORR 595	1984	256.07	FM
MORR 591	1984	174.23	FM
MORR 591	1985	869.93	FM
MORR 591	1986	299.20	PM
MORR 591	1987	979.64	PM
MORR 595	1988	680.20	FM
MORR 591	1988	722.94	FM
MORR 595	1989	697.63	FM
MORR 591	1989	696.67	FM
MORR 595	1990	692.87	FM
MORR 591	1990	868.61	FM
MORR 595	1991	819.06	FM
MORR 591	1991	839.19	FM
MORR 595	1992	772.40	FM
MORR 591	1992	701.20	FM
MORR 595	1993	790.99	FM
MORR 591	1993	471.38	FM
MORR 595	1994	677.58	FM
MORR 591	1994	928.05	FM
MORR 595	1995	751.85	FM
MORR 591	1995	811.78	FM
MORR 595	1996	570.49	FM
MORR 591	1996	780.91	FM
MORR 595	1997	596.27	FM
MORR 591	1997	716.69	FM
MORR 595	1998	616.15	FM
MORR 591	1998	235.09	FM
MORR 595	1999	746.05	FM
MORR 591	1999	345.39	FM
MORR 595	2000	587.55	FM / 2yrs
MORR 591	2000	377.46	PM
MORR 595	2001	587.55	FM / 2yrs
MORR 591	2001	666.50	FM
MORR 595	2002	852.73	FM
MORR 591	2002	768.73	FM
MORR 595	2003	771.19	FM
MORR 591	2003	910.53	FM
MORR 595	2004	703.95	FM
MORR 591	2004	640.39	FM
MORR 595	2005	699.21	FM
MORR 591	2005	773.16	FM
MORR 595	2006	631.84	FM
MORR 591	2006	555.13	FM
MORR 595	2007	517.75	FM
MORR 591	2007	572.02	FM
MORR 595	2008	517.97	FM
MORR 591	2008	426.11	FM
MORR 595	2009	549.32	FM
MORR 591	2009	458.93	FM
MORR 595	2010	532.92	FM
MORR 591	2010	338.52	FM
MORR 595	2011	491.96	FM
MORR 591	2011	449.25	FM
MORR 595	2012	711.34	FM
MORR 591	2012	472.58	FM
MORR 595	2013	538.28	FM / 2yrs
MORR 591	2013	578.13	FM
MORR 595	2014	538.28	FM / 2yrs
MORR 591	2014	552.02	FM

FM = flowmeter

Figure 1. Water use records from flowmeters at MORR 595 and MORR 591.

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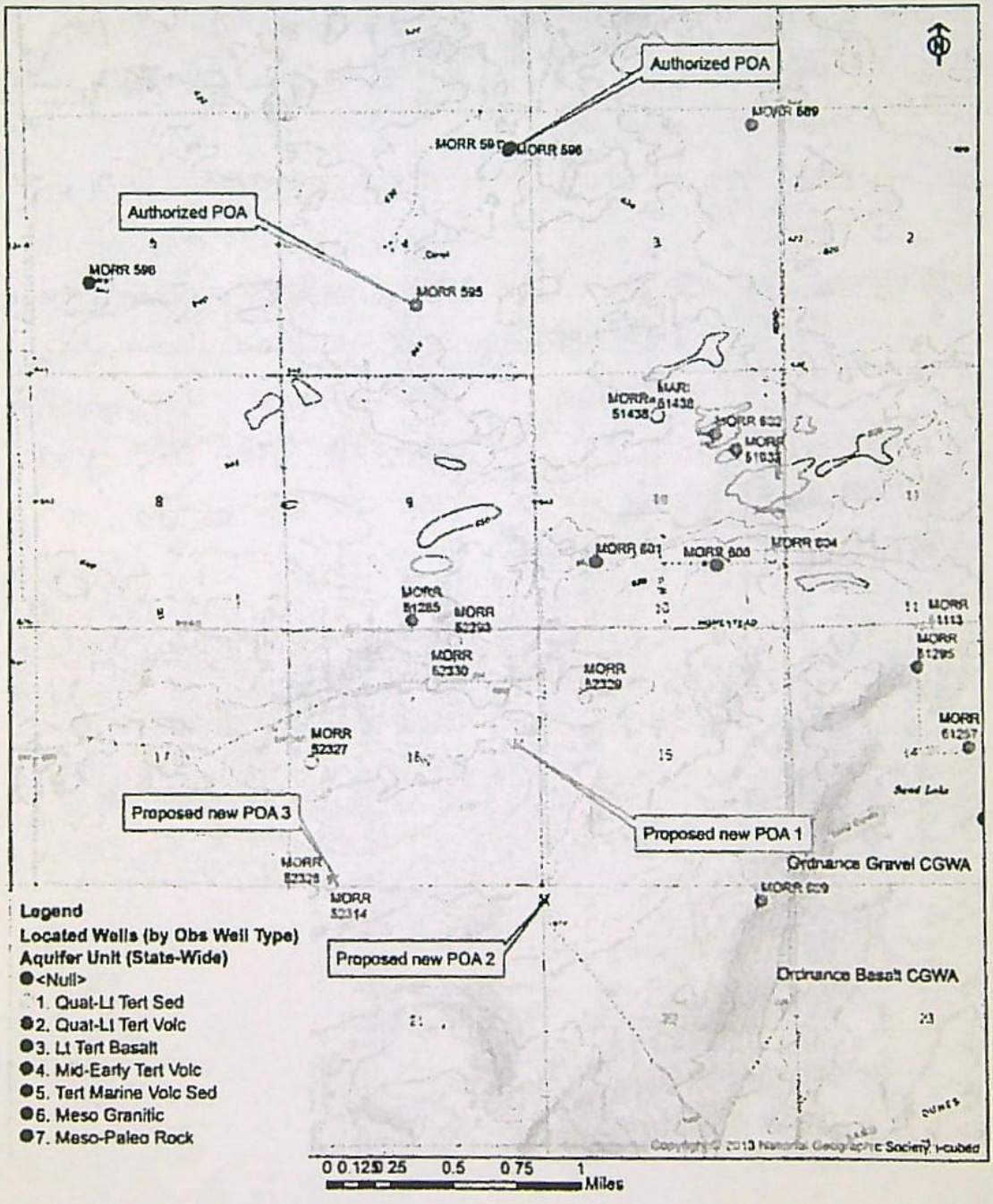
Figure 2. Well locations.

T-12248 Sage Hollow/te Velde
T3N/R26E- Sections 4, 16, 22



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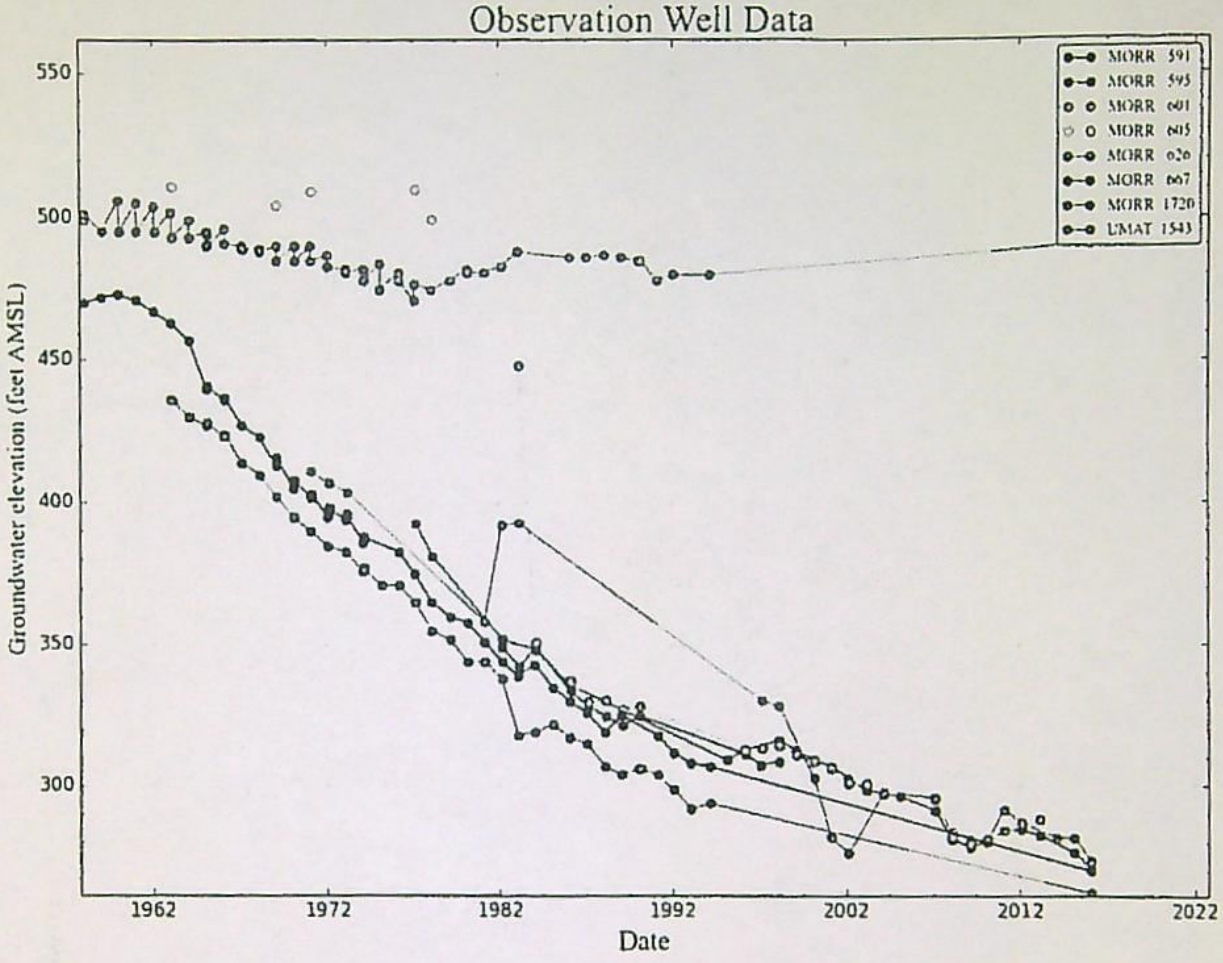

Figure 3. Water levels in wells in the Ordnance Basalt Critical Groundwater Area show two water bearing zones with distinct heads, and falling head with depth. See Figure 4 for well locations.

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T-12248 te Velde
Location of wells in hydrograph (Figure 3)

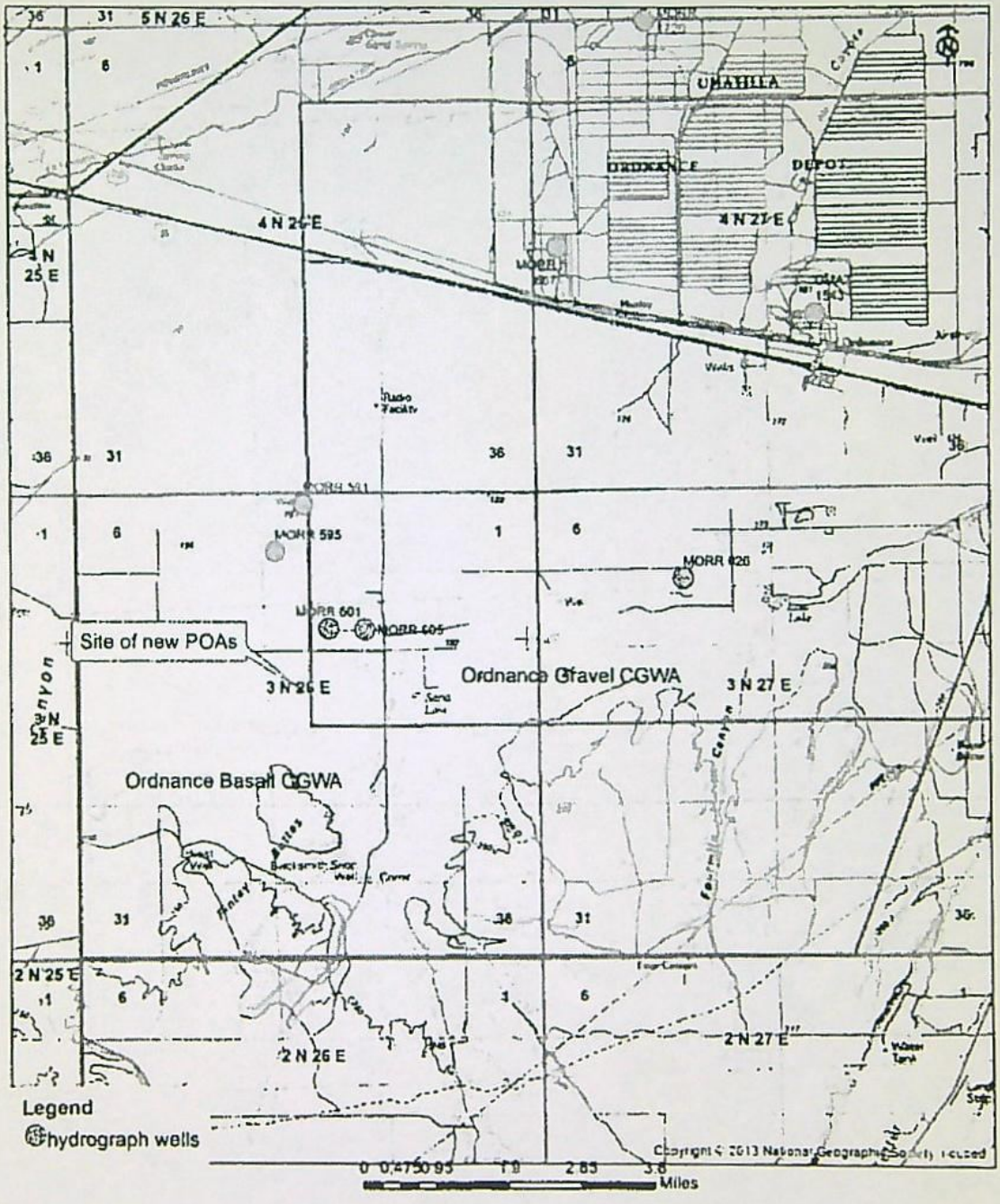

Figure 4. Location of wells with water level data depicted in Figure 3.

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CERTIFICATE OF SERVICE

I hereby certify that on April 7, 2017 I caused the original and one copy of the foregoing **Protest of Pete and Tressa Meenderinck and Meenderinck Land Co. LLC; Request for Contested Case Hearing** to be served by hand delivery to the following address:

Director Tom Byler
Oregon Water Resources Department
725 Summer Street NE, Suite A
Salem, Oregon 97301-1271

I hereby certify that on April 7, 2017, I served a copy of the foregoing **Protest of Pete and Tressa Meenderinck and Meenderinck Land Co. LLC; Request for Contested Case Hearing** to the following addresses by the method indicated below:

William I. Porfily
P.O. Box 643
Stanfield, Oregon 97875
wporfily@gmail.com
(*Via US Mail & Email*)

Willow Creek Dairy
P.O. Box 1210
Boardman, Oregon 97818
gjtevelde@aol.com
(*Via US Mail & Email*)

Sage Hollow Ranch, LLC
3620 Independence Road
Sunnyside, Washington 98944
(*Via US Mail*)

DATED: April 7, 2017

David Filippi, OSB No. 96509
Kirk Maag, OSB No. 105507
Hayley Siltanen, OSB No. 164825
Of Attorneys for Pete and Tressa Meenderinck

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STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 122265

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

INVOICE # _____

RECEIVED FROM: Porfily Water Rights Consulting
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-12248
TOTAL REC'D	$ 338.90

CASH: ☐ CHECK:# ☒ 6600 OTHER: (IDENTIFY) ☐ _____

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	4@11 7		$
0207	OTHER:	(IDENTIFY)	Newspaper Notice	$ 338.90

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:	EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$		

	WELL CONSTRUCTION	EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

_____ TREASURY OTHER / RDX

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

RECEIPT: 122265 DATED: 1/3/17 BY: Felicia B.

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

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 122265

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

INVOICE # _____

RECEIVED FROM: Porfily Water Rights Consulting
BY: _____

APPLICATION	
PERMIT	
TRANSFER	T-12248
TOTAL REC'D	$ 338.90

CASH: ☐ CHECK:# ☒ 6600 OTHER: (IDENTIFY) ☐ _____

1083 TREASURY 4170 WRD MISC CASH ACCT

0407 COPIES 4@11 7 $
0207 OTHER: (IDENTIFY) Newspaper Notice $ 338.90

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: EXAM FEE RECORD FEE

0201 SURFACE WATER $ 0202 $
0203 GROUND WATER $ 0204 $
0205 TRANSFER $

WELL CONSTRUCTION EXAM FEE LICENSE FEE

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

_____ OTHER (IDENTIFY) _____

0536 TREASURY 0437 WELL CONST. START FEE

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

_____ OTHER (IDENTIFY) _____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

_____ TREASURY OTHER / RDX

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

RECEIPT: 122265 DATED: 1/3/17 BY: Felicia B.

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

IN THE CIRCUIT COURT OF THE STATE OF OREGON
FOR UMATILLA COUNTY

} AFFIDAVIT OF PUBLICATION

STATE OF OREGON

County of Umatilla } SS

I, Carrie Oglesbee being duly sworn, depose and say that I am the principal clerk of the publisher of the Hermiston Herald, a newspaper of general circulation, as defined by ORS 193.010 and 193.020; printed and published at 2 Avenue, Pendleton, OR 97801, in the aforesaid county and state; that the

HH-5584 Notice of

a printed copy of which is hereto annexed; was published in the entire issue of said newspaper for _2_ successive and consecutive issues in the following issues:

March 1, 8, 2017

Subscribed and sworn to before me on this 8th day of March 2017.

Carrie F Oglesbee

OFFICIAL SEAL
TERRI A BRIGGS
NOTARY PUBLIC-OREGON
COMMISSION NO. 479261
MY COMMISSION EXPIRES JUNE 24, 2017

Terri A Briggs
Notary Public of Oregon

RECEIVED BY OWRD

MAR 10 2017

SALEM, OR

HH-5584
Notice of Preliminary Determination for Water Right Transfer T-12248

T-12248 filed by Sage Hollow Ranch LLC, 3620 Independence Rd. Sunnyside, WA 98944, proposes additional points of appropriation, changes in points of appropriation, and changes in places of use under Certificates (C) 49726, 55317, 49727, and 55316. C-49726 allows the use of 1.12 cfs from a well in Sec. 4, T3N, R26E, WM for irrigation in Sec. 4. The applicant proposes additional points of appropriation and to move the authorized point of appropriation within Sects. 16 and 22, T3N, R26E, WM, to change the place of use to within Sects. 15 and 16, T3N, R26E, WM, and to change the character of use to agricultural use. C-55317 allows the use of 0.07 cfs from Well 1 in Sec. 4, T3N, R26E, WM for irrigation in Sec. 4. The applicant proposes additional points of appropriation and to move the authorized point of appropriation to within Sects. 16 and 22, T3N, R26E, WM, to change the place of use to within Sects. 15 and 16, T3N, R26E, WM and to change the character of use to agricultural use. C-49727 allows the use of 0.84 cfs from a well in Sec. 4, T3N, R26E, WM for irrigation in Sec. 4. The applicant proposes additional points of appropriation and to move the authorized point of appropriation to within Sects. 16 and 22, T3N, R26E, WM, to change the place of use to within Sects. 15 and 16, T3N, R26E, WM, and to change the character of use to agricultural use. C-55316 allows the use of 0.35cfs from Wells 1 and 2 in Sec. 4, T3N, R26E, WM for irrigation in Sec. 4. The applicant proposes additional points of appropriation and to move the authorized point of appropriation to within Sects. 16 and 22, T3N, R26E, WM, to change the place of use to Sects. 15 and 16, T3N, R26E, WM and to change the character of use to agricultural use. 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, 03/08/2017. 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.

March 1, 8, 2017

Oregon
Kate Brown, Governor

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

February 27, 2017

SAGE HOLLOW RANCH LLC
3620 INDEPENDENCE RD
SUNNYSIDE WA 98944

SUBJECT: Water Right Transfer Application T-12248

Please find enclosed the Preliminary Determination indicating that, based on the information available, the Department intends to approve application T-12248. 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 Hermiston Herald 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 503-986-0886 or Patrick.K.Starnes@oregon.gov if I may be of assistance.

Sincerely,

Kelly Starnes
Transfer Program Analyst
Transfer and Conservation Section

cc: Transfer Application T-12248
Greg Silbernagel, Watermaster 5 District *(via e-mail)*
William I. Porfily, Agent for the applicant *(via e-mail)*
Willow Creek Dairy, Receiving Landowner *(via e-mail)*
Dale G. VanSchoiack, CWRE #333 *(via e-mail)*
David E. Filippi, Stoel Rives LLP, Representing Commenters

encs

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-12248, Morrow County	)	PRELIMINARY DETERMINATION PROPOSING APPROVAL OF AN ADDITIONAL POINT OF APPROPRIATION, A CHANGE IN POINTS OF APPROPRIATION, A CHANGE IN PLACE OF USE, A CHANGE IN CHARACTER OF USE, AND A PARTIAL CANCELLATION OF A WATER RIGHT.

Authority

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

Applicant

SAGE HOLLOW RANCH LLC
3620 INDEPENDENCE RD
SUNNYSIDE, WA 98944

Receiving Landowner

WILLOW CREEK DAIRY (TE VELDE)
P.O. BOX 1210
BOARDMAN, OR 97818

Findings of Fact

1. On January 15, 2016, Sage Hollow Ranch LLC filed an application to change the points of appropriation, change the place of use, and change the character of use under Certificates 49726, 49727, 55317, and 55316. The Department assigned the application number T-12248.

2. Willow Creek Dairy (Te Velde) is the receiving landowner who will be responsible for completion of the changes.

3. Notice of the application for transfer was published on January 26, 2016, and again on September 6, 2016, pursuant to OAR 690-380-4000. Timely comments were filed in response to the notice.

4. On February 22, 2016, the applicant's agent clarified that the proposed change in character of use was intended to be for year round agricultural use for construction and operation of a diary.

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 February 25, 2016, the Department received timely comments concerning potential injury to nearby water rights from David E. Filippi, Stoel Rives LLP on behalf of Pete and Tressa Meenderinck and Meenderinck Land Co. LLC. The Meenderinck's are very concerned that the use of groundwater for the proposed dairy will result in injury to the Meenderinck's existing water rights.

6. The Department will condition the Transfer to address any injury and enlargement issues.

7. On March 16, 2016, the application was amended to indicate the correct locations of the two proposed points of appropriation.

8. On August 2, 2016, the application was amended again requesting an additional well be added to the application.

9. On November 28, 2016, a draft preliminary determination was issued. Following the issuance of the draft, it was determined that the draft required amending.

10. On December 21, 2016, a revised draft preliminary determination was issued. Following the issuance of the revised draft, the Department determined that the draft did not describe a proposed partial cancellation, nor did it include additional condition(s) to prevent enlargement of the rights; and the previously revised draft did not correctly describe the irrigation season authorized by the Ordinance Critical Groundwater area.

11. On February 24, 2017, a revised draft preliminary determination was issued. The applicant requested that the Department proceed with issuance of a Preliminary Determination

12. The first right to be transferred is as follows:

Certificate: 49726 in the name of GEORGE S BULOW (perfected under Permit G-1319)
Use: IRRIGATION OF 207.3 ACRES
Priority Date: MARCH 2, 1959
Rate: 1.12 CUBIC FEET PER SECOND
Limit/Duty: 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.
Source: A WELL within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	SW NW	1.3
3 N	26 E	WM	4	SE NW	1.7
3 N	26 E	WM	4	NE SW	36.0
3 N	26 E	WM	4	NW SW	35.4
3 N	26 E	WM	4	SW SW	30.4
3 N	26 E	WM	4	SE SW	35.0
3 N	26 E	WM	4	NE SE	0.2
3 N	26 E	WM	4	NW SE	2.9
3 N	26 E	WM	4	SW SE	33.6
3 N	26 E	WM	4	SE SE	30.8
				Total	207.3

13. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2.0 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SE NE	WELL 1 (NORTH WELL) - 2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
3 N	26 E	WM	22	NW NW	WELL 2 (SOUTH WELL) - 290 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 22

14. Transfer Application T-12248 proposes an additional point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SW SW	WELL 3 - 130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

15. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

16. Transfer Application T-12248 also proposes to change the place of use of the right to:

YEAR ROUND AGRICULTURAL USE FOR CONSTRUCTION AND OPERATION OF A DAIRY				
Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

17. The second right to be transferred is as follows:

Certificate: 55317 in the name of GEORGE AND JERRY BULOW (perfected under Permit G-1319)
Use: IRRIGATION OF 12.2 ACRES
Priority Date: MARCH 2, 1959
Rate: 0.07 CUBIC FOOT PER SECOND
Limit/Duty: 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.
Source: WELL #1 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE SE	7.9
3 N	26 E	WM	4	SW SE	1.0
3 N	26 E	WM	4	SE SE	3.3
				Total	12.2

18. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SE NE	WELL 1 (NORTH WELL) - 2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
3 N	26 E	WM	22	NW NW	WELL 2 (SOUTH WELL) - 290 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 22

19. Transfer Application T-12248 proposes an additional point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SW SW	WELL 3 - 130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

20. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

21. Transfer Application T-12248 also proposes to change the place of use of the right to:

YEAR ROUND AGRICULTURAL USE FOR CONSTRUCTION AND OPERATION OF A DAIRY				
Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

22. The third right to be transferred is as follows:

Certificate: 49727 in the name of GEORGE S BULOW (perfected under Permit G-1284)
Use: IRRIGATION OF 198.3 ACRES
Priority Date: MARCH 6, 1959
Rate: 0.84 CUBIC FOOT PER SECOND
Limit/Duty: 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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: A WELL within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NE NE	840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE NE	0.3
3 N	26 E	WM	4	NW NE	4.4
3 N	26 E	WM	4	SW NE	30.3
3 N	26 E	WM	4	SE NE	26.0
3 N	26 E	WM	4	NE NW	37.2
3 N	26 E	WM	4	NW NW	33.6
3 N	26 E	WM	4	SW NW	30.8
3 N	26 E	WM	4	SE NW	34.4
3 N	26 E	WM	4	NE SE	0.9
3 N	26 E	WM	4	NW SE	0.4
				Total	198.3

23. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2.5 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SE NE	WELL 1 (NORTH WELL) - 2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
3 N	26 E	WM	22	NW NW	WELL 2 (SOUTH WELL) - 290 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 22

24. Transfer Application T-12248 proposes an additional point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SW SW	WELL 3 - 130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

25. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

26. Transfer Application T-12248 also proposes to change the place of use of the right to:

YEAR ROUND AGRICULTURAL USE FOR CONSTRUCTION AND OPERATION OF A DAIRY				
Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

27. The fourth right to be transferred is as follows:

Certificate: 55316 in the name of GEORGE AND JERRY BULOW (perfected under Permit G-1284)
Use: IRRIGATION OF 85.2 ACRES
Priority Date: MARCH 6, 1959
Rate: 0.35 CUBIC FOOT PER SECOND (CFS); BEING 0.19 CFS FROM WELL 1 AND 0.16 CFS FROM WELL 2
Limit/Duty: 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.
Sources: WELLS 1 and 2 within the COLUMBIA RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NE NE	WELL 2 (NORTH WELL) - 840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4
3 N	26 E	WM	4	NW SE	WELL 1 (SOUTH WELL) - 1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

IRRIGATION WELL 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE SE	23.0
3 N	26 E	WM	4	NW SE	23.1

IRRIGATION WELL 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE NE	18.4
3 N	26 E	WM	4	NW NE	13.4
3 N	26 E	WM	4	SE NE	7.3

28. Transfer Application T-12248 proposes to move the authorized points of appropriation approximately 2.5 miles from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SE NE	WELL 1 (NORTH WELL) - 2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
3 N	26 E	WM	22	NW NW	WELL 2 (SOUTH WELL) - 290 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 22

29. Transfer Application T-12248 proposes an additional point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SW SW	WELL 3 - 130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

30. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

31. Transfer Application T-12248 also proposes to change the place of use of the right to:

YEAR ROUND AGRICULTURAL USE FOR CONSTRUCTION AND OPERATION OF A DAIRY				
Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

Transfer Review Criteria (OAR 690-380-4010)

32. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

33. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12248.

34. Transfer Application T-12248 proposes to change the type of use from irrigation during the irrigation season to year-around agricultural use for the construction and operation of a dairy. The proposed change in character of use could result in enlargement if not conditioned to prevent use of more water than could have been lawfully diverted under the existing authorized use.

35. The irrigation season of the Ordnance Critical Groundwater area (CGWA) as defined in Special Order Volume 27, page 68, is March 10 through October 15 of each year (220 days).

36. The Department can consider the change in season of use for Transfer Application T-12248, because the aquifer acts as storage and if the annual water use is the same, the changing of the season of use from irrigation use to year-around will not change the overall balance in the aquifer.

37. The following table lists the annual water use (volume) of each water right (based upon the Ordnance CGWA irrigation season) and the pro-rated rate for the proposed year round use.

Certificate	Authorized Rate	Pro-rated Rate for year round use (220 days / 365 days) x auth. rate	Total volume allowed based upon Ordnance CGWA irrigation season (Auth. Rate x 1.98 af/day x 220 days)
49726	1.12 cfs	0.675 cfs	487.87 af
49727	0.84 cfs	0.506 cfs	365.90 af
55316	0.35 cfs	0.211 cfs	152.46 af
55317	0.07 cfs	0.042 cfs	30.49 af
Total	2.38 cfs	1.434 cfs	1036.72 af

38. The proposed changes, as conditioned, would not result in injury to other water rights.

39. The proposed changes, as conditioned, would not result in enlargement.

40. All other application requirements are met.

Partial Cancellation of a Water Right

41. On December 8, 2016, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Brian Bosma, owner of Sage Hollow Ranch. The right to be cancelled is as follows:

Certificate: 49727 in the name of GEORGE S BULOW (perfected under Permit G-1284)
Use: SUPPLEMENTAL IRRIGATION OF 4.5 ACRES
Priority Date: MARCH 6, 1959
Limit/Duty: 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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: A WELL in the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NE NE	840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4.

Authorized Place of Use to be Cancelled:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	SW NW	1.2
3 N	26 E	WM	4	SE NW	1.6
3 N	26 E	WM	4	NE SW	1.4
3 N	26 E	WM	4	NW SW	0.2
3 N	26 E	WM	4	NW SE	0.1
				Total	4.5

Determination and Proposed Action

The additional point of appropriation, change in points of appropriation, change in place of use, and change in character of use proposed in Transfer Application T-12248 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the portion of the abandoned right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the portion of the abandoned right will be cancelled.

If Transfer Application T-12248 is approved, the final order will include the following:

1. *The additional point of appropriation, change in points of appropriation, change in place of use, and change in character of use proposed in Transfer Application T-12248 are approved. The portion of the right that has been abandoned is cancelled.*

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 Certificates 49726, 49727, 55317, and 55316 and any related decree.*

3. *All other terms and conditions of the order approving Ordnance Critical Ground Water Area remain in effect.*

4. *Water Right Certificates 49726, 49727, 55317, and 55316 are cancelled.*

5. *The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.*

6. *The quantity of water allowed for year round agricultural use for construction and operation of a dairy under the right described by Certificate 49726 shall not exceed a rate of diversion of 0.675 cubic foot per second (cfs) and a maximum total quantity of 487.87 acre-feet year round.*

7. *The quantity of water allowed for year round agricultural use for construction and operation of a dairy under the right described by Certificate 49727 shall not exceed a rate of diversion of 0.506 cubic foot per second (cfs) and a maximum total quantity of 365.90 acre-feet year round.*

8. *The quantity of water allowed for year round agricultural use for construction and operation of a dairy under the right described by Certificate 55316 shall not exceed a rate of diversion of 0.211 cubic foot per second (cfs) and a maximum total quantity of 152.46 acre-feet year round.*

9. *The quantity of water allowed for year round agricultural use for construction and operation of a dairy under the right described by Certificate 55317 shall not exceed a rate of diversion of 0.042 cubic foot per second (cfs) and a maximum total quantity of 30.49 acre-feet year round.*

10. *Water use measurement and reporting 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 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.

    d. The water user shall maintain a record of all water used under each right for each month of the entire year. The record shall include the total number of hours pumped and the total quantity of water pumped. The record shall be submitted to the Department on an monthly basis.

11. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*

12. *The former place of use of the transferred rights shall no longer receive water under the rights.*

13. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before* ***October 1, 2031****. 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.*

14. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this 24th day of February, 2017.

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

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

Water Right Transfer Cover Sheet

Transfer T-12248 Transfer Specialist: Josh

Transfer Type: Regular

Applicant Name/Address:	Agent Name/Address:	Rec Landowner Name/Address:
SAGE HOLLOW RANCH LLC 3620 INDEPENDENCE RD SUNNYSIDE, WA 98944	WILLIAM I. PORFILY PO BOX 643 STANFIELD, OR 97875	
CWRE Name/Number:	Irr. District Name/Address:	Affected Gov'ts Name/Address: Morrow County Planning Department
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☐	☐	G-1402		49726	☐ Yes ☒ No	
☐	☐	G-1402		55317	☐ Yes ☒ No	
☐	☐	G-1411		49727	☐ Yes ☒ No	
		G-1411		55316	X No	

Key Dates & Initial Actions

Rec'd: January 15, 2016	Proposed Action(s): POINT OF APPROPRIATION; ADDITIONAL POINT OF APPROPRIATION; PLACE OF USE; USE	
Fees Pd: 5250.00	WM District: 5	ODFW District:
Initial Notice: September 6, 2016	WM Review sent:8/31/2016	ODFW Review sent:
Acknowledgement Letter Sent ☒		GW Review sent: 8/31/2016

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: _____
☐ ODFW contact sheet sent with DPD, or ☐ N/A
☐ WM measurement contact sheet sent, or ☐ N/A
PD Signed: 2-24-17
PD Weekly Notice: 2-28-17

Newspaper quote requested: ~~Hermiston Hw.~~ Required ☆
☐ not required
Request for news $ sent: _____
News $ received: _____

okay ✓ MA

Request to publish sent to newspaper: _____
Affidavit of publication received: _____

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: PKS	Reviewer: _____
Date: _____	Date: 2/24/17	Date: _____
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____

Comments/Special Issues: This needs to Be Processed with T-12247

Special Order Volume: Vol _____ Pages _____ Final Order Signature Date: _____

Notice of FO email'd to processors _____

Notice of Preliminary Determination for
Water Right Transfer T-12248

T-12248 filed by Sage Hollow Ranch LLC, 3620 Independence Rd. Sunnyside, WA 98944, proposes additional points of appropriation, changes in points of appropriation, place of use, and character of use under Certificates (C) 49726, 55317, 49727, and 55316. C-49726 allows the use of 1.12 cfs from a well in Sec. 4, T3N, R26E, WM for irrigation in Sec. 4. The applicant proposes additional points of appropriation and to move the authorized point of appropriation within Sects. 16 and 22, T3N, R26E, WM, to change the place of use to within Sects. 15 and 16, T3N, R26E, WM, and to change the character of use to agricultural use. C-55317 allows the use of 0.07 cfs from Well 1 in Sec. 4, T3N, R26E, WM for irrigation in Sec. 4. The applicant proposes additional points of appropriation and to move the authorized point of appropriation to within Sects. 16 and 22, T3N, R26E, WM, to change the place of use to within Sects. 15 and 16, T3N, R26E, WM and to change the character of use to agricultural use. C-49727 allows the use of 0.84 cfs from a well in Sec. 4, T3N, R26E, WM for irrigation in Sec. 4. The applicant proposes additional points of appropriation and to move the authorized point of appropriation to within Sects. 16 and 22, T3N, R26E, WM, to change the place of use to within Sects. 15 and 16, T3N, R26E, WM, and to change the character of use to agricultural use. C-55316 allows the use of 0.35cfs from Wells 1 and 2 in Sec. 4, T3N, R26E, WM for irrigation in Sec. 4. The applicant proposes additional points of appropriation and to move the authorized point of appropriation to within Sects. 16 and 22, T3N, R26E, WM, to change the place of use to Sects. 15 and 16, T3N, R26E, WM and to change the character of use to agricultural use. 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.

SMITH Joan M

From: Filippi, David <david.filippi@stoel.com>
Sent: Wednesday, June 08, 2016 3:15 PM
To: joan.m.smith@state.or.us
Subject: FW: Comments on Transfer Applications T-12247 and T-12248

David E. Filippi
Stoel Rives LLP | 760 SW Ninth Ave., Suite 3000 | Portland, OR 97205
Direct: (503) 294-9529 | Fax: (503) 220-2480 | david.filippi@stoel.com | www.stoel.com

---

From: Filippi, David
Sent: Thursday, February 25, 2016 9:12 AM
To: codi.n.holmes@wrd.state.or.us
Cc: Pete@pioneerfeed.com; Tressa Meenderinck
Subject: Comments on Transfer Applications T-12247 and T-12248

Dear Ms. Holmes,

We represent Pete and Tressa Meenderinck and Meenderinck Land Co. LLC. These comments are being submitted on their behalf with respect to the above-referenced transfer applications, T-12247 and T-12248. We understand these applications are intended to support a new proposed dairy operation, whereby groundwater rights would be transferred to Te velde for the proposed dairy (from Bosma to Te velde), and in return, surface water rights would be provided back to Bosma in exchange (from Te velde to Bosma). Meenderinck Land Co. LLC holds groundwater rights (T-8867) on land that is adjacent to the proposed dairy site. Given the location of the proposed points of appropriation for the proposed dairy in relation to the Meenderincks' existing well, the amount of water being requested, and the overall state of the groundwater resource, the Meenderincks are very concerned that the use of groundwater for the proposed dairy will result in injury to the Meenderincks' existing water rights. The Meenderincks believe the requested water right transfers should either be denied or at least substantially conditioned in order to avoid injury to their existing rights. The Meenderincks have attempted to contact Mr. Te velde without success. They would welcome a conversation with him to discuss their concerns.

Please let me know if you have any questions or would like additional information. Thank you,

David.

David E. Filippi
Stoel Rives LLP | 900 SW Fifth Ave., Suite 2600 | Portland, OR 97204
Direct: (503) 294-9529 | Fax: (503) 220-2480 | defilippi@stoel.com | www.stoel.com

STARNES Patrick K * WRD

From: Langford, Shonee D. <SLangford@SCHWABE.com>
Sent: Thursday, February 23, 2017 5:06 PM
To: STARNES Patrick K * WRD
Cc: LADD Michael F * WRD; JARAMILLO Lisa J * WRD
Subject: RE: Re-revised Draft Preliminary Determination for Transfer Application T-12248 (Sage Hollow Ranch LLC)
Attachments: 12248-re-revised-dpd-approve (2-21-2017).docm

Importance: High

Kelly,
I have reviewed the re-revised draft preliminary determination and found a couple of minor errors that should be corrected. My proposed edits are shown in the attached version on pages 9, 10 and 11.

- In Finding 36, the table refers to Certificates 55316 and 55317. The authorized rate, pro-rated rate, and total volume shown for Cert. 55316 actually corresponds to 55317, and vice versa (i.e. if the position of the two certificate numbers were switched in the first column, the table would be correct).
- The same error appears in Determination and Proposed Action #7 and 8 (again, the certificate numbers should be switched for accuracy).

With the above changes (as shown in the attached), the document is acceptable.

Thank you,

Shonee

Shonee D. Langford
Direct: 503-540-4261

From: STARNES Patrick K * WRD [mailto:Patrick.K.Starnes@oregon.gov]
Sent: Thursday, February 23, 2017 2:05 PM
To: Langford, Shonee D.
Cc: LADD Michael F * WRD; JARAMILLO Lisa J * WRD
Subject: Re-revised Draft Preliminary Determination for Transfer Application T-12248 (Sage Hollow Ranch LLC)

Hi Shonee –

Please find attached the re-revised Draft Preliminary Determination for T-12248. Mike Ladd has looked it over so I can release to you for your review.

As with all draft Preliminary Determinations, the Department will require a written (e-mail is fine) agreement to the draft from the applicant or the applicant's agent.

Once the Department receives the written agreement, the Preliminary Determination can be issued and the PD notices can be published.

If you see an error or have a concern about the draft, please do not hesitate to contact me or Mike Ladd.

Sincerely,

Kelly Starnes

****

Kelly Starnes, Transfer Program Analyst
Oregon Water Resources Department
725 Summer St NE Suite A
Salem OR 97301-1271
Telephone: 503-986-0886 Fax: 503-986-0903
E-mail: patrick.k.starnes@oregon.gov

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

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BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-12248, Morrow County

Revised DRAFT

PRELIMINARY DETERMINATION PROPOSING APPROVAL OF AN ADDITIONAL POINT OF APPROPRIATION, A CHANGE IN POINTS OF APPROPRIATION, A CHANGE IN PLACE OF USE, A CHANGE IN CHARACTER OF USE, AND A PARTIAL CANCELLATION OF A WATER RIGHT.

Authority

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

Applicant

SAGE HOLLOW RANCH LLC
3620 INDEPENDENCE RD
SUNNYSIDE, WA 98944

Receiving Landowner

WILLOW CREEK DAIRY (TE VELDE)
P.O. BOX 1210
BOARDMAN, OR. 97818

Findings of Fact

1. On January 15, 2016, Sage Hollow Ranch LLC filed an application to change the points of appropriation, change the place of use, and change the character of use under Certificates 49726, 49727, 55317, and 55316. The Department assigned the application number T-12248.

2. Willow Creek Dairy (Te Velde) is the receiving landowner who will be responsible for completion of the changes.

3. Notice of the application for transfer was published on January 26, 2016, and again on September 6, 2016, pursuant to OAR 690-380-4000. Timely comments were filed in response to the notice.

4. On February 22, 2016, the applicant's agent clarified that the proposed change in character of use was intended to be for year round agricultural use for construction and operation of a diary.

5. On February 25, 2016, the Department received timely comments concerning potential injury to nearby water rights from David E. Filippi, Stoel Rives LLP on behalf of Pete and Tressa Meenderinck and Meenderinck Land Co. LLC. The Meenderinck's are very concerned that the use of groundwater for the proposed dairy will result in injury to the Meenderinck's existing water rights.

6. The Department will condition the Transfer to address any injury and enlargement issues.

7. On March 16, 2016, the application was amended to indicate the correct locations of the two proposed points of appropriation.

8. On August 2, 2016, the application was amended again requesting an additional well be added to the application.

9. On November 28, 2016, a draft preliminary determination was issued. Following the issuance of the draft, it was determined that the draft required amending.

10. On December 21, 2016, a revised draft preliminary determination was issued. Following the issuance of the revised draft, the Department determined that the draft did not describe a proposed partial cancellation, nor did it include additional condition(s) to prevent enlargement of the rights; and the previously revised draft did not correctly describe the irrigation season authorized by the Ordinance Critical Groundwater area.

11. The first right to be transferred is as follows:

Certificate: 49726 in the name of GEORGE S BULOW (perfected under Permit G-1319)
Use: IRRIGATION OF 207.3 ACRES
Priority Date: MARCH 2, 1959
Rate: 1.12 CUBIC FEET PER SECOND
Limit/Duty: 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.
Source: A WELL within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	SW NW	1.3
3 N	26 E	WM	4	SE NW	1.7
3 N	26 E	WM	4	NE SW	36.0
3 N	26 E	WM	4	NW SW	35.4
3 N	26 E	WM	4	SW SW	30.4
3 N	26 E	WM	4	SE SW	35.0
3 N	26 E	WM	4	NE SE	0.2
3 N	26 E	WM	4	NW SE	2.9
3 N	26 E	WM	4	SW SE	33.6
3 N	26 E	WM	4	SE SE	30.8
				Total	207.3

12. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2.0 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SE NE	WELL 1 (NORTH WELL) - 2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
3 N	26 E	WM	22	NW NW	WELL 2 (SOUTH WELL) - 290 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 22

13. Transfer Application T-12248 proposes an additional point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SW SW	WELL 3 - 130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

14. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

15. Transfer Application T-12248 also proposes to change the place of use of the right to:

YEAR ROUND AGRICULTURAL USE FOR CONSTRUCTION AND OPERATION OF A DAIRY				
Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

16. The second right to be transferred is as follows:

Certificate: 55317 in the name of GEORGE AND JERRY BULOW (perfected under Permit G-1319)
Use: IRRIGATION OF 12.2 ACRES
Priority Date: MARCH 2, 1959
Rate: 0.07 CUBIC FOOT PER SECOND
Limit/Duty: 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.
Source: WELL #1 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE SE	7.9
3 N	26 E	WM	4	SW SE	1.0
3 N	26 E	WM	4	SE SE	3.3
				Total	12.2

17. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SE NE	WELL 1 (NORTH WELL) - 2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
3 N	26 E	WM	22	NW NW	WELL 2 (SOUTH WELL) - 290 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 22

18. Transfer Application T-12248 proposes an additional point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SW SW	WELL 3 - 130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

19. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

20. Transfer Application T-12248 also proposes to change the place of use of the right to:

YEAR ROUND AGRICULTURAL USE FOR CONSTRUCTION AND OPERATION OF A DAIRY				
Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

21. The third right to be transferred is as follows:

Certificate: 49727 in the name of GEORGE S BULOW (perfected under Permit G-1284)
Use: IRRIGATION OF 198.3 ACRES
Priority Date: MARCH 6, 1959
Rate: 0.84 CUBIC FOOT PER SECOND
Limit/Duty: 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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: A WELL within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NE NE	840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4

Authorized Place of Use:

IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE NE	0.3
3 N	26 E	WM	4	NW NE	4.4
3 N	26 E	WM	4	SW NE	30.3
3 N	26 E	WM	4	SE NE	26.0
3 N	26 E	WM	4	NE NW	37.2
3 N	26 E	WM	4	NW NW	33.6
3 N	26 E	WM	4	SW NW	30.8
3 N	26 E	WM	4	SE NW	34.4
3 N	26 E	WM	4	NE SE	0.9
3 N	26 E	WM	4	NW SE	0.4
				Total	198.3

22. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2.5 miles from the existing point of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SE NE	WELL 1 (NORTH WELL) - 2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
3 N	26 E	WM	22	NW NW	WELL 2 (SOUTH WELL) - 290 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 22

23. Transfer Application T-12248 proposes an additional point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SW SW	WELL 3 - 130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

24. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

25. Transfer Application T-12248 also proposes to change the place of use of the right to:

YEAR ROUND AGRICULTURAL USE FOR CONSTRUCTION AND OPERATION OF A DAIRY				
Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

26. The fourth right to be transferred is as follows:

Certificate: 55316 in the name of GEORGE AND JERRY BULOW (perfected under Permit G-1284)
Use: IRRIGATION OF 85.2 ACRES
Priority Date: MARCH 6, 1959
Rate: 0.35 CUBIC FOOT PER SECOND (CFS); BEING 0.19 CFS FROM WELL 1 AND 0.16 CFS FROM WELL 2
Limit/Duty: 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.
Sources: WELLS 1 and 2 within the COLUMBIA RIVER BASIN

Authorized Points of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NE NE	WELL 2 (NORTH WELL) - 840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4
3 N	26 E	WM	4	NW SE	WELL 1 (SOUTH WELL) - 1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

IRRIGATION WELL 1					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE SE	23.0
3 N	26 E	WM	4	NW SE	23.1

IRRIGATION WELL 2					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE NE	18.4
3 N	26 E	WM	4	NW NE	13.4
3 N	26 E	WM	4	SE NE	7.3

27. Transfer Application T-12248 proposes to move the authorized points of appropriation approximately 2.5 miles from the existing points of appropriation to:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SE NE	WELL 1 (NORTH WELL) - 2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
3 N	26 E	WM	22	NW NW	WELL 2 (SOUTH WELL) - 290 FEET SOUTH AND 10 FEET EAST FROM THE NW CORNER OF SECTION 22

28. Transfer Application T-12248 proposes an additional point of appropriation located:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	16	SW SW	WELL 3 - 130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

29. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

30. Transfer Application T-12248 also proposes to change the place of use of the right to:

YEAR ROUND AGRICULTURAL USE FOR CONSTRUCTION AND OPERATION OF A DAIRY				
Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

Transfer Review Criteria (OAR 690-380-4010)

31. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

32. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12248.

33. Transfer Application T-12248 proposes to change the type of use from irrigation during the irrigation season to year-around agricultural use for the construction and operation of a dairy. The proposed change in character of use could result in enlargement if not conditioned to prevent use of more water than could have been lawfully diverted under the existing authorized use.

34. The irrigation season of the Ordnance Critical Groundwater area (CGWA) as defined in Special Order Volume 27, page 68, is March 10 through October 15 of each year (220 days).

35. The Department can consider the change in season of use for Transfer Application T-12248, because the aquifer acts as storage and if the annual water use is the same, the changing of the season of use from irrigation use to year-around will not change the overall balance in the aquifer.

36. The following table lists the annual water use (volume) of each water right (based upon the Ordnance CGWA irrigation season) and the pro-rated rate for the proposed year round use.

Certificate	Authorized Rate	Pro-rated Rate for year round use (220 days / 365 days) x auth. rate	Total volume allowed based upon Ordnance CGWA irrigation season (Auth. Rate x 1.98 af/day x 220 days)
49726	1.12 cfs	0.675 cfs	487.87 af
49727	0.84 cfs	0.506 cfs	365.90 af
55316	0.35 cfs	0.211 cfs	152.46 af
55317	0.07 cfs	0.042 cfs	30.49 af
Total	2.38 cfs	1.434 cfs	1036.72 af

37. The proposed changes, as conditioned, would not result in injury to other water rights.

38. The proposed changes, as conditioned, would not result in enlargement.

39. All other application requirements are met.

Partial Cancellation of a Water Right

40. On December 8, 2016, an affidavit certifying that a portion of a water right has been abandoned and requesting cancellation of the right was received from Brian Bosma, owner of Sage Hollow Ranch. The right to be cancelled is as follows:

Certificate: 49727 in the name of GEORGE S BULOW (perfected under Permit G-1284)
Use: SUPPLEMENTAL IRRIGATION OF 4.5 ACRES
Priority Date: MARCH 6, 1959
Limit/Duty: 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; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: A WELL in the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NE NE	840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4.

Authorized Place of Use to be Cancelled:

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	SW NW	1.2
3 N	26 E	WM	4	SE NW	1.6
3 N	26 E	WM	4	NE SW	1.4
3 N	26 E	WM	4	NW SW	0.2
3 N	26 E	WM	4	NW SE	0.1
				Total	4.5

Determination and Proposed Action

The additional point of appropriation, change in points of appropriation, change in place of use, and change in character of use proposed in Transfer Application T-12248 appear to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000 and the portion of the abandoned right should be cancelled. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved and the portion of the abandoned right will be cancelled.

If Transfer Application T-12248 is approved, the final order will include the following:

1. *The additional point of appropriation, change in points of appropriation, change in place of use, and change in character of use proposed in Transfer Application T-12248 are approved. The portion of the right that has been abandoned is cancelled.*

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 Certificates 49726, 49727, 55317, and 55316 and any related decree.*

3. *Water Right Certificates 49726, 49727, 55317, and 55316 are cancelled.*

4. *The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.*

5. *The quantity of water allowed for year round agricultural use for construction and operation of a dairy under the right described by Certificate 49726 shall not exceed a rate of diversion of 0.675 cubic foot per second (cfs) and a maximum total quantity of 487.87 acre-feet year round.*

6. *The quantity of water allowed for year round agricultural use for construction and operation of a dairy under the right described by Certificate 49727 shall not exceed a rate of diversion of 0.506 cubic foot per second (cfs) and a maximum total quantity of 365.90 acre-feet year round.*

7. *The quantity of water allowed for year round agricultural use for construction and operation of a dairy under the right described by Certificate 55316 shall not exceed a rate of diversion of 0.211 cubic foot per second (cfs) and a maximum total quantity of 152.46 acre-feet year round.*

8. *The quantity of water allowed for year round agricultural use for construction and operation of a dairy under the right described by Certificate 55317 shall not exceed a rate of diversion of 0.042 cubic foot per second (cfs) and a maximum total quantity of 30.49 acre-feet year round.*

9. *Water use measurement and reporting 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 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.

   d. The water user shall maintain a record of all water used under each right for each month of the entire year. The record shall include the total number of hours pumped and the total quantity of water pumped. The record shall be submitted to the Department on an monthly basis.

10. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*

11. *The former place of use of the transferred rights shall no longer receive water under the rights.*

12. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before* ***October 1, 2031****. 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.*

13. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

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

D R A F T

_____

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

This draft Preliminary Determination was prepared by a Reimbursement Authority contractor and reviewed by Joan Smith, if you have any questions with regard to this draft document you can contact Joan at joan.m.smith@state.or.us or by phone 503-986-0892.

BEFORE THE DIRECTOR OF THE WATER RESOURCES DEPARTMENT

Morrow and Umatilla Counties

ON THE QUESTION OF DETERMINATION OF A CRITICAL GROUND WATER AREA IN THE ORDNANCE AREA, MORROW AND UMATILLA COUNTIES, OREGON	FINDINGS, CONCLUSIONS, AND ORDER

INTRODUCTION

1

Notices of hearing on the question of the determination of a critical ground water area in the Ordnance area of Morrow and Umatilla Counties, Oregon were published in the Hermiston Herald and the East Oregonian, newspapers of general circulation, as defined by ORS 193.010 and 193.020, for 2 successive and consecutive weeks in the January 1, 1976 and the January 8, 1976 issues of the Hermiston Herald; and the January 6, 1976 and January 13, 1976 issues of the East Oregonian in Umatilla County, Oregon. Written notices were also mailed to all claimants or appropriators of ground water of record in the Ordnance ground water area and all water well contractors and drilling machine operators whose addresses were within Morrow or Umatilla Counties, Oregon. Notices of hearing were also mailed to the following:

(1) Senators: Senator Michael G. Thorne of Umatilla County
Senator Kenneth A. Jernstedt of Morrow County

(2) Representatives: Representative Wallace W. McCrae of Umatilla County
Representative Jack Sumner of Morrow County

(3) Federal Agencies:
(a) Stanley Kapustka, Chief, Portland District, U. S. Geological Survey, Portland, Oregon
(b) Robert Fery, Federal Land Bank, Spokane, Washington
(c) Mr. Fields, Bonneville Power Administration, Walla Walla, Washington

(d) Irvin Williams, Maintenance Engineer, U. S. Army Depot, Ordnance, Oregon
(e) U. S. Army Corps of Engineers, Walla Walla, Washington
(f) U. S. Army Engineer District, Seattle, Washington

(4) County Officials:
(a) Darrell Maxwell, Extension Service, Hermiston, Oregon
(b) Umatilla County Planning Commission, Hermiston, Oregon
(c) Morrow County Planning Commission, Heppner, Oregon
(d) Umatilla County Planning Commission, Pendleton, Oregon.
(e) Jim R. Stephenson, East Central Oregon Association of Counties, Pendleton, Oregon
(f) Port of Umatilla, Hermiston, Oregon
(g) Port of Morrow, Boardman, Oregon
(h) Forrest K. Starrett, Chairman, Umatilla County Commission, Pendleton, Oregon
(i) Judge Paul W. Jones, Chairman, Morrow County Commission, Heppner, Oregon.

(5) Cities:
(a) City of Hermiston, Mayor L. D. Grey
(b) City of Hermiston, Tom Harper, City Manager
(c) City of Umatilla, Mayor A. L. Draper
(d) City of Irrigon

(6) Others:
(a) Stanfield Irrigation District, Don Wilson, Stanfield, Oregon
(b) The Eastern Oregonian, Hermiston, Oregon
(c) The Tri-City Herald, Hermiston, Oregon
(d) Umatilla Electric Cooperative Association, Hermiston, Oregon
(e) Kottkamp and O'Rourke, Attorneys at Law, Pendleton, Oregon
(f) Peterson and Peterson, Attorneys at Law, Pendleton, Oregon
(g) Owen Panner, Attorney at Law, Bend, Oregon
(h) Donald Morrison, Attorney at Law, Hermiston, Oregon
(i) Manager, Gaschler and Associates, Hermiston, Oregon
(j) Irrigation Engineering, Pasco, Washington
(k) Oregon Drilling Association, Gladstone, Oregon
(l) Oregon, Washington Railroad and Navigation Company, Portland, Oregon
(m) Sabre Corporation, Boardman, Oregon
(n) Herman Winters, Morrow County District Attorney, Heppner, Oregon

2

The notice of hearing invited all interested persons to be present at the hearing to present oral or documentary evidence pertaining to the following subjects:

(a) Whether ground water levels in the areas in question are declining or have declined excessively;

(b) Whether the wells of two or more ground water claimants or appropriators within the areas in questions interfere substantially with one another;

(c) Whether the available ground water supply in the areas in question is being or is about to be overdrawn;

(d) Whether the purity of the ground water supply in the areas in question has been or reasonably may be expected to become polluted to an extent contrary to the public welfare, health, and safety.

3

A public hearing in connection with the above entitled subjects was held before Chris L. Wheeler, Deputy Director of the Water Resources Department on Wednesday, February 18, 1976 at 9:30 a.m. in Thompson Hall at the Umatilla County Fairgrounds in Hermiston, Oregon in accordance with the Notice given. The Water Resources Department's studies and recommendations as contained in Exhibit No. 1 were presented and pertinent testimony and evidence pertaining to the determination of a critical ground water area were received as provided in ORS 537.730, 537.735 and 537.740.

The following appeared as witnesses and testified at the hearing:

(a) William B. McCall, Hydrogeologist, Water Resources Department
(b) Luther W. Cramer, Well owner and operator
(c) Dwight Hulet, Well owner and operator
(d) Julius Szabo, Landowner
(e) Troy Griffin, Water well contractor and driller
(f) John Robison, Engineer
(g) William Penney, Manager, Port of Umatilla
(h) J. V. Aylett, Well owner and operator
(i) Dennis Logan, Well owner and operator
(j) Malcolm Skinner, Well owner and operator
(k) Chester A. Wilson, Mayor of Irrigon
(l) Dwayne Carroll, Well owner and operator
(m) LaVerne Boylan, Businessman
(n) Ervin C. Williams, Maintenance engineer, U. S. Army Depot

4

It now appearing that all evidence and testimony has been taken in the above entitled matter, the Director of the Water Resources Department, being fully advised in the premises, makes and orders to be entered in the records of his office the following Findings, Conclusions, and Order:

FINDINGS

1

The Ordnance ground water area, as used in these findings, lies within the Umatilla lowlands bordering the Columbia River in north-central Oregon within the northeast corner of Morrow County and the northwest corner of Umatilla County. The Ordnance basalt ground water area includes all of Township 3 North, Range 26 East; all of Township 3 North, Range 27 East except that part draining directly into Butter Creek; all of Township 4 North, Range 26 East and Township 4 North, Range 27 East; and that part of Township 5 North, Range 26 East and Township 5 North, Range 27 East lying south of the Columbia River.

2

The Ordnance gravel ground water area includes Sections 1, 2, 3, 10, 11, 12, 13, 14, and 15 of Township 3 North, Range 26 East; Sections 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36 of Township 4 North, Range 26 East; the north one-half of Township 3 North, Range 27 East; all but Sections 1 through 6 of Township 4 North, Range 27 East; Sections 6, 7, and 18 of Township 3 North, Range 28 East; and Sections 7, 18, 31, and those areas of Sections 8, 9, 16, 17, 19, 20, and 30 of Township 4 North, Range 28 East, lying west of the Umatilla River. The boundary lines of the proposed critical ground water area are shown on the topographic map on Plate 1 (attached).

3

GEOLOGIC SETTING

A. Physiography

The Ordnance area occupies the north central portion of a broad, gently rolling, slightly dissected, lowland plain which rises along gentle slopes from the Columbia River to the rounded hills and small valleys of the Blue Mountains to the south. The elevations within the report area rise from an altitude of about 250 feet near the Columbia River at Irrigon to about 1,000 feet near the southern border of the report area along the

south base line of Township 3 North. The majority of lands irrigated from wells within the area lie between elevations of 500 to 650 feet above mean sea level. The Ordnance basalt ground water area encompasses approximately 175 square miles; the Ordnance gravel ground water area occupies approximately 82 square miles (see Plate 1, attached).

4

B. Stratigraphy

The broad plain of the Ordnance ground water area is everywhere underlain by a thick sequence of basaltic lava flows known as the Columbia River Group. At most places in the area, these rocks lie buried beneath sedimentary deposits of fanglomerate and older alluvium. Above an elevation of about 750 feet, near the southern boundary of the area, Pliocene fanglomerate directly overlies the basaltic lavas (see Plate 2, attached). These sediments are composed of a heterogeneous mixture of tightly cemented sand, silt, and clay with embedded basaltic rock debris derived as slope wash from the weathering of basaltic rocks on upland slopes to the south. Below the 750 foot elevation, the older alluvium (glaciofluviotile deposits), consists of lenticular, poorly sorted deposits of sand, gravel, silt, and clay laid down by the ancestral Columbia River during various flood stages in Pleistocene time. Some of the clay and silt deposits at or near the base of the alluvial sediments are probably lacustrine in origin, laid down in shallow lakes that were formed during periods of downstream damming of the river by ice and debris. The thickness of the stream and lake deposits in the area averages approximately 50 to 100 feet and attains a maximum of about 200 feet.

5

Basalt of the Columbia River Group underlies all of the Ordnance ground water area. However, except for a small area along the Columbia River in Sections 15 and 16, Township 5 North, Range 27 East, the basalt is completely covered by alluvium. The Columbia River Group is a series of accordantly layered basaltic lavas. The basalt is known to

exceed 2,500 feet in thickness in nearby areas, although only about 1,500 feet has been penetrated by wells locally. Individual lava flows in this formation vary from about 10 to 150 feet in thickness and commonly extend laterally for about 1 to 12 miles. Typically, the flows are a hard, dense, non-porous, olivine basalt near the base grading upward to coarser grained, vesicular, and scoriaceous zones near the top. The flows commonly display columnar jointing patterns consisting of polygonal or hexagonal shaped, roughly vertical, columns that developed along cooling joints. Rectangular or diced jointing is also common to some flows in the area. Almost all of the jointing patterns within the basalts are relatively tight and are only rarely open and well developed. Vertical permeability, therefore, is believed to be quite low.

6

The basalts making up the Columbia River Group issued forth as a very fluid lava from numerous fissures that opened up in the Columbia basin. Individual out pourings of lava spread out as streams and lakes of molten rock which eventually cooled to form broad lava plains. At times, soil zones, stream channels, and lakes formed by impounded streams developed on the lava plains only to be buried by successive flows of lava. Sediments deposited upon the lava surface include clay, silt, and sand and gravel which now occur as local interbeds, as much as 100 feet thick, between flows of basalt. Where penetrated by wells drilled into the basalt below the regional water table, the coarser grained sediments form extremely good water yielding zones.

7

C. Structure

The topography of the Ordnance area is largely controlled by the tectonic structure of the underlying basaltic rock. The basalt dips almost imperceptibly along gentle slopes from the uplands of the Blue Mountain anticline, several miles to the southeast of the area, to the east-west trending, 160-mile-long, Dalles-Umatilla syncline at the north boundary

of the report area. The Columbia River lies in the axial trough and follows the axis of the syncline. The Ordnance ground water area occupies part of the gently dipping south limb of the syncline. Structural dips trend to the northwest within the basalts of the report area and average approximately 30 feet to the mile.

8

The Service anticline, shown on Plate 2 (attached), lies approximately 3 miles to the east, and generally parallels the eastern boundary of the Ordnance ground water area. The anticline is an up-turned structural fold in the basaltic rocks extending northward from Service Buttes to Sillusi Butte in Washington across the Columbia River from Umatilla. It is believed that the structure serves as a barrier to the movement of ground water from up-slope areas to the southeast.

9

OCCURRENCE OF GROUND WATER

A. Stream and Lake Sediments

Ground water within the stream and lake deposits overlying the basalt of the Columbia River Group has been extensively developed by shallow wells in the report area. The amount of acreage irrigated by wells developing water from these alluvial aquifers is more than double the acreage irrigated from deep basalt wells in the overall Ordnance ground water area.

10

1. Lost Lake-Depot Area

Shallow wells producing from the alluvium are concentrated mostly in the north half of Township 3 North, Range 27 East and in the south half of Township 4 North, Range 27 East, herein termed the Lost Lake-Depot area. Here, the gravel interbeds in the alluvium are moderately thick and are in places highly permeable. The capacities of wells in this particular area range from 400 to 3,000 gallons per minute and average about 1,800 gallons per minute. The occurrence of permeable

gravel lenses in the alluvial sediments, however, is irregular in both horizontal and vertical distribution. A number of wells with yields of less than 100 gallons per minute have been constructed in the area. The alluvium in this highly developed area ranges in thickness from approximately 80 feet to 170 feet with an average thickness of about 100 to 125 feet. The saturated portion of the alluvial sediments, or that part lying below the water table, is about 25 feet thick throughout the developed area. However, because of structural or erosional features in the underlying basalt, the saturated alluvium ranges from a low of approximately 15 feet to a high of 125 feet in some areas (see Plate 4, attached). To the north, south, and to the west of the Lost Lake-Depot area, the saturated alluvium becomes progressively thinner and finer grained with a noteable horizontal discontinuance of permeable lenses of gravel. In parts of Townships 3 and 4 North, Range 26 East, and in parts of Township 4 North, Ranges 27 and 28 East, the stream and lake sediments stand above the water table and are not a source of water. Along the Columbia River, in the northern part of the Ordnance ground water area, and especially in Township 5 North, Range 26 East, the ground water in the alluvial sediments is partly in hydraulic connection with the river and is generally free to rise and fall with fluctuations of the pool level of Lake Umatilla behind John Day Dam.

11

2. Westland Road Area

Another area of major development of ground water in the stream and lake sediments is in Township 4 North, Range 28 East, west of the Umatilla River, and along the east range line of the northeast quarter of Township 4 North, Range 27 East, and part of the west half of Township 3 North, Range 28 East, termed the Westland Road area (see Plate 1). Here, the alluvium is approximately 100 to 150 feet thick and contains thick lenses of permeable gravel. In general, the lower one-half of the alluvium in this area is saturated with water. Large quantities of ground

water have been developed from shallow wells in the area for agricultural and for industrial purposes. The relative thick and highly permeable lenses of open gravel that underlie the Westland Road area apparently lens out within short lateral distances and do not extend into the finer grained sediments lying between this developed area and the Lost Lake-Depot area. Wells constructed into alluvial deposits between the two highly productive areas have encountered only fine-grained sediments of clay, silt, and sand with relatively minor amounts of gravel. The hydraulic conductivity between the two areas is believed to be very low.

12

The ground water table within the stream and lake sediments in the overall Ordnance gravel ground-water area slopes rather gently in a general northwesterly direction. The ground-water gradient averages about 50 feet per mile in areas where the sediments are poorly permeable. In areas of greater permeability, containing abundant gravel deposits, the gradient flattens to approximately 12 feet per mile (see Plate 3, attached).

13

B. Ordnance Basalt Aquifers

The basalts of the Columbia River Group contain the most wide-spread aquifers in the Ordnance ground water area. These aquifer units are often capable of yielding 1,000 gallons per minute or more to most properly constructed wells. Ground-water aquifers in the basaltic rocks are in the form of thin tabular bodies, usually in the broken and rubbly contact zones between individual flows of basalt. The contact zones are at places porous and permeable in a horizontal direction. The compact center parts of most flows are relatively impermeable and under natural conditions do not permit water to move freely between aquifers. Ground water in the horizontal porous zones, therefore, is confined.

14

In addition to the vertical separation, the tabular ground-water bodies generally are not continuous over great horizontal distances. Interruptions

of the permeability in the horizontal water-bearing zones by structural faults and folds and by stratigraphic features, such as the lensing out of individual flows, has produced an areal compartmentation of the hydrologic system in the basalt rocks. As a result, the potentiometric head relationships among the various water bearing zones in the area are varied and complex with each zone having its own potentiometric head. For this reason, water level elevations in the basaltic aquifers cannot be realistically depicted in graphic map form.

15

The overall porosity of the basalt formation is low. The percent of open space available for the storage of water in the formation is probably less than one percent, or only about 1/20th that of the overlying gravels. On the basis of the reported specific capacities (gallons per minute per foot of drawdown), of the deep basalt wells in the area, the transmissivity of the basalt is estimated to range from 10,000 feet^2 to 50,000 feet^2 per day. Because of the relatively high transmissivities and low storage coefficients of the basalt in the area, the hydraulic effects from the pumping of wells can extend over great distances within individual aquifers.

16

RECHARGE

A. Alluvial Sediments

Recharge to the alluvial sediments is derived partly from precipitation infiltrating directly into the sediments and percolating downward to the water table. Precipitation averages about 8.5 inches per year, and occurs mainly during the late fall, winter, and spring months. Pan evaporation rates as measured during past years in Hermiston are high, averaging about 45 inches per year. This is the equivalent of about 31.5 inches of field evaporation. These periods of high evaporation, however, occur in the hot dry summer months and in the early fall when measurable precipitation is extremely rare. Evaporation during the winter months

is assumed to be very low, probably less than 4 inches per year. It is estimated that less than one-fourth of the total annual precipitation is able to recharge the ground-water body within the alluvial sediments after soil moisture deficiencies have been replaced. Recharge to the alluvial aquifers may greatly exceed this amount during those years when extremely heavy periods of precipitation occur over relatively short periods of time. For example, during the months of November and December, 1973, over 7 inches of precipitation fell over the area. Water level measurements of shallow gravel wells obtained during February 1975 showed that the water levels in some of the wells had not declined as in past years. In other shallow wells, a rise in water levels of 1 to 3 feet was measured. A few of the wells in the area experienced slight water level declines during this same period which may be due to a variance in horizontal permeability or to heavy pumping just prior to water level measurements.

17

Irrigation water imported into the Lost Lake-Depot area by the High Line Canal of the Westland Irrigation District is a source of moderate recharge to the alluvial aquifers in this area. Some recharge also undoubtedly occurs in years when there is surface runoff from the hills lying to the south. Moderate recharge to the alluvial sediments in the Westland Road area occurs as ditch leakage from surface water imported into the area, and as percolating water from flood irrigation in a few local areas.

18

Recharge to the alluvial sediments within the Lost Lake-Depot area from all sources is estimated to be less than 6,000 acre feet per year.

19

Graphs of U. S. Weather Bureau precipitation records for Hermiston and cumulative departure curves (Figure 1, Page 13, Exhibit No. 1) show a rising trend in precipitation between the years of 1940 and 1964, a

falling trend from 1964 to 1969, and another rising trend that began in 1969. Representative hydrographs of gravel wells in the area show an increase in the rate of decline of water levels in the stream and lake deposits during this last rising trend. Therefore, excessive pumpage of ground water and not comtemporary precipitation patterns is responsible for the decline of water levels.

20

B. Basalt Aquifers

There appears to be very little recharge to the deep basalt zone in the area. Carbon-14 dating of the ground water in the deep basalt zone, in the shallow basalt zone, and in the shallow gravel aquifer by the United States Geological Survey (Robison, 1971) indicated an age of at least 27,000 years since water in the deep basalt zone last made contact with the atmosphere. Water from the shallow basalt zone showed an age of 6,700 years, while the water obtained from the shallow gravel aquifer had a very recent age (1950). These reported ages, along with known aquifer characteristics, indicate that the water in the aquifer units in the basalt is largely or entirely ancient water and that the aquifers do not receive substantial recharge from local precipitation or from sources outside the area. In addition, the vertical separation and compartmentation of the aquifer units in the basalt, and the continual decline of water levels in wells producing from the basalt, further suggest that the water withdrawn by deep wells in the area is not being substantially replenished. Minor recharge to the basalt, however, does occur in the form of cascading water from the overlying gravel aquifer in a few improperly cased wells. Uncased wells that penetrate more than one aquifer unity may also permit the movement of water between aquifers to some degree although this has not been demonstrated by actual current meter tests conducted by staff members of the State Engineer's office in two of the deep wells. Hydrographs of wells in the area show a seasonal fluctuation of water levels and indicate a lateral movement

of water in the basalt. This lateral movement of water is in response to temporary pumping cones surrounding pumping wells and to reduced potentiometric pressures in confined aquifers caused by the withdrawal of water. The continued overdraft of ground water from the aquifer units in the basalt and the continual decline of water levels will not result in a significant increase in the rate of natural recharge to the ground water body.

21

WATER LEVEL DECLINE

A. Alluvial Sediments

Beginning in the early 1960's, water level data have been collected on a quarterly basis from four wells constructed into the alluvium, (Hydrographs of wells No. 1, 3, 16-B, and 33, Water Resources Department Ground Water Report No. 23, Exhibit No. 1). In addition, the water levels in 27 shallow wells in the Lost Lake-Depot and the Westland Road areas, and 16 wells in the shallow gravels near the Columbia River have been measured yearly since 1971. The water level measurements in gravel wells in the Lost Lake-Depot and the Westland Road areas show an average water level decline of slightly over 1.6 feet per year. Shallow wells in the lowland areas near the Columbia River generally have not experienced a decline in water levels.

22

The hydrographs of observation wells numbers 1, 3, and 16-B show a significant change in the rate of water level decline in the early months of 1972. The rate of decline prior to this time was in the order of 0.5 to 1.0 feet per year; therafter, the decline rate increased to about 3.0 feet per annum in wells No. 1 and 3, and to approximately 7.0 feet per annum in well No. 16-B. Well No. 33 showed a decrease in the rate of decline during this same period, probably because of decreased use of the well. (Hydrographs of the above listed wells are shown in Ground Water Report No. 23, Exhibit No. 1).

23

A serious water level problem has developed in the wells producing water from the alluvial sediments in the Lost Lake-Depot and the Westland Road areas. The continual decline of water levels over a long period of time has considerably reduced the amount of water in storage in the alluvial aquifers. Water levels in the alluvial aquifer underlying the Lost Lake-Depot area have declined in the order of 12 to 29 feet during the past 10 years. The majority of these wells have less than 25 feet of saturated alluvium remaining. The seriousness of the matter is further compounded by the fact that lenses of permeable gravel are haphazardly distributed throughout the area. Some wells have gravel lenses only in the upper vertical section of the saturated sediments, and have considerably less than 25 feet of permeable aquifer remaining (Well reports of wells number 5, 15, 33, 33-A, 42-C, 42-D, Ground Water Report No. 23, Exhibit No. 1).

24

It is evident that the decline of water levels in the alluvial sediments is the result of a ground water overdraft by shallow wells in the area. Continued excessive withdrawal of ground water will result in the ultimate failure of some wells developing water from the alluvial aquifer. In order to prevent further depletion of the ground water reservoir, it will be necessary to substantially reduce the amount of ground water withdrawals by shallow gravel wells or to replenish the aquifer by importing water into the area from the Umatilla River or the Columbia River for direct recharge.

25

Water level measurements of representative wells in the Westland Road area during the past 3 to 4 years have shown an average rate of water level decline of 1.6 feet per year, similar to the declines observed in shallow wells in Township 4 North, Range 27 East. These wells however, have approximately 50 feet of saturated alluvium remaining

and have a much longer life expectancy then most of the wells to the southwest.

26

B. Basalt Aquifers

A serious water level decline has occurred in most of the deep wells in the Ordnance area during the past several years. This decline has been in the order of 5 to 7 feet per year. (See hydrographs of wells No.'s 72, 75, 78, 80, 81, 83, 87, 91, and 92, Exhibit No. 1.) The decline of water levels in shallow basalt wells, or those wells less than 400 feet deep, has been much less. These wells have shown a rate of water level decline of about 1.6 to 2.0 feet per year, similar to the decline of water levels in the shallow wells producing from the overlying alluvial sediments. The difference in the rates of water level decline between the shallow wells developing water from the upper zones in the basalt and the deep basalt wells indicates low permeability between zones. Some recharge to the upper basalt zones probably occurs by the slow downward leakage of water into weathered and fractured zones of the basalt from the overlying alluvial sediments.

27

Continued withdrawal of water from deep wells in the area in amounts presently being withdrawn will result in the continual decline of water levels at approximately the same or perhaps increased rates in future years. At present, the pumping levels in the deep production wells are relatively low and range from approximately 175 feet in Well No. 78 to about 275 feet below land surface in Well No. 80. Most of the deep wells in the area have pumping lifts of approximately 220 to 240 feet.

28

GROUND WATER DEVELOPMENT

A. Stream and Lake Sediments

Water Resources Department records show that the first irrigation well drilled in the Ordnance area to develop ground water from the stream and

lake sediments was constructed in 1950. The development of ground water in the alluvial sediments progressed rapidly until 1973 with the construction of approximately sixty drilled shallow irrigation and industrial wells and three dug wells or sumps. Of the drilled wells, approximately forty-seven are presently in use or are available for use.

29

B. Basalt

The development of ground water in the Ordnance basalt area began in 1941 with the construction of three wells tapping the upper basalt ground water aquifers when the Umatilla Army Depot was built at Ordnance. The first deep basalt well was constructed during the following year by the Umatilla Housing Autority to supply water for the community of Ordnance. In 1945, a well penetrating the shallow basalt reservoir was constructed by the Oregon-Washington Railroad for general railroad use. Two additional wells were drilled into the deep basalt at the Army Depot in 1950 for fire protection, which were followed by another in 1954. The first deep well for irrigation use (Well No. 75, Exhibit No. 1) was constructed in 1956. In the late 1950's and early 1960's, the area developed rapidly with the construction of seven deep irrigation wells and one deep fire protection well. In 1966 the State Engineer, after a hearing in the potential critical area, closed the area to further well development.

30

At the present time there are eight wells developing ground water from the deep basalt reservoir for agricultural purposes in the area. Three deep basalt wells and three wells tapping the upper basalt aquifers have water right certificates for fire protection use at the Umatilla Army Depot. In addition, one deep well and one shallow basalt well in the depot compound are used to supply water for general domestic purposes. A total of twelve wells of record have been constructed in the deep basalt aquifers at Ordnance.

31

GROUND WATER USE

A. Alluvial Aquifers

1. Lost Lake-Depot Area

There are approximately thirty-nine wells in the Lost Lake-Depot area developing ground water from the shallow gravel aquifer. The State Engineer records show that fourteen water right certificates have been issued covering 1070.4 acres of irrigated land. Seventeen permits have been issued for the irrigation of 3849.0 acres and eight applications for the appropriation of ground water to irrigate an additional 2073.5 acres have been received. Permits for the appropriation of ground water in the area have not been issued since December 6, 1971. For the past three to four years prospective applicants have been advised of the pending investigation and advised that additional permits for the appropriation of ground water for the area may not be approved by the State Engineer.

32

2. Westland Road Area

Approximately sixteen drilled wells and three dug wells or sumps develop water for irrigation or industrial purposes from the shallow gravel aquifer in the Westland Road area. Eight water right certificates covering the irrigation of 750.1 acres in the area have been issued and eight permits for the irrigation of 794.9 acres have been approved. In addition, two permits for the combined appropriation of 6.6 cubic feet per second for industrial use have been issued. At present, ten applications have been received for the irrigation of 378.2 acres in the area.

33

B. Basalt Aquifers

Thirty ground water certificates have been issued for industrial, irrigation, and municipal use in the Ordnance basalt ground water area for the appropriation of ground water from wells tapping the upper and

the deep basalt flows; four water right permits have been issued. Subsequent to the State Engineer's Ordnance Critical Ground Water Area hearing in Hermiston on June 3, 1966, the State Engineer has not accepted any new applications for the appropriation of ground water from the deep basalt aquifers in the area. Since the date of the hearing, nine applications for the appropriation of ground water from the upper basalt flows have been received and six permits have been issued. Permits for the use of shallow basalt wells in the area have not been issued since April 26, 1971. The total number of acres under permits and certificates of water right for the appropriation of water for irrigation purposes from the deep basalt aquifers in the area is 2336.7 acres. Irrigated acreage under permits and certificates of water right from wells tapping the shallow basalt aquifers totals 915.5 acres. In addition, the City of Irrigon shallow basalt well has a permit for diversion of 1.0 cubic foot per second for municipal use and well No. 83 has a certificate of water right for the use of 2.0 cubic feet per second for stock raising purposes.

34

The Umatilla Army Depot holds certificates of water rights for wells authorizing the diversion of 6.19 cubic feet per second from the deep basalt aquifers for fire protection and 0.5 cubic foot per second for domestic use. The wells in the compound deriving water from the upper basalt units have water rights for the appropriation of 2.02 cubic feet per second for fire protection, 0.78 cubic feet per second for domestic use, and 0.34 cubic feet per second for irrigation use. The use for fire protection in the Depot area is limited to maintaining the fire suppression systems and to periods of actual fire emergency.

35

The capital investment in irrigation facilities for each ranch varies substantially with the type and time of installation. In all cases the systems are quite extensive and cost many thousands of dollars for just those facilities (wells, pumps, meters, pipelines, and

sprinklers) directly related to applying water to the lands. Some estimates of losses are set forth by Hadley Akin's as Representative for the U. S. National Bank in Exhibit No. 5. For purposes of this order the detailed dollar amounts are not material but it does show relative figures and the relationship to the economy of the community. The economic loss to any rancher who must cease use of his irrigation system will be very substantial. In addition, substantial economic loss can occrue to the community from the secondary business effects in equipment fertilizers, etc, as well as additional employment.

36

The planning commissions of Morrow County and Umatilla County have developed comprehensive plans for development of the areas included within the Ordnance ground water area. Each county does have the legal mechanism to control the overdevelopment of the area for residential use with the possible resulting overdevelopment of the available ground water supply.

37

Evidence and testimony made a part of the record indicates that the irrigation season in the Ordnance ground water areas generally extends from early March until mid October of each year.

CONCLUSIONS

1

Water levels in wells developing water from the alluvial sediments overlying the basalts in the Ordnance gravel ground water area have declined at an average rate of approximately 1.6 feet per year. The decline of water levels in shallow gravel wells in the area has developed into a serious decline problem. The long term decline of water levels clearly indicates that artificial discharge from the alluvial aquifer system by withdrawals of ground water by wells is greatly exceeding natural recharge to the aquifer.

2

As the result of the decline of water levels within the alluvial sediments, only about 25 feet of the alluvium remains in a saturated condition for use by the majority of wells in the Lost Lake-Depot area (Sections 2, 3, 4, 5, and 6 of Township 3 North, Range 27 East, W.M., and Sections 19, 20, 21, 22, 23, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 35 of Township 4 North, Range 27 East, W.M.). Some wells in the area have less than 15 feet of saturated alluvium remaining.

3

Without some curtailment of withdrawals of ground water from the alluvial sediments in the Lost Lake-Depot area to effectuate a balance of withdrawals of water with recharge to the alluvial aquifer system water levels in the gravel wells will continue to decline with the ultimate failure of many of the wells in the area in the very near future.

4

The water levels in the shallow gravel wells in the Westland Road area (Sections 12, 13, 24, 25, and 36 of Township 4 North, Range 27 East, W.M.; and Sections 7, 18, 19, and 31 of Township 4 North, Range 28 East, W.M.; and those parts of Sections 8, 9, 16, 17, 20, and 30 of Township 4 North, Range 28 East, W.M., lying west of the Umatilla River) have displayed average rates of water level decline similar to those in the shallow gravel wells in the Lost Lake-Depot area. The remaining saturated alluvium underlying the Westland Road area, however, is approximately 50 feet thick. Wells in the area are not subject to failure or substantial reduction in yield at this time. It may become necessary to impose restrictions on withdrawals of water based on relative priorities from these wells at some future date.

5

The withdrawals of water from the shallow gravel wells in the Westland Road area in quantities presently being used have not shown

a significant hydraulic influence upon shallow wells in the Lost Lake-Depot area. It further appears that continued use at the present rate will not significantly change this influence. The slope of the water table and the lensing out of permeable units in the alluvial sediments between the Lost Lake-Depot and the Westland Road area indicates that the hydraulic conductivity between the two areas is very low. However, additional development of ground water in the Westland Road area by additional wells with resulting increased pumpage from the aquifer system could ultimately produce a change in the hydraulic gradient and result in increased depletion in the quantity of ground water in the Lost Lake-Depot area.

6

Wells producing from the shallow gravel aquifer near the Columbia River in Township 5 North, Ranges 26 and 27 East, W. M., have not shown appreciable water level declines. The withdrawals of water from these wells have no hydraulic effect upon the shallow gravel wells in the Lost Lake-Depot and the Westland Road areas.

7

To properly provide for the public welfare, safety, and health, the rights to appropriate ground water and priority therefrom must be acknowledged and protected and reasonably stable ground water levels must be determined and maintained. To accomplish this, further development of the alluvial aquifer system must be prohibited within the Ordnance gravel ground water area by additional wells except for those which are exempt from filing for water rights in accordance with ORS 537.545:

> " * * * for stockwatering purposes, for watering any lawn or noncommercial garden not exceeding one-half acre in area, for single or group domestic purposes in an amount not exceeding 15,000 gallons a day or for any single industrial or commercial purpose in an amount not exceeding 5,000 gallons a day. * * * * "

To prevent the ultimate and almost immediate failure of many of the wells producing from the alluvial aquifer system within the Lost Lake-Depot

area, it will be necessary to substantially reduce the amount of ground water withdrawals by shallow gravel wells in the area to balance overall pumping withdrawals with recharge.

8

Toward this end it will also be necessary to reject the following pending applications for permits to appropriate ground water from shallow gravel wells within the Ordnance Gravel Critical Ground Water Area: G-5761, G-5932, G-5936, G-6023, G-6040, G-6058, G-6196, and G-6225.

9

Application G-5598 in the name of Hansell Brothers, Inc., for permit to appropriate ground water for the supplemental irrigation of 1724.2 acres proposes manifolding five wells together by a common pipeline for supplemental irrigation of various acreages with no increase in withdrawals of ground water. This could best be achieved by an application for change in points of diversion. The present application should not be approved but the applicant should be permitted to amend his application to cover the proposed change in points of diversion and place of use that may be desirable in view of other provisions of this order. In view of these changes he should be permitted six months in which to make such amendments. Similarily, application G-5449 in the name of Georgia Belle Holzapfel for permit to appropriate ground water for the supplemental irrigation of 160.0 acres proposes manifolding four wells together by a common pipeline for supplemental irrigation of various acreages with no increase in withdrawals of ground water. This application should be treated in a like manner with six months in which to amend said application to cover the necessary changes in points of diversion and place of use.

10

Application G-5947 is for the appropriation of 0.4 cubic feet per minute from a shallow dug well near the Umatilla River in the

NW¼ SW¼ of Section 20, Township 4 North, Range 28 East, W.M., for the irrigation of 31.7 acres. Ground water in this particular location is in hydraulic connection with surface water within the river. The use of this well will not harm existing ground water rights. The application should be approved providing the application is completed in the form and contents as set forth in ORS 537.615 within a reasonable length of time as provided by ORS 537.620.

11

Application G-5026, Marvin and Frances McDole; G-5209, Hansell Bros., Inc.; G-5362, Thurman Martin; G-5397, LeRue Pollock; G-5449, Georgia Belle Holzapfel; G-5567, Fred Haskins, Jr.; and G-5684, Elroy F. McDole, for the proposed irrigation of additional acreages were filed in the office of the State Engineer and held without approval for a variety of reasons. Subsequently a number of applications were approved. These applications that were held and the ones with later priorities that were approved were filed at the time decisions were being made on withholding further approvals. Since these pending applications have earlier dates of filing than those that were approved, the applicants should be given the opportunity to withdraw the application or have them approved by the issuance of a permit even though other provisions of the final critical ground water order may require them to be shut off. In view of the other provisions, these applicants should be afforded 60 days in which to determine which course of action should be followed.

12

Application G-6069, Lamb-Weston, Inc., for the appropriation of ground water from the shallow alluvial aquifer system for industrial purposes should be considered for approval for emergency stand-by purposes only. If it is desired to operate it on a continuous basis, then an application for a change in point of diversion from well No. 1 or 2 should be submitted.

13

Recharge to the alluvial aquifer system within the Lost Lake-Depot area from all sources is estimated to average approximately 6,000 acre feet of water per year. To effectuate a balance of discharge to recharge within the system it would theoretically be necessary to limit pumping withdrawals to this same amount. Until estimates of recharge are further refined, pumping withdrawals from wells producing ground water from the alluvial sediments in the area should be limited to an actual diversion not to exceed 9,000 acre feet per year. Water levels and pumping records should be evaluated at the end of each year of imposed restriction to determine the effectiveness of the limitation of water use and to determine if additional reductions should be made. It is estimated that in an average year a total diversion of 9,000 acre feet would cover all rights up to Item No. 24 and would partially cover Item No. 25 as listed on Table No. 1.

14

It was requested during the hearing that restrictions of pumpage withdrawals from wells in the Ordnance gravel ground water area not be imposed until after an investigation and evaluation of the effect of possible recharge to the alluvial aquifers by continued sprinkler irrigation of acreages by existing irrigation systems presently importing surface water by pipeline from the Columbia River. Records of the Water Resources Department show that such irrigation is principally within Townships 3 and 4 North, Range 26 East, W. M., and partly within the NW¼ of Township 3 North, Range 27 East, W. M. Altitudes of water levels as shown on Plate 3 (attached) indicate that continued irrigation by imported surface water in most of the areas presently being irrigated will not directly recharge the shallow aquifer system and will not appreciably affect the ground water within the Lost Lake-Depot and Westland Road areas. The application of surface water imported into an area witin the NW¼ of Township 3 North, Range 27 East, W.M. for

irrigation purposes could possibly contribute small quantities of water to recharge the alluvial aquifer in the Lost Lake-Depot area provided that flood irrigation methods were used. Sprinkler irrigation, however, as presently used is not expected to contribute appreciable quantities of recharge waters to the aquifer system.

15

B. Basalt Aquifers: Ordnance Basalt Ground Water Area

Water levels in wells developing water from deep basalt zones within the Ordnance basalt ground water area have shown an annual decline of 5 to 7 feet per annum over the past several years. Pumping lifts in these wells are relatively high. These conditions do not justify a reduction in diversion rights from the deep basalt wells in the area at this time. There is no evidence to indicate the present water level declines in deep basalt wells have substantially harmed existing rights or have unduely affected pumping yields of wells in the area. Some curtailment of withdrawals of water, may become necessary in the future.

16

To properly provide for the public welfare, safety, and health, the rights to appropriate ground water from the deep and shallow ground water zones within the basalt formation within the Ordnance basalt ground water area as delineated in Plate 1 must be acknowledged and protected and reasonably stable ground water levels must be determined and maintained. To accomplish this further development of the shallow or deep aquifer system must be prohibited within the basalts of the delineated area by additional wells which are not exempt from filing for water rights in accordance with ORS 537.545.

17

Application G-5437 in the name of Avery Taylor covers a development made in 1971 of a well 173 feet deep into the upper basalt zone in the

northern part of the area. The amount of water used has not substantially effected any other water users. Continued use of this well at its present rate will not significantly effect other rights and should therefore be approved.

18

Application G-5565 for the appropriation of ground water from the upper basalt aquifer system in the NW¼ SW¼ of Section 26, Township 5 North, Range 26 East, W.M., was withdrawn in 1974 because of insufficient water. The well has been capped for possible future use for stock water or domestic purposes.

19

During the hearing many witnesses observed that the recommendations proposed in Ground Water Report No. 23 to restrict the construction of additional wells to lot sizes of 10 acres or more in area within the aforesaid ground water area for stock watering purposes and for single family domestic purposes only were too severe and would produce an unnecessary economic hardship for many individuals in the area. The Umatilla and Morrow County governments have the legal authority to properly plan and zone the Ordnance ground water area to control land use development including the recommendations that wells for individual domestic use should normally be restricted to homesites of 10 acres or more.

20

Economic losses or additional costs will accrue to the community and certain individuals in the area as a result of the overdevelopment. This will be true whether use of water under junior rights is curtailed for protection of prior rights, an alternate system importing water from outside sources is constructed, or the ground water supply is exhausted. The last alternative, which would result from failure to take any corrective action is probably the most costly since it would detrimentally affect all users and ultimately stop virtually all irrigation use. Pertinent parts of the law relating to policy reads as follows:

ORS 537.525 (2) "Rights to appropriate ground water and priority thereof to be acknowledged and protected, except when, under certain conditions, the public welfare, safety and health require otherwise.

"(3) Beneficial use without waste, within the capacity of available sources, be the basis, measure and extent of the right to appropriate ground water.

"(7) Reasonably stable ground water levels be determined and maintained.

"(8) Depletion of ground water supplies below economic levels, impairment of natural quality of ground water by pollution and wasteful practices in connection with ground water be prevented or controlled within practicable limits".

The order declaring a critical ground water area is provided for in ORS 537.735. Corrective control provisions which may be included are set forth in subsection 3:

ORS 537.735 (3) "The order of the State Engineer may include any one or more of the following corrective control provisions:

(a) A provision closing the critical ground water area to any further appropriation of ground water, in which event the State Engineer shall thereafter refuse to accept any application for a permit to appropriate ground water located within such critical area.

(b) A provision determining the permissible total withdrawal of ground water in the critical area each day, month or year, and, in so far as may be reasonably done, the State Engineer shall apportion such permissible total withdrawal among the appropriators holding valid rights to the ground water in the critical area in accordance with the relative dates of priority of such rights.

(c) A provision according preference, without reference to relative priorities, to withdrawals of ground water in the critical area for domestic and livestock purposes first, and thereafter other beneficial purposes, including agricultural, industrial, municipal other than domestic and recreational purposes, in such order as the State Engineer deems advisable under the circumstances.

(d) A provision reducing the permissible withdrawal of ground water by any one or more appropriators or wells in the critical area.

(e) Where two or more wells in the critical area are used by the same appropriator, a provision adjusting the total permissible withdrawal of ground water by such appropriator, or a provision forbidding the use of one or more of such wells completely.

(f) A provision requiring the abatement, in whole or in part, or the sealing of any well in the critical area responsible for the admission of polluting materials into the ground water supply or responsible for the progressive impairment of the quality of the ground water supply by dispersing polluting materials that have entered the ground water supply previously.

(g) A provision requiring and specifying a system of rotation of use of ground water in the critical area.

(h) Any one or more provisions making such additional requirements as are necessary to protect the public welfare, health and safety in accordance with the intent, purposes and requirements of ORS 537.505 to 537.795.

It is very clear from a reading of the entire Ground Water Act that the legislature intended that the State of Oregon's system of appropriation in accordance with relative dates of priority, which has been firmly established for surface water, be the guiding principle to be followed in administering the Ground Water Law. However, it appears that the overall public benefit would justify some loss to prior rights in order to phase in the curtailments of use. In virtually all instances crops have been planted and fertilizers applied for the current year. To prevent any use during this (1976) season would cause unreasonable hardships. Provisions curtailing use of water to less than that authorized by respective water rights should not be made effective until after the 1976 irrigation season.

21

Accurate pumpage data on total ground water withdrawals from the alluvial aquifer system and timely water level data, from all non-exempt wells within the overall Ordnance gravel ground water area and the overall Ordnance basalt ground water area as delineated on Plate 1 (attached), are necessary to finalize quantitative determinations of the storage capacity of these ground water bodies. All wells authorized to continue use under their ground water rights within each of the aforesaid ground water areas should be equipped with totalizing water meters of a type approved by the Water Resources Department and should be provided with adequate,

measuring ports or systems so that accurate water level measurements can be made at any time.

22

All meters, measuring systems, and control valves installed for use should be subject to inspection and approval by the Water Resources Department. Such approval should be not only a requirement of the initial installation but should also be required when such meters, measuring systems, and control valves are replaced or repaired.

23

The withdrawals of ground water from all wells authorized to continue use under their ground water rights in the overall Ordnance gravel ground water area and the overall Ordnance basalt ground water area should be monitored and regulated closely by the Water Resources Department throughout each pumping season.

24

An irrigation season beginning March 10th and ending October 15th of each calendar year should be established since water can be applied to beneficial use for irrigation during this period. The withdrawal of ground water for irrigation purposes prior to the beginning and after the closing date of this season should be prohibited.

ORDER

1

NOW THEREFORE, IT IS ORDERED that the Ordnance shallow alluvial aquifer is herewith declared a critical ground water area and is to be known as "The Ordnance Gravel Critical Ground Water Area". The area of the critical ground water area, which is shown on Plate 1, is declared as follows:

> All of Sections 1, 2, 3, 10, 11, 12, 13, 14, and 15 of Township 3 North, Range 26 East; Sections 10, 11, 12, 13, 14, 15, 22, 23, 24, 25, 26, 27, 34, 35, and 36 of Township 4 North, Range 26 East; the north one-half of Township 3 North, Range 27 East; all but Sections 1 through 6 of Township 4 North, Range 27 East; Sections 6, 7, and 18 of Township 3 North, Range 28 East; and Sections 7, 18, 31, and

those areas of Sections 8, 9, 16, 17, 19, 20, and 30 of Township 4 North, Range 28 East, lying to the west of the Umatilla River.

It shall include all water contained in the ground water reservoir of the alluvial sediments overlying the basalt formation in the area and regulation shall be imposed on all users therefrom.

2

It is FURTHER ORDERED that the Ordnance Gravel Critical Ground Water Area is closed to further appropriation of ground water. Applications for permits to appropriate ground water from the shallow alluvial aquifer system within the boundaries of the critical ground water area will not be accepted.

3

It is FURTHER ORDERED that the appropriation of ground water from the alluvial aquifer system within the Lost Lake-Depot sub-area of the Ordnance Gravel Critical Ground Water Area, is hereby restricted to an average annual appropriation of 9,000 acre feet per year. The distribution of water from wells in the sub-area is to be based on the relative date of priority of the water rights of the appropriators. The aforesaid withdrawal limitation within the sub-area shall become effective at the end of the 1976 irrigation season but in any event not later than October 15, 1976.

4

It is FURTHER ORDERED that pending applications numbers G-5026 in the name of Marvin and Frances McDole; G-5209, Hansell Bros. Inc.; G-5362, Thurman Martin; G-5397, LeRue Pollock; G-5567, Fred Haskins, Jr.; G-5684, Elroy F. McDole be given the opportunity to withdraw the aforesaid applications or request within 60 days of the date of this order that they be approved even though other provisions of this order may subsequently require them to be shut off.

5

It is FURTHER ORDERED that pending applications G-5449 in the name of Georgia Belle Holzapfel and G-5598 in the name of Hansell Bros., Inc.

will be held for six months during which the applicants may file amendments to request changes in points of diversion and/or changes in places of use. If the applications are not so amended, they will be rejected.

6

It is FUTHER ORDERED that applications G-5761 in the name of John L. King; G-5932, Lyle and Jane K. Smith; G-5936, Bert H. Quick; G-6023, LeRue W. Pollock; G-6040, George H. Barton; G-6058, Edgar S. and Elmo C. Bloom; G-6196, Mrs. John W. Rice; and G-6225, Woodrow Walker are rejected effective October 15, 1976.

7

It is FURTHER ORDERED that pending application G-6069 in the name of Lamb-Weston, Inc. be approved with a priority as of the date of filing for use for industrial purposes for stand-by emergency use only providing the application is completed in the form and contents as set forth in ORS 537.615 within a reasonable length of time as provided by ORS 537.620.

8

It is FURTHER ORDERED that pending application G-5947 in the name of Benjamin Newman shall be approved with a priority as of the date of filing providing the application is completed in the form and contents as set forth in ORS 537.615 within a reasonable length of time as provided by ORS 537.620.

9

It is FURTHER ORDERED that the Ordnance basalt aquifer is herewith declared a critical ground water area and is to be known as "The Ordnance Basalt Critical Ground Water Area". The boundary of the critical ground water area, which is shown on Plate 1, is described as follows:

> Beginning at the township line common to Township 5 North, Range 27 East, W.M., and Township 5 North, Range 28 East, W.M., and its intersection with the south bank of the Columbia River thence south along said common township line and south along the township line common to Township 4 North, Range 27 East, W.M., and Township 4 North, Range 28 East, W.M., to the intersection with the northeast corner

of Section 1, Township 3 North, Range 27 East, W.M., and the northwest corner of Section 6, Township 3 North, Range 28 East, W.M., thence south along the Section line common to said sections to the intersection with the southeast corner of said Section 1 and the southwest corner of said Section 6, thence southwesterly to the southeast corner of Section 34, Township 3 North, Range 27 East W.M., thence west along the township line common to Townships 2 and 3 North, Ranges 26 and 27 East, W.M., to a corner in common with Section 1, Township 2 North, Range 25 East, W.M.; Section 6, Township 2 North, Range 26 East, W.M.; Section 36, Township 3 North, Range 25 East, W.M., and Section 31, Township 3 North, Range 26 East, W.M., thence north along township lines in common with Townships 3, 4, and 5 North, Ranges 25, and 26 East, W.M., to its intersection with the south bank of the Columbia River, thence east along the south bank of the Columbia River to the point of beginning.

It shall include all water contained in the shallow or deep ground water zones of the basalt aquifer system and regulation shall be imposed on all uses therefrom.

10

It is FURTHER ORDERED that the Ordnance Basalt Ground Water Area is closed to further appropriation of ground water. Applications for permits to appropriate ground water from the basalt aquifer system within the boundaries of the critical ground water area will not be accepted.

11

It is FURTHER ORDERED that pending application number G-5437 in the name of Avery Taylor to appropriate ground water from the upper basalt aquifer system shall be approved with a priority as of the date of filing providing the application is completed in the form and contents as set forth in ORS 537.615 within a reasonable length of time as provided by ORS 537.620 and further providing that the depth of the well be limited to a depth of not more than 173 feet.

12

It is FURTHER ORDERED that pending application G-5565 in the name of Desert Farms, Inc. and application G-4510 in the name of Jane Miller for the appropriation of ground water from the basalt aquifer system are rejected.

13

It is FURTHER ORDERED that the owners or operators of all wells within the Ordnance Gravel Critical Ground Water Area and the Ordnance

Basalt Critical Ground Water Area other than wells used for exempted purposes as set forth in ORS 537.545 (Paragraph 7, Conclusions), shall equip their wells with totalizing water meters, control valves and adequate water level measuring facilities, prior to any withdrawal of ground water after June 1, 1976. Any well not equipped with the required meter, control valve and water level measuring facilities shall be regulated by the watermaster and taken out of service until the required works are installed and operating properly. The type and installation of said meters, control valves and water level measuring facilities shall be subject to authorized meter specifications and approval of the Director. Each well owner or operator shall maintain an accurate monthly record of the amount of ground water withdrawn from each well. A copy of these water use records shall be forwarded to the Water Resources Department prior to December 1 of each calendar year on forms furnished by the Director.

14

It is FURTHER ORDERED that the irrigation season in the Ordnance Basalt Critical Ground Water Area and in the Ordnance Gravel Ground Water Area shall extend from March 10th to October 15th of each calendar year.

15

It is FURTHER ORDERED that the watermaster shall regulate the control works on all wells in the above described Ordnance Gravel Critical Ground Water Area and the above described Ordnance Basalt Critical Ground Water Area other than those wells whose use of ground water is specifically exempted under ORS 537.545, so that the rate and total quantity of ground water withdrawn does not exceed that allowed under their ground water right certificates or permits. At all times the system shall be operated to prevent the waste of water. The procedure for regulating and posting such changes shall be as set forth in ORS 540.040.

16

It is FURTHER ORDERED that all unlawful diversions of ground water within each of the aforesaid critical ground water areas shall cease.

To this end, the watermaster shall investigate all known or reported violation of ORS 537.535 and shall regulate the control works of all wells found to be operating in violation of ORS 573.535 so as to prevent such violation.

17

It is FURTHER ORDERED that an annual evaluation of the ground water supply in the Ordnance Gravel Critical Ground Water Area and the Ordnance Basalt Critical Ground Water Area be made by the Water Resources Department for the purpose of evaluating the effectiveness of the control provisions set forth in this order. If it is found that the control provisions set forth in this order are not sufficient and that additional reductions in the annual withdrawal of ground water from the alluvial ground water system or from the basalt ground water system are necessary to maintain a reasonably stable ground water level, such reductions shall be ordered in accordance with the relative dates of priority of the water rights of the appropriators from each ground water aquifer system.

Dated at Salem, Oregon this 2nd day of April, 1976.

JAMES E. SEXSON
Director

ORDNANCE GROUND WATER AREA
BASALT AQUIFERS

TABLE II

No.	Record Holder	Priority Date	Appli. No.	Permit No.	Cert. No.	Well Location	Permitted Diversion cfs	Acreage	Max. Allow. ac. ft.	Cum. Rights ac. ft.
90.	Umatilla Army Depot	1/5/65	G-3007	G-2826	33779	4N/27E-22cad	2.00 Fire Protec.			
							0.34	27.0	81.0	7296.9
91.	Umatilla Army Depot	1/5/65	G-3008	G-2827	33988	4N/27E-18cdb	1.11 Fire Protec.			
92.	Umatilla Army Depot	1/5/65	G-3009	G-2828	33765	4N/27E-19abb	1.11 Fire Protec.			
93.	Umatilla Army Depot	1/5/65	G-3010	G-2829	33766	4N/27E-5baa	1.72 Fire Protec.			
94.	Umatilla Army Depot	1/5/65	G-3011	G-2830	33989	4N/27E-8dad	10 GPM Fire Protec.			
23.	Clark & Bernice Key	4/27/65	G-3092	G-2823	42526	3N/27E-4add	2.43	312.1	960.0	8233.2
23-A						3N/27E-4acc				
23-B						3N/27E-4bdc				
23-C						3N/27E-4bcc				
23-D						3N/27E-5adc				
23-E						3N/27E-5acc				
23-F						3N/27E-5bdc				
23-G						3N/27E-5bcx				
28.	Dwight H. Hulet	10/4/67	G-3945	G-3702		4N/27E-36abb	1.86	149.8		
28-A						4N/27E-36abb				
28-B						4N/27E-36aab				
28-C						4N/27E-36adc				
95.	C. E. Newquist	12/18/67	G-4162	G-3913	42842	5N/27E-30ccc	0.16	12.5	360.0	8720.1
96.	City of Irrigon	8/5/68	G-4534	G-4269	42328	5N/27E-19ccb	0.27			
97.	Vern K. Evans	12/27/68	G-4744	G-4478	42252	5N/27E-20add	0.04	3.2	13.1	8729.7
98.	R. W. Reppert	2/18/69	G-4795	G-4520		5N/26E-26bcd	0.46	36.5	109.5	8839.2
99.	Fred Andrews	4/29/70	G-5099	G-4833		4N/27E-31aab	8.0	640.0	1920.0	10759.2
100.	Avery Taylor	3/1/71	G-5437			5N/26E-25cdb	0.5	26.0	78.0	10837.2
101.	Desert Farms, Inc.	7/6/71	G-5565			5N/26E-26cba	1.51	120.6	361.8	11199.0
102.	Wayne H. Schnell	7/2/73	G-6201	G-5248		5N/27E-30cac	1.44	118.0	354.0	11553.0

ORDNANCE GROUND WATER AREA
BASALT AQUIFERS

TABLE II

No.	Record Holder	Priority Date	Appli. No.	Permit No.	Cert. No.	Well Location	Permitted Diversion cfs	Acreage	Max. Allow. ac. ft.	Cum. Rights ac. ft.	Well Depth
71.	Oregon-Washington RR	4/17/46	U-199	U-181	15174	4N/27E-20cbc	0.67				457
72.	Umatilla Army Depot	12/19/52	U-571	U-522	30524	4N/27E-5abb	2.26				710
5.	Georgia B. Holzapfel	3/16/53	U-572	U-523	22888	4N/27E-32aca	0.61	49.0	147.0	147.0	123
5-A						4N/27E-32dbx					310
6.	Roy Gail Holzapfel	3/16/53	U-573	U-524	22889	4N/27E-32aca	0.61	49.0	147.0	294.0	123
6-A						4N/27E-32dbx					310
73.	Leota Nell Martin	4/3/53	U-580	U-530	31097	3N/27E-8aad	0.25	20.0	60.0	354.0	725
74.	Ernest R. Cramer	4/27/53	U-596	U-549	31194	3N/26E-10cca	0.25	20.0	60.0	414.0	666
75.	Waldo H. Cramer	4/28/53	U-600	U-551	31195	3N/26E-10aca	0.25	20.0	60.0	474.0	544
76.	G. W. Redwine	8/9/54	U-736	U-649	23740	4N/27E-36bca	0.50	40.0	120.0	594.0	194
77.	Ernest J. Royster	8/3/55	G-94	G-48	26170	3N/27E-4ddb	0.93	74.6	223.8	817.8	185
78.	Umatilla Army Depot	1/27/58	G-848	G-1017	30525	4N/27E-5baa	0.50				682
79.	Waldo H. Cramer	8/27/58	G-1224	G-1070	34382	3N/26E-10aca	1.89	151.2	453.6	1271.4	544
80.	Luther W. Cramer	3/2/59	G-1402	G-1319	41879	3N/26E-4cac	1.19 (3/2/59) 1.75 (4/7/59)	219.5	960.0	1778.0	623
80-A						3N/26E-4dbc					Not Drilled
81.	Mildred F. Cramer	3/6/59	G-1411	G-1284	41878	3N/26E-4aad	1.19	283.5 Prim. 4.5 Supp.	960.0	2276.7	680
81-A						3N/26E-4bad					No Log
82.	Ernest Cramer	3/11/59	G-1413	G-1322	34276	3N/26E-[illegible]cca	2.68	274.8	824.4	3101.1	666
83.	Hansell Bros.	6/28/60	G-1778	G-1671	35395	4N/27E-27dad	2.02	1.8	5.4	3106.5	543
84.	Frank L. Warren	12/19/60	G-1896	G-1738	34282	3N/26E-14acd	4.0	320.0	960.0	4066.5	551
85.	Leota Nell Martin	10/2/61	G-2125	G-1965	34280	3N/27E-8aad	2.68	300.0	900.0	4966.5	725
86.	Sabre Corporation	2/8/62	G-2229	G-2049	31196	3N/26E-5cbd	3.5	322.8	968.4	5934.9	950
87.	Sabre Corporation	8/9/63	G-2678	G-2489	33864	3N/26E-5cbd	2.0	160.0	480.0	6414.9	950
88.	Hansell Bros.	6/5/64	G-2881	G-2672	35396	4N/27E-27cad	3.34	267.0	801.0	7215.9	543
89.	Umatilla Army Depot	1/5/65	G-3006	G-2825	33778	4N/27E-22dbc	0.78				360

ORDINANCE GROUND WATER AREA
ALLUVIAL AQUIFERS

TABLE I

No.	Record Holder	Priority Date	Appli. No.	Permit No.	Cert. No.	Well Location	Permitted Diversion cfs	Acreage	Max. Allow. ac. ft.	Cum. Rights ac. ft.	Well Depth
52.	Arnold Braat	8/3/71	G-5590	G-4932		4N/27E-20ccc	6.58	526.6	1579.8	25001.0	173
52-A						4N/27E-20cdc					Not Drilled
53.	Hansell Bros., Inc.	8/12/71	G-5598			4N/27E-28acd	21.6	1724.2 Supp.			126
53-A						4N/27E-28ddc					127
53-B						4N/27E-28dad					107
54.	J. W. Aylett	11/16/71	G-5549	G-4929		4N/27E-28bab	0.90	72.18	216.6	25217.6	110
54-A		for 0.68 cfs 12/3/71 for 0.25 cfs				4N/27E-28bdb					119
55.	Elroy F. McDole	12/13/71	G-5684			4N/27E-28cdd	4.0	310.0	930.0	26147.6	124
56.	Lamb-Weston, Inc.	1/21/72	G-5681	G-4947		4N/28E-19caa	3.3				110
57.	Ronald Baker	1/25/72	G-5710	G-4944		4N/27E-24aca	0.48	39.4	118.2	26265.8	151
58.	Lamb-Weston, Inc.	2/3/72	G-5720	G-4948		4N/28E-19cac	3.02				137
59.	Malcolm Skinner	2/25/72	G-5734	G-5034	42273	4N/28E-19bcd	0.125	10.0	30.0	26295.8	126
60.	Bert H. Quick	3/1/72	G-5738	G-4972		4N/28E-20bbc	1.0	80.0	240.0	26535.8	
61.	John L. King	3/24/72	G-5761			4N/27E-26ddx	0.91	72.5	217.5	26753.3	
62.	Lyle W. & Jane K. Smith	11/2/72	G-5932			4N/27E-26acb	1.44	115.0	345.0	27098.3	
63.	Bert H. Quick	11/7/72	G-5936			4N/28E-20bbc	0.5	26.0	78.0	27176.3	
64.	Benjamin J. Newman	11/29/72	G-5947			4N/28E-20cab	0.4	31.7	95.1	27271.4	20
65.	LeRue W. Pollock	3/9/73	G-6023			4N/28E-31abb	0.5	18.0 Prim.	29.0	27496.6	
								114.1 Supp.	183.85		
66.	George H. Barton	3/15/73	G-6040			4N/28E-31bca	1.6	127.86	383.58	27880.2	Proposed 191
67.	Lamb-Weston, Inc.	4/12/73	G-6069			4N/28E-30bad	2.67				98
68.	Edgar S. & Elmo C. Bloom	6/12/73	G-6058			4N/28E-19dda	0.35	16.6 Prim.	49.8	27930.0	90
								10.4 Supp.			
69.	Mrs. John W. Rice	6/29/73	G-6196			4N/28E-17bbd	0.84	67.0	201.0	28131.0	Proposed 115
70.	Woodrow Walker	7/12/73	G-6225			4N/28E-18dbd	0.7	55.0	165.0	28296.0	102

ORDNANCE GROUND WATER AREA
ALLUVIAL AQUIFERS

TABLE I

No.	Record Holder	Priority Date	Appli. No.	Permit No.	Cert. No.	Well Location	Permitted Diversion cfs	Acreage	Max. Allow. ac. ft.	Cum. Rights ac. ft.	Well Depth
35.	Malcolm Skinner	3/25/68	G-4291	G-4039	38482	4N/27E-13dbd	0.17	13.8	41.4	14350.1	97
36.	Tom Quick	3/28/68	G-4306	G-4067	42339	4N/28E-20bdd	0.21	16.4	49.2	14399.3	14
37.	E. T. Johnson	6/3/68	G-4427	G-4171		4N/27E-25dab	0.50	47.7	143.1	14542.4	88
38.	Francis F. McDole	6/21/68	G-4452	G-4395		4N/27E-33aac	4.92	393.3	1179.9	15722.3	120
38-A						4N/27E-33bab					Not Drilled
38-B						4N/27E-33bdb					Not Drilled
39.	Howard Gass	11/21/68	G-4694	G-4413		4N/28E-17cbb	1.35	36.5 Prim. 71.8 Supp.	109.5 215.4	15939.5	105
40.	Marvin & Frances McDole	10/31/69	G-5026			4N/27E-33aac	3.0	239.0	717.0	16656.5	120
40-A						4N/27E-33bab					Not Drilled
40-B						4N/27E-33bdb					Not Drilled
41.	Thurman Martin	12/30/69	G-5065	G-4775		4N/28E-19caa	1.25	60.0	180.0	16836.5	99
42.	Hansell Bros., Inc.	1/9/70	G-5209			4N/27E-26bcb	19.88	697.0 Prim. 893.8 Supp.	2091.0	18927.5	108
42-A						4N/27E-27bcd					121
42-B						4N/27E-27cab					135
42-C						4N/27E-27bda					104
42-D						4N/27E-26bca					105
43.	Elroy F. McDole	2/20/70	G-5112	G-4821		4N/27E-33dba	0.88	70.0	210.0	19137.5	113 (Abn)
44.	W. M. Huddleston	3/10/70	G-5123	G-4861		4N/27E-13aad	0.96	77.0	231.0	19368.5	101
45.	Donald Clark Key	3/31/70	G-5145	G-4878		4N/27E-30ddd	6.68	313.7 Prim. 312.1 Supp.	941.1	20309.6	115
45-A						4N/27E-30ddd					121
46.	Thurman Martin	11/16/70	G-5362			4N/28E-19caa	0.5	40.0	120.0	20429.6	99
47.	LeRue W. Pollock	1/12/71	G-5397			4N/28E-30dcc	0.33	26.0	78.0	20507.6	40
48.	Georgia B. Holzapfel	3/8/71	G-5449			4N/27E-32aca	2.0	160.0 Supp.			123
49.	Lyle W. Smith	3/12/71	G-5460	G-4844		4N/27E-26acb	1.4	112.0	336.0	20843.6	No Log
50.	Clarence W. Ruddell	5/11/71	G-5413	G-4931		4N/27E-19ccb	2.7	219.2	657.6	21501.2	112
50-A						4N/27E-19cda					Not Drilled
51.	Fred Haskins, Jr.	7/9/71	G-5567			4N/27E-29aac	8.0	640.0	1920.0	23421.2	Not Drilled
51-A						4N/27E-29bac					Not Drilled
51-B						4N/27E-29cac					Not Drilled
51-C						4N/27E-29dac					Not Drilled

ORDNANCE GROUND WATER AREA
ALLUVIAL AQUIFERS

TABLE I

No.	Record Holder	Priority Date	Appli. No.	Permit No.	Cert. No.	Well Location	Permitted Diversion cfs	Acreage	Max. Allow. ac. ft.	Cum. Rights ac. ft.	Well Depth
21.	Frances F. McDole	4/10/64	G-2831	G-2822		4N/27E-33adc	4.82	393.3	1179.9	8976.6	96
21-A						4N/27E-34bbb					97 (Abd)
21-B						4N/27E-34bac					125 (Abd)
22.	E. F. McDole	2/4/65	G-3029	G-2782	34281	4N/27E-33cba	1.00	80.0	240.0	9216.6	97
23.	Clark & Bernice Key	4/27/65	G-3092	G-2823	42526	3N/27E-4add	2.23	312.1	936.3	10152.9	80
23-A						3N/27E-4acc					68
23-B						3N/27E-4bdc					108 (Abd)
23-C						3N/27E-4bcc					112 (Abd)
23-D						3N/27E-5adc					400
23-E						3N/27E-5acc					200 (Abd)
23-F						3N/27E-5bdc					145
23-G						3N/27E-5bcx					(Abd)
24.	Hansell Bros., Inc.	5/16/66	G-3408	G-3197		4N/27E-28acd	2.60	136.8	410.4	10563.3	126
24-A						4N/27E-28ddc					127
25.	Roy Gail Holzapfel	3/20/67	G-3853	G-3629		4N/27E-32aab	2.0	160.0	480.0	11043.3	106
25-A						4N/27E-32aba					104
26.	David C. Ralston	7/13/67	G-3991	G-3745	38390	4N/28E-8acc	0.06	4.7 Supp.	14.1	11050.4	
27.	Edgar Bloom	9/13/67	G-4077	G-3868	41941	4N/28E-19ddb	0.145	11.6 Supp.	34.8	11067.8	
28.	Dwight H. Hulet	10/4/67	G-3945	G-3702		4N/27E-36abb	1.86	149.8	449.4	11517.2	117
28-A						4N/27E-36abb					187
28-B						4N/27E-36aab					213
28-C						4N/27E-36adc					185
29.	Woodrow Walker	10/9/67	G-4103	G-3851	39464	4N/28E-18dbd	2.88	230.0	690.0	12207.2	102
30.	Roy Gail Holzapfel	11/22/67	G-4140	G-3889		4N/27E-32baa	2.0	160.0	480.0	12687.2	111
31.	Marvin & Frances McDole	11/28/67	G-4144	G-3892		4N/27E-34bbb	4.85	389.5 Supp.			97 (Abd)
32.	Thomas E. Huddleston	1/23/68	G-4201	G-3966	38737	4N/28E-18cba	0.30	24.0	72.0	12759.2	93
33.	Hansell Bros., Inc.	2/15/68	G-4231	G-3822		4N/27E-27dad	5.0	320.0 Prim.	960.0	13791.2	140
								260.7 Supp.			
33-A						4N/27E-27bcd					121
33-B						4N/27E-27cab					135
33-C						4N/27E-35cxx					Not Drilled
34.	Malcolm Skinner	2/23/68	G-4246	G-4006	38481	4N/28E-19bcd	2.46	196.5	589.5	14308.7	126

ORDNANCE GROUND WATER AREA
ALLUVIAL AQUIFERS

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21.	Frances F. McDole	4/10/64	G-2831	G-2822		4N/27E-33adc	4.82	393.3	1179.9	8976.6	96
21-A						4N/27E-34bbb					97 (Abn)
21-B						4N/27E-34bac					125 (Abn)
22.	E. F. McDole	2/4/65	G-3029	G-2782	34281	4N/27E-33cba	1.00	80.0	240.0	9216.6	97
23.	Clark & Bernice Key	4/27/65	G-3092	G-2823	42526	3N/27E-4add	2.23	312.1	936.3	10152.9	80
23-A						3N/27E-4acc					88
23-B						3N/27E-4bdc					108 (Abn)
23-C						3N/27E-4bcc					112 (Abn)
23-D						3N/27E-5adc					400
23-E						3N/27E-5acc					200 (Abn)
23-F						3N/27E-5bdc					145
23-G						3N/27E-5bcx					(Abn)
24.	Hansell Bros., Inc.	5/16/66	G-3408	G-3197		4N/27E-28acd	2.60	136.8	410.4	10563.3	126
24-A						4N/27E-28ddc					127
25.	Roy Gail Holzapfel	3/20/67	G-3853	G-3629		4N/27E-32aab	2.0	160.0	480.0	11043.3	106
25-A						4N/27E-32aba					104
26.	David C. Ralston	7/13/67	G-3991	G-3745	38390	4N/28E-8acc	0.06	4.7 Supp.	14.1	11050.4	
27.	Edgar Bloom	9/13/67	G-4077	G-3868	41941	4N/28E-19ddb	0.145	11.6 Supp.	34.8	11067.8	
28.	Dwight H. Hulet	10/4/67	G-3945	G-3702		4N/27E-36abb	1.86	149.8	449.4	11517.2	117
28-A						4N/27E-36abb					187
28-B						4N/27E-36aab					213
28-C						4N/27E-36adc					185
29.	Woodrow Walker	10/9/67	G-4103	G-3851	39464	4N/28E-18dbd	2.88	230.0	690.0	12207.2	102
30.	Roy Gail Holzapfel	11/22/67	G-4140	G-3889		4N/27E-32baa	2.0	160.0	480.0	12687.2	111
31.	Marvin & Frances McDole	11/28/67	G-4144	G-3892		4N/27E-34bbb	4.85	389.5 Supp.			97 (Abn)
32.	Thomas E. Huddleston	1/23/68	G-4201	G-3966	38737	4N/28E-18cba	0.30	24.0	72.0	12759.2	93
33.	Hansell Bros., Inc.	2/15/68	G-4231	G-3822		4N/27E-27dad	5.0	320.0 Prim. 260.7 Supp.	960.0	13791.2	140
33-A						4N/27E-27bcd					121
33-B						4N/27E-27cab					135
33-C						4N/27E-35cxx					Not Drilled
34.	Malcolm Skinner	2/23/68	G-4246	G-4006	38481	4N/28E-19bcd	2.46	196.5	589.5	14308.7	126

ORDNANCE GROUND WATER AREA
ALLUVIAL AQUIFERS

TABLE I

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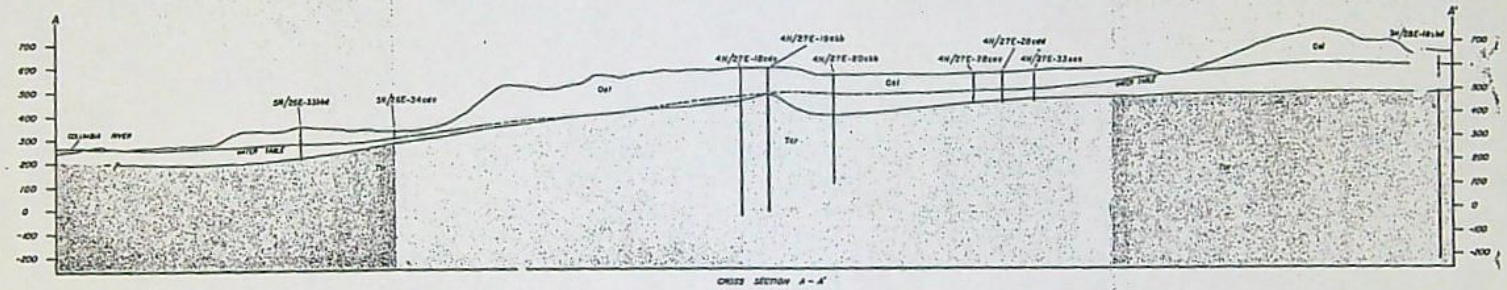
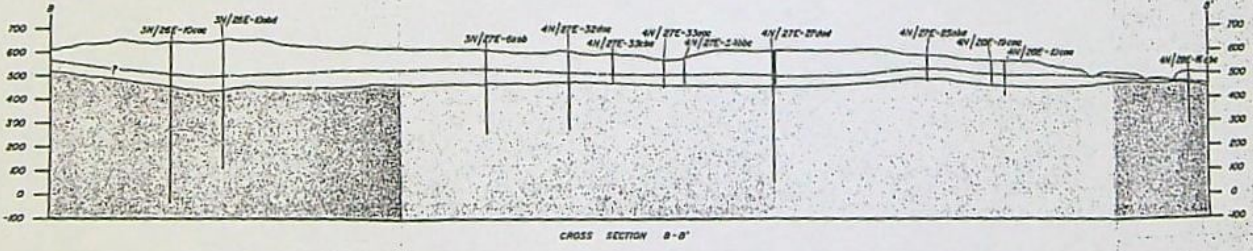
1.	M. M. McDole	6/2/50	U-365	U-336	20685	4N/27E-33adc	1.0	79.9	239.7	239.7	96
2.	E. F. McDole	11/1/50	U-398	U-363	20686	4N/27E-33dba	0.987	79.0	237.0	476.7	No Log
3.	Scott Chapman	12/15/52	U-544	U-497	26073	4N/27E-28bdb	1.0	80.0	240.0	716.7	119
4.	Sylvanus F. Hoyt	12/15/52	U-545	U-498	26192	4N/27E-28acd	1.0	80.0	240.0	956.7	126
5.	Georgia B. Holzapfel	3/16/53	U-527	U-523	22888	4N/27E-32aca	0.61	49.0	147.0	1103.7	123
5-A						4N/27E-32dxx					310 (Abn)
6.	Roy Gail Holzapfel	3/16/53	U-573	U-524	22889	4N/27E-32aca	0.61	49.0	147.0	1250.7	123
6-A						4N/27E-32dxx					310 (Abn)
7.	Scott Chapman	5/2/55	U-819	U-725	30019	4N/27E-28bdb	2.25	180.3	540.9	1791.6	119
7-A						4N/27E-28cbd					107
8.	Georgia B. Holzapfel	7/5/55	U-858	U-750	22907	4N/27E-32aca	0.23	18.0	54.0	1845.6	123
9.	Ronald Baker	8/26/55	G-111	G-73		4N/27E-24aca	3.40	272.2	816.6	2662.2	151
10.	Sylvanus F. Hoyt	9/26/55	G-139	G-100	26193	4N/27E-28acd	0.81	64.6	193.8	2856.0	126
11.	E. F. McDole	3/26/56	G-279	G-190	37054	4N/27E-33cbd	1.0	80.0	240.0	3096.0	111 (Abn)
12.	Georgia B. Holzapfel	12/27/56	G-534	G-466	30119	4N/27E-32aab	0.54	43.4	130.2	3226.2	106
13.	Clarence W. Ruddell	6/19/58	G-1011	G-2952		4N/27E-30bca	4.19	335.25	1005.8	4232.0	79
13-A						4N/27E-30abd					85
14.	Enriqueta Ruddell	6/19/58	G-1012	G-2953		4N/27E-30cca	4.2	335.75	1007.3	5239.3	118
14-A						4N/27E-30dca					115
15.	Marvin M. McDole	8/28/58	G-1222	G-1069	30133	4N/27E-34bbb	0.95	76.2	228.6	5467.9	97 (Abn)
16.	Roy G. & Georgia B. Holzapfel	6/28/60	G-1777	G-1625	31098	4N/27E-32aca	3.08	111.0 Prim. 159.4 Supp.	333.0	5800.9	123
16-A						4N/27E-32aab					106
16-B						4N/27E-32aba					104
17.	Hansell Bros., Inc.	1/10/63	G-2520	G-2335		4N/27E-26bcb	1.32	105.5	316.5	6117.4	108
18.	Thomas E. Huddleston	1/21/64	G-2768	G-2592	34586	4N/28E-18cba	2.34	105.1 Prim. 82.1 Supp.	315.3	6555.9	93
19.	Malcolm Skinner	3/20/64	G-2809	G-2620	35784	4N/27E-13dbd	1.93	154.3	462.9	7018.8	97
20.	Hansell Bros., Inc.	3/31/64	G-2818	G-2694		4N/27E-26bcb	3.24	259.3	777.9	7796.7	108





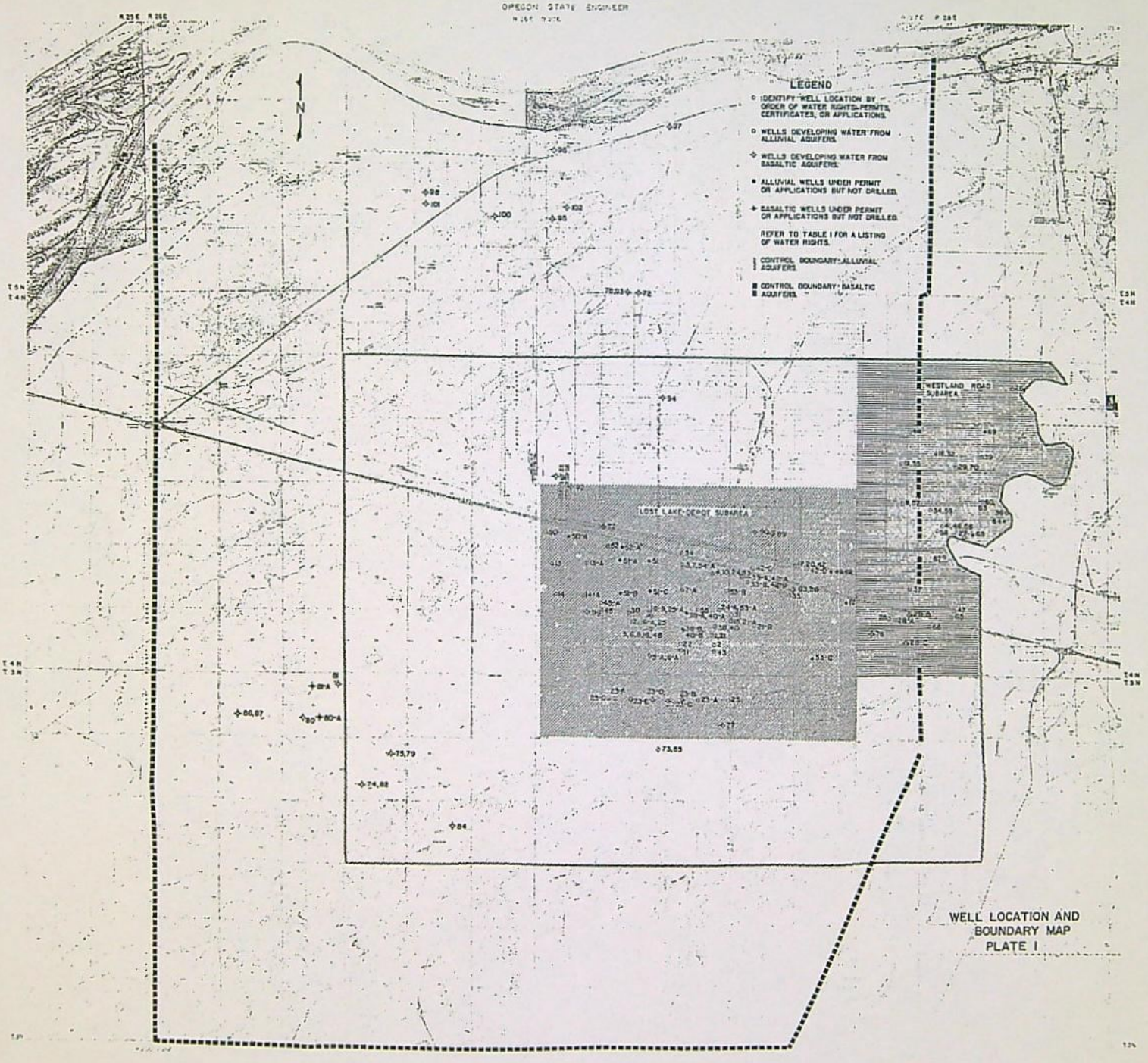
GEOLOGIC CROSS SECTIONS A-A' AND B-B'

VERTICAL SCALE EXAGERATED X 15

PLATE 5

ORDNANCE GROUND WATER AREA

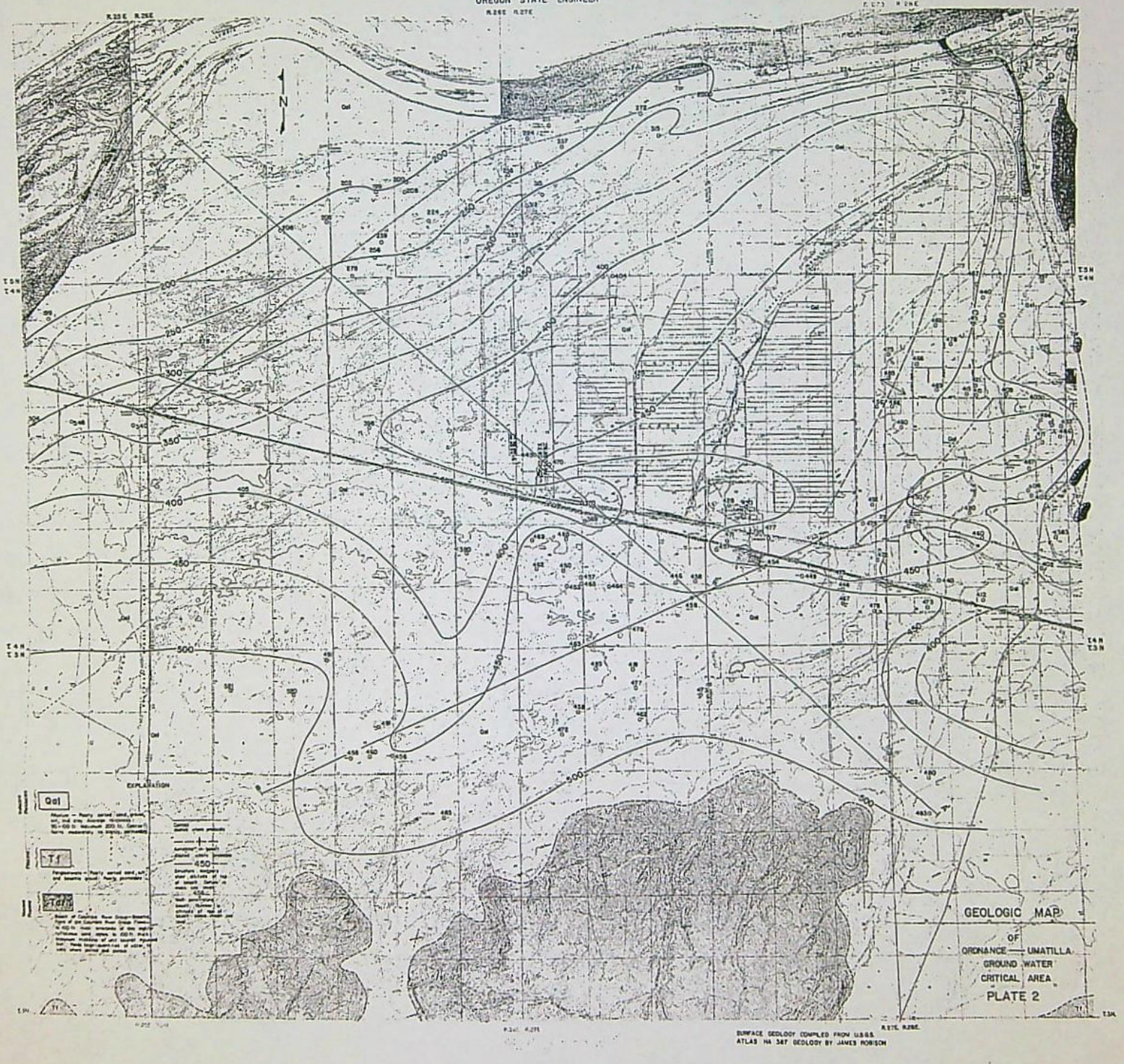
OREGON STATE ENGINEER



WELL LOCATION AND BOUNDARY MAP
PLATE I

ORDNANCE GROUND WATER AREA

OREGON STATE ENGINEER



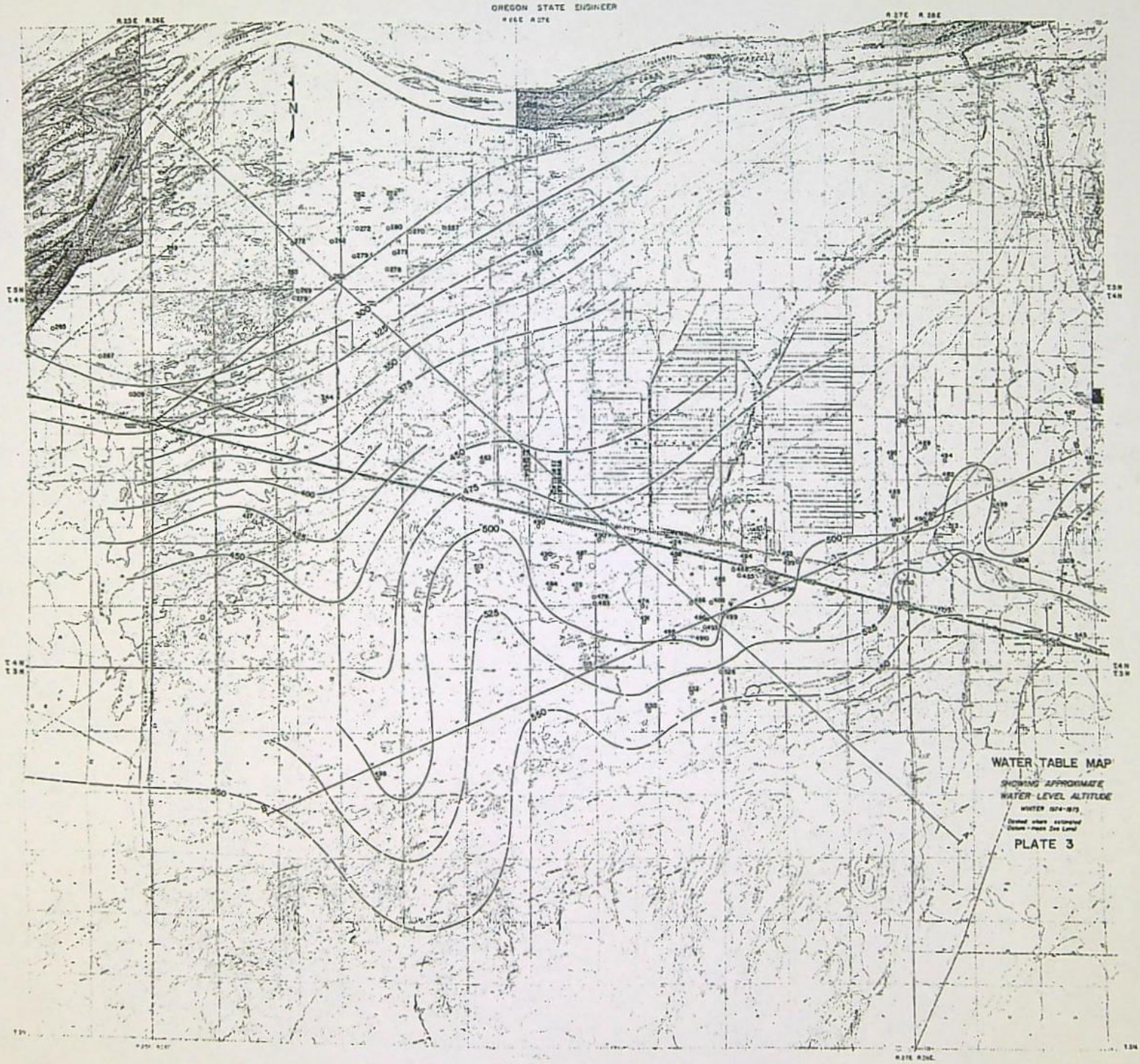
SURFACE GEOLOGY COMPILED FROM U.S.G.S. ATLAS HA 387 GEOLOGY BY JAMES ROBISON

ORDNANCE GROUND WATER AREA

OREGON STATE ENGINEER

ORDNANCE GROUND WATER AREA

OREGON STATE ENGINEER



WATER TABLE MAP

SHOWING APPROXIMATE WATER-LEVEL ALTITUDE

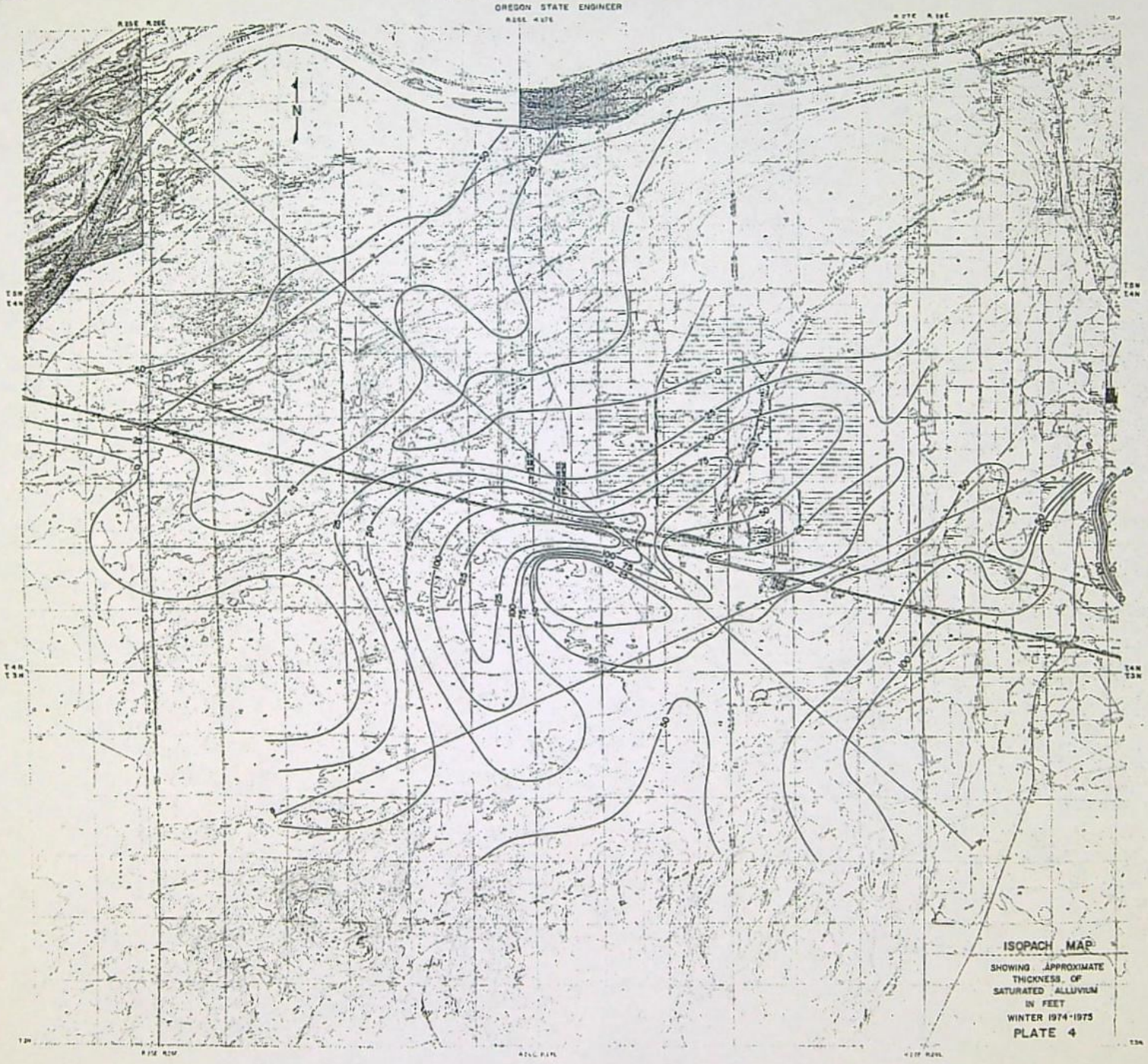
WINTER 1974-1975

Contour interval 25 feet
Datum is mean Sea Level

PLATE 3

ORDNANCE GROUND WATER AREA

OREGON STATE ENGINEER



SMITH Joan M * WRD

From: Langford, Shonee D. <SLangford@SCHWABE.com>
Sent: Friday, February 03, 2017 4:56 PM
To: SMITH Joan M * WRD
Cc: 'William Porfily'
Subject: RE: T-12247/ T-12248

Hi Joan,
Please let us know if you need anything else on our end to get these published. We appreciate all you have done so far to move the transfers forward. Unfortunately the applicant is now in a difficult position, because (a) the applicant's current authorization for the dairy water use is a limited license that expires in April; and (b) the dairy has attracted significant opposition and we fear someone may protest one or both of these transfers, further delaying things. It is therefore critical that we get these reimbursement authority transfers published as soon as possible. We readily acknowledge our part in past delays and just want to move through the remaining process as quickly as we can. We are about to file an application for a new limited license to try to bridge any gap between the time that the current limited license expires and the time the permanent transfers receive final approval (assuming protests may be filed). But the sooner we can get to public notice on the transfers the better.

Could you possibly get these published in next Tuesday's notice and begin the newspaper publication sometime next week?

Thank you,

Shonee

Shonee D. Langford
Direct: 503-540-4261

From: William Porfily [mailto:wporfily@gmail.com]
Sent: Friday, January 27, 2017 3:26 PM
To: SMITH Joan M * WRD
Cc: Langford, Shonee D.
Subject: T-12248/47

Afternoon Joan

In reviewing the DPD for Transfer T-12247 I found the items noted on the two attached pages that I believe need to be changed. Attorney Shonee Langford reviewed the DPD for transfer T-122478 and reported to me that it is OK.

Please after making these noted change publish these transfers for public review.

William Porfily
P.O. Box 643
Stanfield, OR 97875
Cel: (541)561-7259
Off-Home (541)449-1327
E-mail: wporfily@gmail.com

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

49727

This Is to Certify, *That* GEORGE S. BULOW

of PO Box 320, Irrigon *, State of* Oregon 97844 *, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of* a well

a tributary of Columbia River *for the purpose of* irrigation of 198.3 acres and supplemental irrigation of 4.5 acres 202.8

under Permit No. G-1284 *and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from* March 6, 1959 .004/42012

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.84 cubic foot per second

0.82 .02 cfs canc

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NE¼ NE¼, Section 4, T. 3 N., R. 26 E., W.M.; 840 feet South and 430 feet West from NE Corner, Section 4.

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 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein,

and 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 hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

Primary

0.3 acre NE¼ NE¼
4.4 acres NW¼ NE¼
30.3 acres SW¼ NE¼
26.0 acres SE¼ NE¼
37.2 acres NE¼ NW¼
33.6 acres NW¼ NW¼
30.8 acres SW¼ NW¼
34.4 acres SE¼ NW¼
0.9 acre NE¼ SE¼
0.4 acre NW¼ SE¼
Section 4
T. 3 N., R. 26 E., W.M.

Supplemental

canc 2

1.2 acres SW¼ NW¼
1.6 acres SE¼ NW¼
1.4 acres NE¼ SW¼
0.2 acre NW¼ SW¼
0.1 acre NW¼ SE¼
Section 4
T. 3 N., R. 26 E., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 41878, Volume 33, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on July 21, 1980, approving transfer application No. 4119.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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

WITNESS the signature of the Water Resources Director, affixed this date. October 28, 1980

Deputy *Water Resources Director*

Recorded in State Record of Water Right Certificates, Volume 43, *page* 49727

AFFIDAVIT FOR THE PARTIAL CANCELLATION OF WATER RIGHT CERTIFICATE 497271

State of Oregon)
)ss
County **Morrow**)

I, **Brian Bosma**, in my capacity as an owner of **Sage Hollow Ranch, LLC** residing at **3620 Independence RD, Sunnyside, WA 98944**, telephone number **(509) 391-1111**, being first duly sworn depose and say:

1. We are the owner of the property described as tax lot number TL 401, in **Section 4, T3N, R26E, W.M.,** in **Morrow County**, Oregon, as shown on the attached map.

2. A portion of water right Certificate Number **49727** issued to **George S. Bulow**, with a priority date of **March 6, 1959** for use water from a well, for the purpose of **supplemental irrigation of 4.5 acres** is appurtenant to our property;

3. The appurtenant water right is located within the boundaries of **Columbia Improvement District**.

4. We have abandoned any and all interest in the supplemental irrigation portion of this water right shown on the Final Proof Map for this Certificate and described as follows:

1.2 Acres SW ¼ NW ¼
1.6 Acres SE ¼ NW ¼
1.4 Acres NE ¼ SW ¼
0.2 Acres NW¼ SW ¼
0.1 Acres NW ¼ SE ¼

Section 4
Township 3 North, Range 26 East, W.M.

and

RECEIVED BY OWRD

DEC 08 2016

SALEM, OR

We request this portion of the water right described above to be canceled only upon the issuing of an Order Approving Transfer T-12248/ .

Signature of Brian Bosma

Brian

12/1/16
Date

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

William I. Porfily
Notary Public for Oregon

OFFICIAL STAMP
WILLIAM I PORFILY
NOTARY PUBLIC-OREGON
COMMISSION NO. 946193
MY COMMISSION EXPIRES JANUARY 11, 2020

My Commission Expires: JAN 11, 2020

RECEIVED BY OWRD
DEC 08 2016
SALEM, OR

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

This Is to Certify, *That* GEORGE S. BULOW

of PO Box 320, Irrigon , *State of* Oregon 97844 , *has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of* a well

a tributary of Columbia River *for the purpose of* irrigation of 198.3 acres and supplemental irrigation of 4.5 acres

under Permit No. G-1284 *and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from* March 6, 1959

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.84 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NE¼ NE¼, Section 4, T. 3 N., R. 26 E., W.M.; 840 feet South and 430 feet West from NE Corner, Section 4.

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 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein,

and 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 hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

RECEIVED BY OWRD

DEC 08 2016

SALEM, OR

Primary

0.3 acre NE¼ NE¼
4.4 acres NW¼ NE¼
30.3 acres SW¼ NE¼
26.0 acres SE¼ NE¼
37.2 acres NE¼ NW¼
33.6 acres NW¼ NW¼
30.8 acres SW¼ NW¼
34.4 acres SE¼ NW¼
0.9 acre NE¼ SE¼
0.4 acre NW¼ SE¼
Section 4
T. 3 N., R. 26 E., W.M.

Supplemental

1.2 acres SW¼ NW¼
1.6 acres SE¼ NW¼
1.4 acres NE¼ SW¼
0.2 acre NW¼ SW¼
0.1 acre NW¼ SE¼
Section 4
T. 3 N., R. 26 E., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 41878, Volume 33, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on July 21, 1980, approving transfer application No. 4119.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

RECEIVED BY OWRD

DEC 08 2016

SALEM, OR

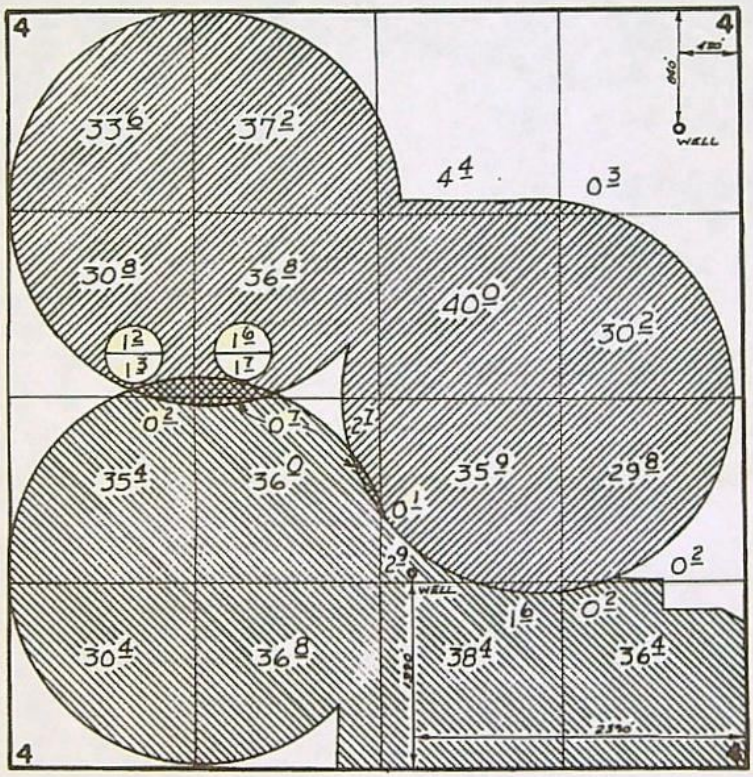
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed this date. October 28, 1980

Deputy *Water Resources Director*

Recorded in State Record of Water Right Certificates, Volume 43, *page* 49727

T. 3 N., R. 26 E., W.M.



PRIMARY FROM NORTH WELL

PRIMARY FROM SOUTH WELL

PRIMARY FROM SOUTH WELL
SUPPLEMENTAL FROM NORTH WELL

NORTH WELL
SOUTH WELL

FINAL PROOF SURVEY

UNDER

Application No. G-1402 / G-1411 Permit No. G-1319 / G-1284

G-1402 South Well
G-1411 North Well
G-1319 South Well
G-1284 North Well

IN NAME OF

GEORGE S. BULOW

Surveyed April 18 19 74, by David Norby

RECEIVED BY OWRD

DEC 08 2016

SALEM, OR

41049-272-121

Willaim Porfily

From: SMITH Joan M * WRD <Joan.M.Smith@oregon.gov>
Sent: Friday, December 30, 2016 9:18 AM
To: slangford@schwabe.com; maplegrove@bentonrea.com; gjtevelde@aol.com
Cc: Willaim Porfily; SILBERNAGEL Greg M * WRD
Subject: T-12248
Attachments: 12248-news notice letter.pdf

SUBJECT: Water Right Transfer Application T-12248

Your water right transfer is ready for issuance of the Preliminary Determination, once the Department receives payment for publication of the newspaper notice.

Items needed before the next phase of processing…
At this time you need to:

1. submit a check for $338.90 (to cover cost of publication of the notice), made out to the Oregon Water Resources Department.
2. **write "for** T-12248 **NOTICE" on the front of your check**, and
3. submit it with the tracking stub at the bottom of this letter.

Mail the check to 725 Summer St. NE, Suite A, Salem, OR 97301-1266, **no later than January 30, 2017**.

What happens next…
Shortly after receiving payment, the Department will issue the Preliminary Determination, initiate publication in the Hermiston Herald newspaper, and also publish the notice on the Department's weekly notice. Publication of the notice will initiate a protest period during 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.

If we do not receive payment for newspaper notice by January 30, 2017, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at 503-986-0892 or Joan.M.Smith@wrd.state.or.usif I may be of assistance.

Sincerely,

Joan Smith
Transfer Specialist, Transfer and Conservation Section

cc: T-12248
Gregory M. Silbernagel, District 5 Watermaster *(via e-mail)*
William I. Porfily, Agent for the applicant *(via e-mail)*
Willow Creek Dairy, Receiving Landowner *(via e-mail)*

RECEIVED BY OWRD
JAN 03 2017
SALEM, OR

RECEIVED
JAN 03 2017
OWRD

SMITH Joan M * WRD

From: Langford, Shonee D. <SLangford@SCHWABE.com>
Sent: Tuesday, December 20, 2016 12:58 PM
To: 'Joan.M.Smith@state.or.us'; SMITH Joan M * WRD
Cc: 'William Porfily'
Subject: RE: T-12248-DPD/ Applicant Response (Items 1 & 3)
Attachments: Additional Groundwater review for T-12248.pdf

Follow Up Flag: Follow up
Flag Status: Flagged

Good morning Joan,
I'm writing on behalf of the applicant to respond to items #1 and 3 in your Nov. 28 email below. We are concerned about the 1,000 acre-foot limitation proposed in Findings 24 and 25, and are hoping to address that as soon as possible.

I spoke to Jen Woody about her attached review for T-12248, in which she noted that "average total annual use from the two wells is about 1,000 acre-feet." I explained that her comment led to a proposed condition in the DPD that would limit future use to 1,000 acre-feet. I also noted that the full authorized volume was beneficially used as recently as 2012. After taking another look at her comment, Jen doesn't think she intended the 1,000 acre-feet to be a limit on future use and she encouraged me to submit comments to you.

Comments

1. Finding 24: The applicant disagrees with the last two sentences of Finding 24. Those sentences suggest that the amount of water that could be beneficially used without waste under the existing irrigation rights is equivalent to the average total annual use during the period of 1978 through 2014 (1,000 acre-feet), and that enlargement would result unless future use is limited to the average total annual use. We do not agree that future use in excess of 1,000 acre-feet would constitute an enlargement of existing rights. The applicant is not proposing to use a greater rate or duty than allowed under existing rights or to take more water at the new wells than has been available at the original wells. See OAR 690-380-0100 (defining enlargement). The authorized rate for irrigation is a total of 2.38 cfs, which results in a maximum annual volume of 1157 acre-feet (max rate multiplied by 245-day irrigation season). The applicant proposes to change the season of use to year-round, but that should not affect the annual volume of 1157 acre-feet. See Section 11.01 of Technical Operations Manual, Water Right Transfer Reviews, Aug. 15, 2008, page 11 of 21 ("The extension of the irrigation season does not constitute enlargement of the right if the total annual diversion is limited to the quantity that could have been diverted under the originating right"). The Department's water use records (cited in Figure 1 of the attached groundwater review) indicate that the water right holder used the maximum annual volume of 1157 acre-feet in 17 out of 37 years – most recently in 2012. This is not an enlargement situation, in which the water user couldn't have beneficially used the authorized volume of 1157 acre-feet for the original purpose, as might have been the case if the original use had been for something like dust control (an intermittent, less intensive use). Please see below for our proposed changes to Finding 24.

2. Finding 25: You have already discussed this finding with me and Bill Porfily. As discussed, the applicant did not request that the use be limited to 1,000 acre-feet per year. In addition to that correction, we disagree with the last sentence of Finding 25 for reasons described above. Again, we do not believe that use of the authorized (and recently used) maximum volume of 1157 acre-feet would result in enlargement of the existing rights. Please see below for our proposed changes to Finding 25.

Proposed Changes

We propose the following changes to Findings 24 and 25:

24. Transfer Application T-12248 proposes to change the type of use from Irrigation during the irrigation season to year-around Agricultural Use for the construction and operation of a dairy. The proposed change could result in enlargement if not conditioned to prevent use of more water than could have been ~~beneficially used without waste for~~ **diverted under** the existing authorized use. ~~Water use records from 1978 to 2014 indicate that the average~~ **The** total annual ~~use~~ **volume that could have been diverted** from the two authorized Points of Appropriation was ~~1,000~~ **1,157** acre-feet.

25. On April 19, 2016, Sage Hollow Ranch, LLC requested ~~to limit the~~ **that the original authorized quantity be the quantity authorized for future** use under the rights evidenced by Certificates 49726, 55317, 49727, and 55316 ~~to no more than 1,000 acre-feet per year~~. Therefore, the proposed use, if conditioned to limit the total annual volume to ~~1,000~~ **1,157** acre feet per year under Certificates 49726, 55317, 49727, and 55316, would not result in enlargement of the rights.

Typographical Error

Bill found an error in the description for the proposed #2 South Well. He says the draft PD lists the location from the NE corner of Section 22. But the 4 maps all list and show the location from the NW Corner of Section 22. Everything else looks fine and is acceptable to the applicant (other than the issues discussed above).

Please let me know if you have questions or would like to discuss further.

Thank you,

Shonee

Shonee D. Langford
Direct: 503-540-4261

From: William Porfily [mailto:wporfily@gmail.com]
Sent: Friday, December 16, 2016 2:36 PM
To: Langford, Shonee D.
Subject: FW: T-12248-DPD

William Porfily
P.O. Box 643
Stanfield, OR 97875
Cel: (541)561-7259
Off-Home (541)449-1327
E-mail: **wporfily@gmail.com**

From: SMITH Joan M * WRD [mailto:Joan.M.Smith@oregon.gov]
Sent: Monday, November 28, 2016 2:49 PM
To: maplegrove@bentonrea.com; gjtevelde@aol.com
Cc: wporfily@gmail.com; SILBERNAGEL Greg M * WRD; dalevconsulting@gmail.com
Subject: T-12248-DPD

SUBJECT: Water Right Transfer Application T-12248

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-12248. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing…

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.

2. Certificate 49727 includes a 4.5 acre Supplemental Irrigation Right that is not mentioned in transfer application T-12248. However, Page 13 of the application states that the proposed changes will affect the entire water right. Please provide clarification regarding your intent to include, or exclude, the supplemental irrigation right in T-12248, and provide an updated transfer application and map stating your intention. Alternatively, if you wish to cancel the supplemental portion of Certificate 49727, please provide a completed Affidavit for Partial Cancellation of a Water Right to the Department.

3. Transfer application T-12248 proposed to change the type of use from Irrigation Use during the Irrigation Season to Year-around Agricultural Use for the construction and operation of a dairy. In order to prevent potential enlargement of the water rights, the Department is proposing to limit the volume of water used to 1,000 acre-feet per year, a volume equivalent to the average total annual use from the two authorized Points of Appropriation.

4. A report of landownership for the lands to which the water rights are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** *(Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.)*
   a) The title company's report must either be:
      i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
      ii) prepared within 3 months of recording of a water right conveyance agreement, or
      iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
   b) The ownership report shall include:
      i) Date reflected by the ownership information
      ii) List of owners at that time
      iii) Legal description of the property where the water right to be transferred is currently located.
   c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.
5. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the Hermiston Herald as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

Conditions to your water right…

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

Please note the proposed date by which all conditions must be met: October 1, 2031. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next…

Once the Preliminary Determination is issued a publication period is required. Because there are intervening points of appropriation between the new and the authorized points of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

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

1. your written response to the clarifications and revisions requested in 2 and 3, above;
2. your written request to the Department to limit the volume of use under the rights proposed for transfer to no more than 1,000 acre-feet per year. Or, you may provide the Department with an alternative proposal to prevent potential enlargement of the rights;
3. your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
4. report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application.

If we do not receive the items listed above by December 29, 2016, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at joan.m.smith@wrd.state.or.us if I may be of assistance.

Sincerely,

Joan Smith
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-12248
Gregory M. Silbernagel, District 5 Watermaster *(via e-mail)*
William I. Porfily, Agent for the applicant *(via e-mail)*
Willow Creek Dairy, Receiving Landowner *(via e-mail)*
Dale G. VanScheiack, CWRE #333 *(via e-mail)*

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

Ground Water Review Form:

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

Application: T-12248

Applicant Name: Sage Hollow Ranch LLC

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

Reviewer(s): Jen Woody Date of Review: 10/06/2016, supersedes reviews dated 2/25/2016 and 3/24/2016

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

☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.

☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.

☐ Other _____

---

1. Basic description of the changes proposed in this transfer: T-12248 proposes to make changes to 4 certificates to use groundwater in the Ordnance Basalt Critical Groundwater Area (CGWA). It proposes to move the 2 relevant points of appropriation (POAs) from T3N/R26E-Section 4 to T3N/R26E- Sections 16 and 22.

   Certificate 49726: authorizes MORR 595/590 for 1.12 cfs (207.3 acres primary irrigation), the transfer proposes to change the POA to 3 new wells.

   Certificate 55317 authorizes MORR 595/590 for 0.07 cfs (12 acres primary irrigation), the transfer proposes to change the POA to 3 new wells.

   Certificate 49727 authorizes one well (MORR 596 was authorized, MORR 591 is used as a replacement well) for 0.84 cfs (38.4 acres primary irrigation), the transfer proposes to change the POA to 3 new wells.

   Certificate 55316 authorizes MORR 595/590 and MORR 591 for 0.35 cfs total (85.2 acres primary irrigation), the transfer proposes to change the POA to 3 new wells.

   The certificates involved in this transfer are affected by the Ordnance Critical Groundwater Area Order (Special Order Volume 27, pp 40-86). Based on excessively declining groundwater levels, that order prohibited new allocation of groundwater from the CRBG aquifers within the Critical Area boundaries starting in 1976. Water use at MORR 595 and MORR 591 is summarized in Figure 1; average total annual use from the two wells is about 1,000 acre-feet.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments:

The existing and proposed wells will produce from one or more water-bearing zones in the Columbia River Basalt Group (CRBG), a series of lava flows with a composite thickness greater than 10,000 feet in the Columbia Plateau (Kahle et al., 2011). Each flow is characterized by a series of internal features, which generally include a thin rubble zone at the contact between flows and a thick, dense, low porosity and low permeability interior zone. In some cases, sedimentary layers were deposited during the time between basalt flow emplacements. A flow top, sedimentary interbed (if present) and flow bottom are collectively referred to as an interflow zone. Unconfined groundwater occurs near the weathered top of the basalts, but most water occurs in interflow zones under confining conditions at the contacts between lava flows. CRBG flow features result in a series of stacked, thin aquifers that are confined by dense flow interiors. The low permeability of the basalt flow interiors usually results in little connection between stacked aquifers, which results in tabular aquifers with unique water level heads (Reidel et al., 2002).

Constructing a well that is open to multiple water-bearing zones with distinct water level heads commingles multiple aquifers. When the pump is off, water migrates through the well bore from an aquifer of higher pressure to an aquifer of lower pressure. Over time, this can depressurize the aquifer and exacerbate water level decline.

Hydrogeologic investigations by Sceva (1966) and McCall (1975) found that the same CRBG aquifers extend through the currently authorized POA location and the proposed POA locations, based on groundwater elevations and trends. Assuming the new POAs are constructed to no greater depth that the existing wells, they should encounter the same aquifer (same source).

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☒ Yes ☐ No There is more than one aquifer developed within the CRBG. MORR 595 and MORR 591 are constructed with 700-800 foot open intervals in the CRBG. There are at least two CRBG aquifers within 800 feet of land surface in this area. Each aquifer has a distinct head, as evidenced by UMAT 1543 and MORR 1720 which were reconstructed with casing and seal depths that allow access to a single CRBG aquifer per well (see Figure 3) . The shallow CRBG aquifer accessed by UMAT 1543, is located above approximately 400 feet below land surface and has a current February groundwater elevation of 490-500 feet above mean sea level (amsl). Between approximately 400 and 800 feet below land surface, the aquifer accessed by MORR 1720 has a current February groundwater elevation of 260-280 feet amsl (see Figure 3). Cascading water has been documented by Department staff when measuring the water level at MORR 595. MORR 591 has 18' of seal reported on the log, leaving the well open to alluvium and multiple aquifers within the CRBG. To access the same aquifers with new wells that meet current well construction standards, it may be necessary to install multiple wells to replace MORR 595, for example.

The existing wells do not meet current well construction standards requiring single aquifer completion, based on the large open intervals and the lack of information regarding surface seals. They will need to be repaired, converted to dedicated observation wells or abandoned. The proposed APOAs are described in the application with total depth of 750-1000 feet and 150 feet of casing and seal. This will not meet current well construction standards requiring wells access a single aquifer.

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): There is not enough available information to determine what portion of the use is from the various water bearing zones intercepted by MORR 595 and MORR 591.

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: The proposed POAs are about ½ mile closer to nearby basalt wells, which will increase well-to-well interference. A dedicated observation well condition is specified to protect the resource and other existing users. The CGWA order requires that all wells be equipped with water level measuring facilities, which allow monitoring of long term water level trends and the degree of well-to-well interference. Since the proposed POAs will be in use year-round, a dedicated observation well is recommended to meet that requirement.

   b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: Groundwater elevations in the deep basalt aquifer are very consistent across the CGWA. That suggests that the basalt aquifers in this area are not extensively compartmentalized, which would exacerbate well-to-well interference. Interference is expected to be slightly increased by the change in location but similar in magnitude to current conditions.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☐ Yes ☒ No Comments: There is no significant change in surface water interference likely to result from the transfer.

   b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
Stream: _____ ☐ Minimal ☐ Significant
Stream: _____ ☐ Minimal ☐ Significant
Provide context for minimal/significant impact: _____

6. What conditions or other changes in the application are necessary to address any potential issues identified above:

References

McCall, William B., 1975, Ground-Water Conditions and Declining Water Levels in the Ordnance Area, Morrow and Umatilla Counties Oregon, State of Oregon Water Resources Department Groundwater Report No. 23, 134 p.

Oregon Water Resources Department, 1976, Special Order Volume 27, On the Determination of the Critical Ground Water Area in the Ordnance Area, Morrow and Umatilla Counties, Oregon, pp. 40-86.

Sceva, Jack E., 1966, A Brief Description of the Ground-water Conditions in the Ordnance Area Morrow and Umatilla Counties, Oregon, State of Oregon Ground Water Report No. 11, 43 p.

OWRD water level database, accessed 2/24/2016.

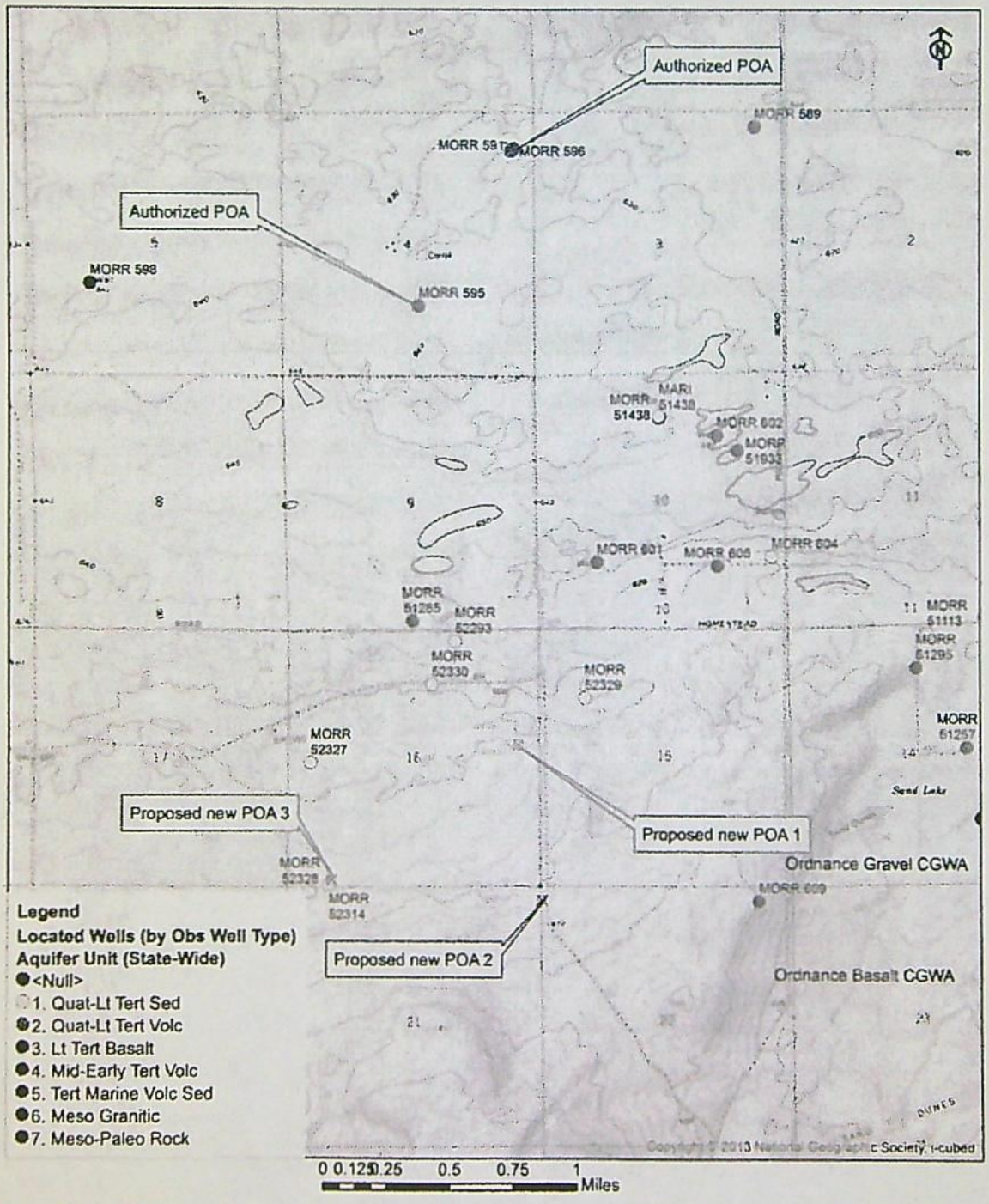
Logid	WaterUseYear	PumpageFinalAF	PumpageFinalSource
MORR 591	1978	109.97	FM
MORR 591	1979	409.08	FM
MORR 591	1980	43.79	FM
MORR 591	1981	402.40	FM
MORR 591	1982	270.44	FM
MORR 595	1983		
MORR 591	1983	809.72	FM
MORR 595	1984	256.07	FM
MORR 591	1984	174.23	FM
MORR 591	1985	869.93	FM
MORR 591	1986	299.20	PM
MORR 591	1987	979.64	PM
MORR 595	1988	680.20	FM
MORR 591	1988	722.94	FM
MORR 595	1989	697.63	FM
MORR 591	1989	696.67	FM
MORR 595	1990	692.87	FM
MORR 591	1990	868.61	FM
MORR 595	1991	819.06	FM
MORR 591	1991	839.19	FM
MORR 595	1992	772.40	FM
MORR 591	1992	701.20	FM
MORR 595	1993	790.99	FM
MORR 591	1993	471.38	FM
MORR 595	1994	677.58	FM
MORR 591	1994	928.05	FM
MORR 595	1995	751.85	FM
MORR 591	1995	811.78	FM
MORR 595	1996	570.49	FM
MORR 591	1996	780.91	FM
MORR 595	1997	596.27	FM
MORR 591	1997	716.69	FM
MORR 595	1998	616.15	FM
MORR 591	1998	235.09	FM
MORR 595	1999	746.05	FM
MORR 591	1999	345.39	FM
MORR 595	2000	587.55	FM / 2yrs
MORR 591	2000	377.46	PM
MORR 595	2001	587.55	FM / 2yrs
MORR 591	2001	666.50	FM
MORR 595	2002	852.73	FM
MORR 591	2002	768.73	FM
MORR 595	2003	771.19	FM
MORR 591	2003	910.53	FM
MORR 595	2004	703.95	FM
MORR 591	2004	640.39	FM
MORR 595	2005	699.21	FM
MORR 591	2005	773.16	FM
MORR 595	2006	631.84	FM
MORR 591	2006	555.13	FM
MORR 595	2007	517.75	FM
MORR 591	2007	572.02	FM
MORR 595	2008	517.97	FM
MORR 591	2008	426.11	FM
MORR 595	2009	549.32	FM
MORR 591	2009	458.93	FM
MORR 595	2010	532.92	FM
MORR 591	2010	338.52	FM
MORR 595	2011	491.96	FM
MORR 591	2011	449.25	FM
MORR 595	2012	711.34	FM
MORR 591	2012	472.58	FM
MORR 595	2013	538.28	FM / 2yrs
MORR 591	2013	578.13	FM
MORR 595	2014	538.28	FM / 2yrs
MORR 591	2014	552.02	FM

FM = flowmeter

Figure 1. Water use records from flowmeters at MORR 595 and MORR 591.

Figure 2. Well locations.

T-12248 Sage Hollow/te Velde
T3N/R26E- Sections 4, 16, 22



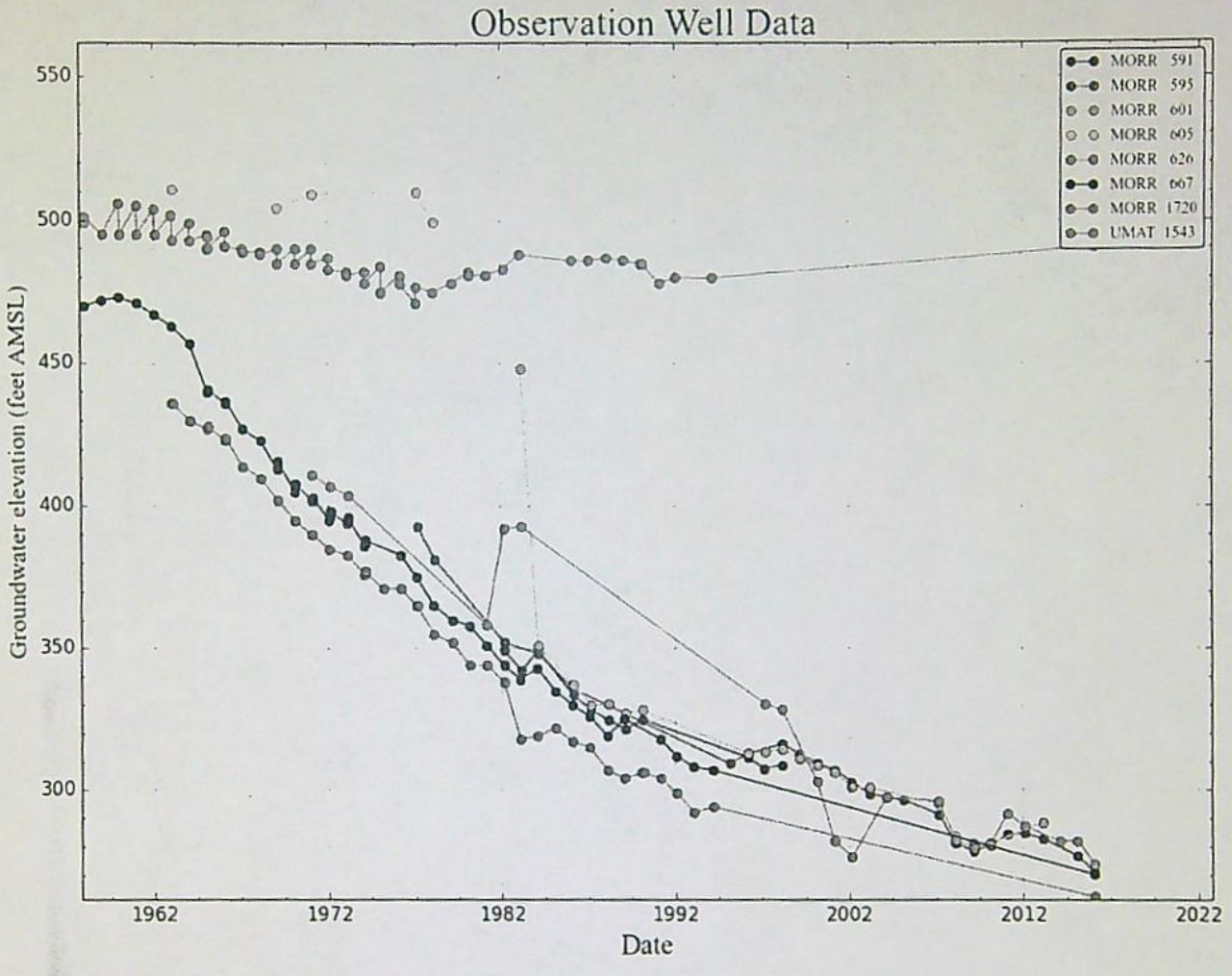


Figure 3. Water levels in wells in the Ordnance Basalt Critical Groundwater Area show two water bearing zones with distinct heads, and falling head with depth. See Figure 4 for well locations.

T-12248 te Velde
Location of wells in hydrograph (Figure 3)

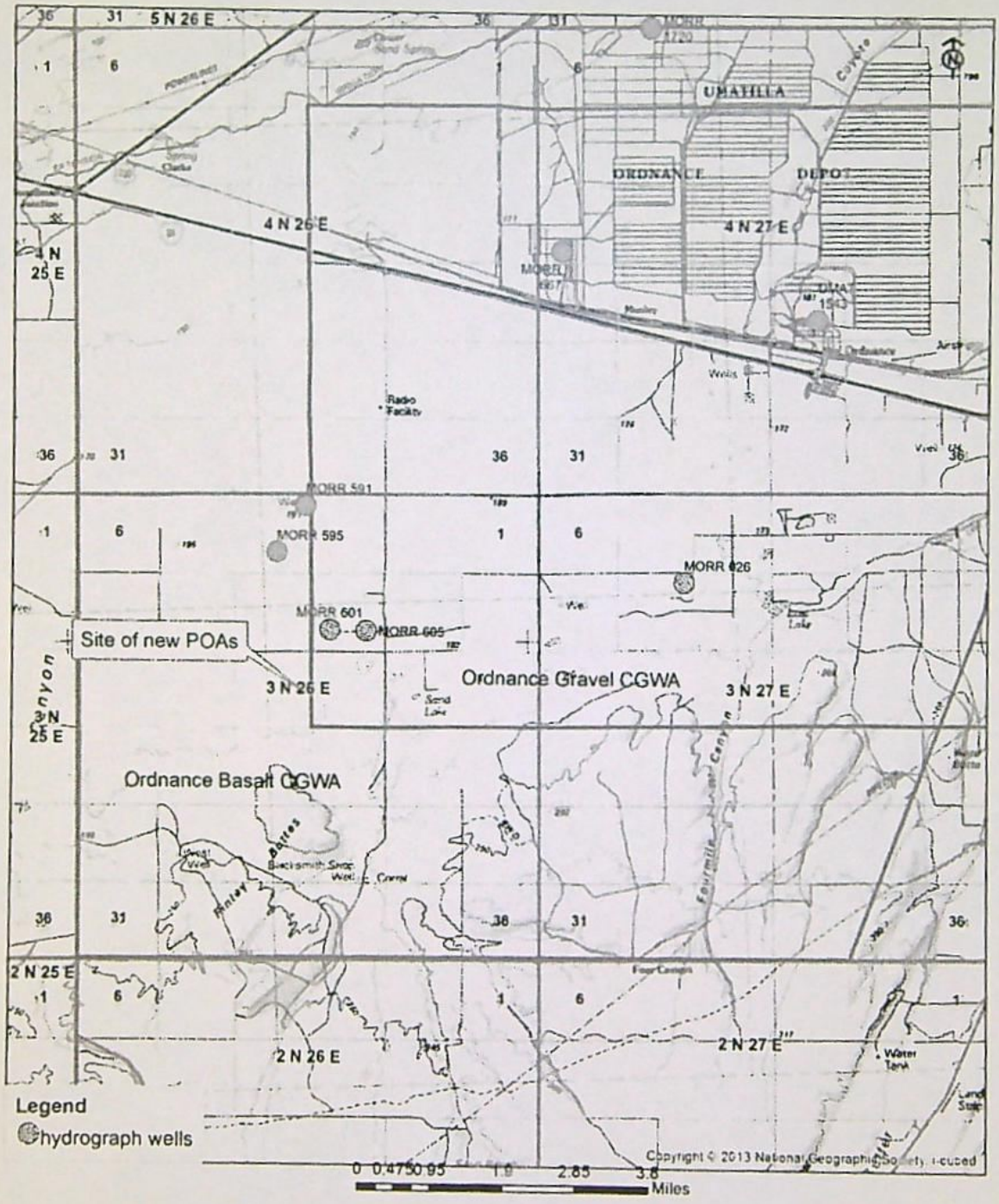
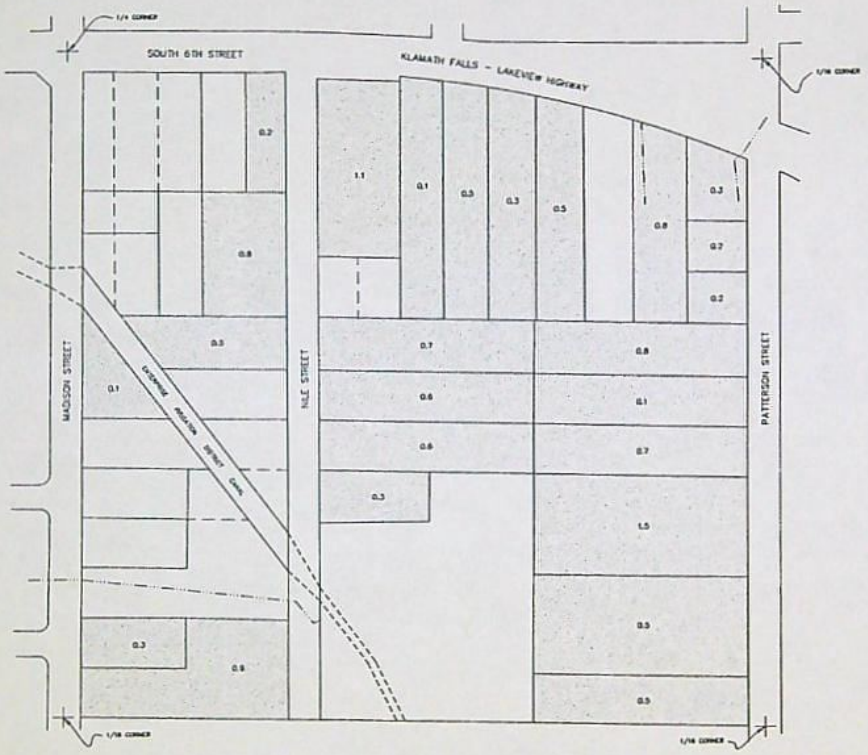
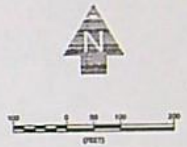


Figure 4. Location of wells with water level data depicted in Figure 3.

KLAMATH BASIN ADJUDICATION
KLAMATH PROJECT LANDS MAP





LEGEND

- 0.9 IRRIGATED ACREAGE WITHIN PARTIALLY IRRIGATED PARCEL
- LOT 1 GOVERNMENT LOT NUMBER
- SECTION, 1/4, OR 1/16 CORNER
- PLACE OF USE
- MEANDER LINE
- DITCH
- RAILWAY

THE INFORMATION USED TO PREPARE THIS MAP WAS NOT BEEN FIELD VERIFIED BY ADKINS CONSULTING ENGINEERING, LLC. THIS MAP IS NOT INTENDED TO PROVIDE LEGAL DIMENSIONS OR LOCATIONS OF PROPERTY LINES.

TOWNSHIP 39 SOUTH, RANGE 9 EAST, W.M.
SEC. 1 - NW1/4SW1/4

ADKINS
CONSULTING ENGINEERING, LLC Engineers & Planners & Surveyors
2950 Shasta Way · Klamath Falls, Oregon 97603 · (541) 884-0666 · FAX (541) 884-3335
Oregon · California
December 13, 2013 1366-1901

T39S R09E W.M. SEC. 1 - NW1/4SW1/4

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-12223, Morrow County	)	**D R A F T**
	)	PRELIMINARY DETERMINATION
	)	PROPOSING APPROVAL OF A
	)	CHANGE IN 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

SAGE HOLLOW RANCH LLC
3620 INDEPENDENCE RD
SUNNYSIDE, WA 98944

Findings of Fact

1. On December 23, 2015, Sage Hollow Ranch, LLC filed an application for a place of use change under Certificate 86393. The Department assigned the application number T-12223.

2. Notice of the application for transfer was published on December 29, 2015, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

3. The portion of the right to be transferred is as follows:

Certificate:	86393 in the name of Glenn Chowing (perfected under Permit S-37293)
Use:	Irrigation of 17.9 Acres
Priority Date:	February 7, 1974
Rate:	0.44 Cubic Feet Per Second (CFS)
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 ONE-FORTIETH of one cubic foot per second, or its equivalent for each acre irrigated, and shall be further limited to a diversion of not to exceed 4.5 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source:	COLUMBIA RIVER, tributary to the PACIFIC OCEAN

Authorized Point of Diversion:

Twp	Rng	Mer	Sec	Q-Q	GLot	Measured Distances
4 N	25 E	WM	2	NE NW	7	150 FEET SOUTH AND 2990 FEET WEST FROM THE NE CORNER OF SECTION 2

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	10	SW NW	17.9

4. Transfer Application T-12223 proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	SE SW	5.9
3 N	26 E	WM	4	SW SE	6.3
3 N	26 E	WM	10	NE NW	5.7
				Total:	17.9

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

5. Water has been used within the five-year period prior to submittal of the transfer application 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.

6. 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-12223.

7. The proposed change would not result in enlargement of the right.

8. The proposed change would not result in injury to other water rights.

Determination and Proposed Action

The change in place of use proposed in Transfer Application T-12223 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-12223 is approved, the final order will include the following:

1. *The change in place of use proposed in Transfer Application T-12223 is approved.*

2. *The right to the use of the water is restricted to beneficial use at the place of use described, and is subject to all other conditions and limitations contained in Certificate 86393 and any related decree.*

3. *Water right Certificate 86393 is cancelled. A new certificate will be issued describing that portion of the right not affected by this transfer.*

4. *The former place of use of the transferred right shall no longer receive water under the right.*

5. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before* ***October 1, 2018****. A Claim of Beneficial Use prepared by a Certified Water Right Examiner shall be submitted by the applicant to the Department within one year after the deadline for completion of the change and full beneficial use of the water.*

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

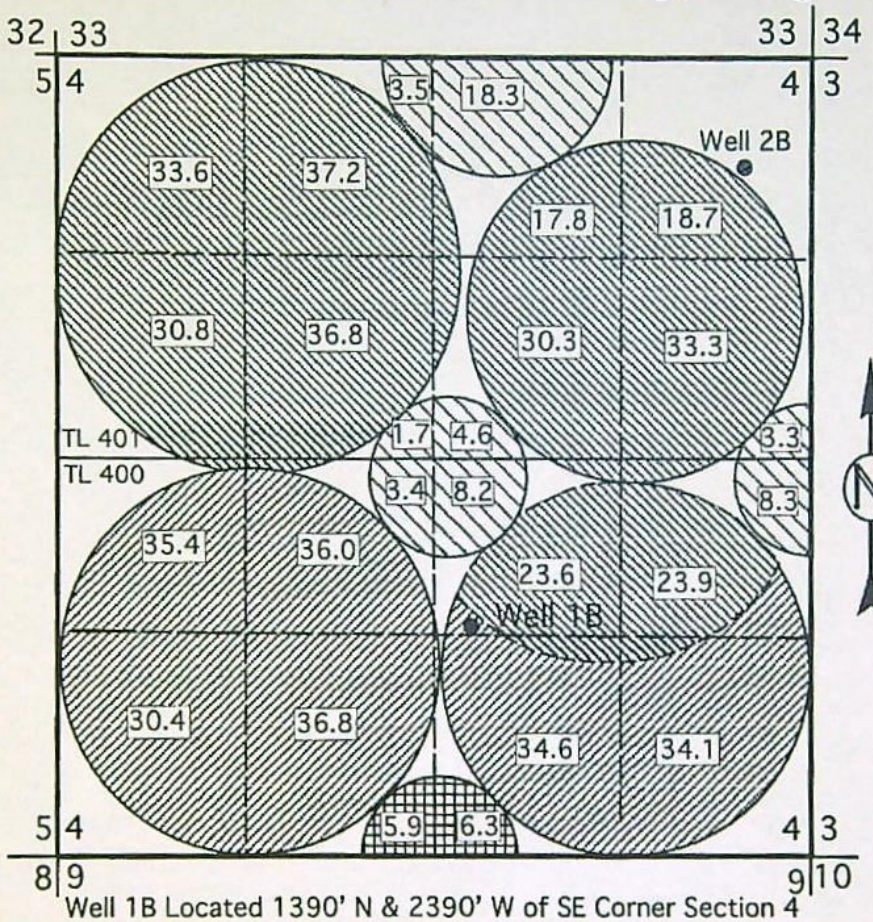
Dated at Salem, Oregon this _____ day of _____ 2016.

D R A F T

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

This draft Preliminary Determination was prepared by Joan Smith. If you have questions about the information in this document, you may reach me at 503-986-0892 or Joan.M.Smith@wrd.state.or.us

Township 3 North, Range 26 East, W.M.
Morrow County, Oregon



Permit G-1284

Permit G-1319

Permit G-1322
W/45563 Supp.
T-11198

RECEIVED BY OWRD

DEC 23 2015

SALEM, OR

Well 1B Located 1390' N & 2390' W of SE Corner Section 4
Well 2B Located 840' S & 430' W of NE Corner Section 4
CID Canal Pump Station, Located 885' W of SE Corner Section 10

TRANSFER MAP

In Name Of

Sage Hollow Ranch, LLC

This Map is for the purpose of identifying the location of Water Rights only and is not intended to provide the legal dimensions or locations of property ownership lines.

Permit S-37293, Cert. 86393
Transfered TO This Location

RONALD V. McKINNIS
NOV. 29, 1958
STATE OF OREGON

Expires: 12-31-16

SCALE 1" = 1320

ENGINEERING - LAND SURVEYING - WATER RIGHTS

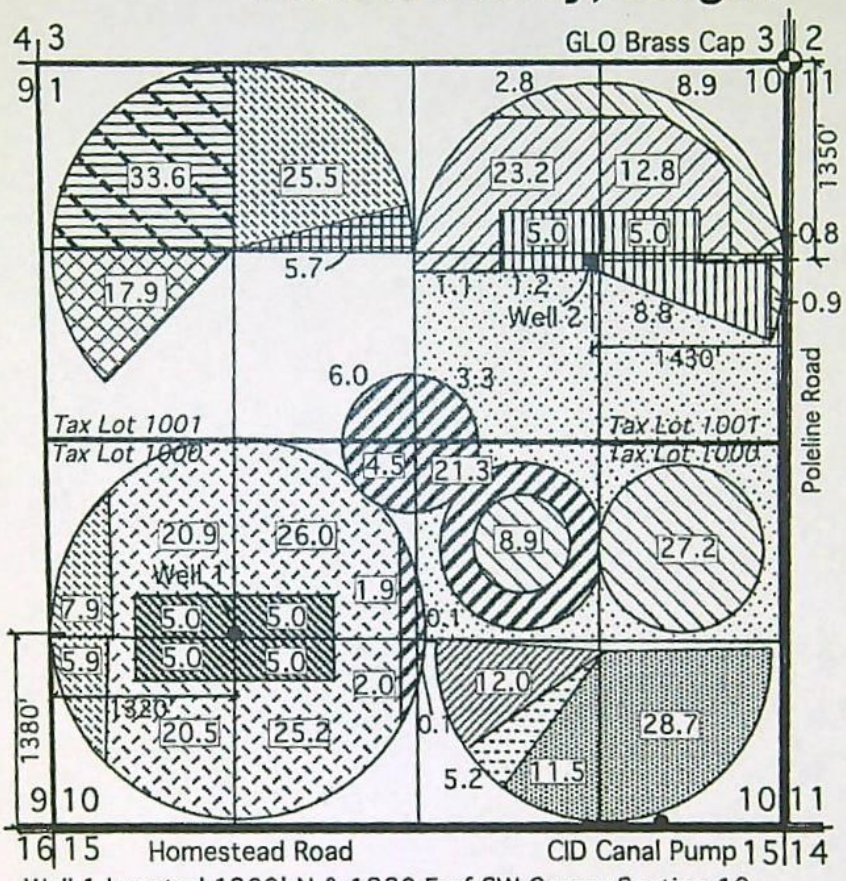
R. V. McKINNIS ENGINEERING

79980 Prindle Loop Road
Hermiston, Oregon 97838
(541) -567-2017

Rev. 10-24-2015

T 12225

Township 3 North, Range 26 East, W.M.
Morrow County, Oregon



Well 1 Located 1380' N & 1320 E of SW Corner Section 10
Well 2 Located 1350' S & 1430 W of NE Corner Section 10
CID Canal Pump Station, Located 885' W of SE Corner Section 10

Permit G-1070 W/ 45563 Supp.
Permit G-1070 W/ 45563 Supp.
Permit G-1070 W/ 45563 Supp.
Permit G-1322 W/ 45563 Supp.
Permit G-1322 W/ 45563 Supp.
Permit G-1322 W/ 45563 Supp.
Permit U-549 W/ 45563 Supp.
Permit U-551 W/ 45563 Supp.
Permit 37293
Permit 45563
Permit 45563
Agricultural Use Permit G-1070 W/ 45563 Supp.

TRANSFER MAP
In Name Of
Sage Hollow Ranch, LLC

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Permit S-37293, Cert. 86393 Transfered FROM This Location

Permit S-37293, Cert. 86393 Transfered TO This Location

RONALD V. McKINNIS
NOV. 29, 1998
STATE OF OREGON
Expires 12-31-16

SCALE 1" = 1320

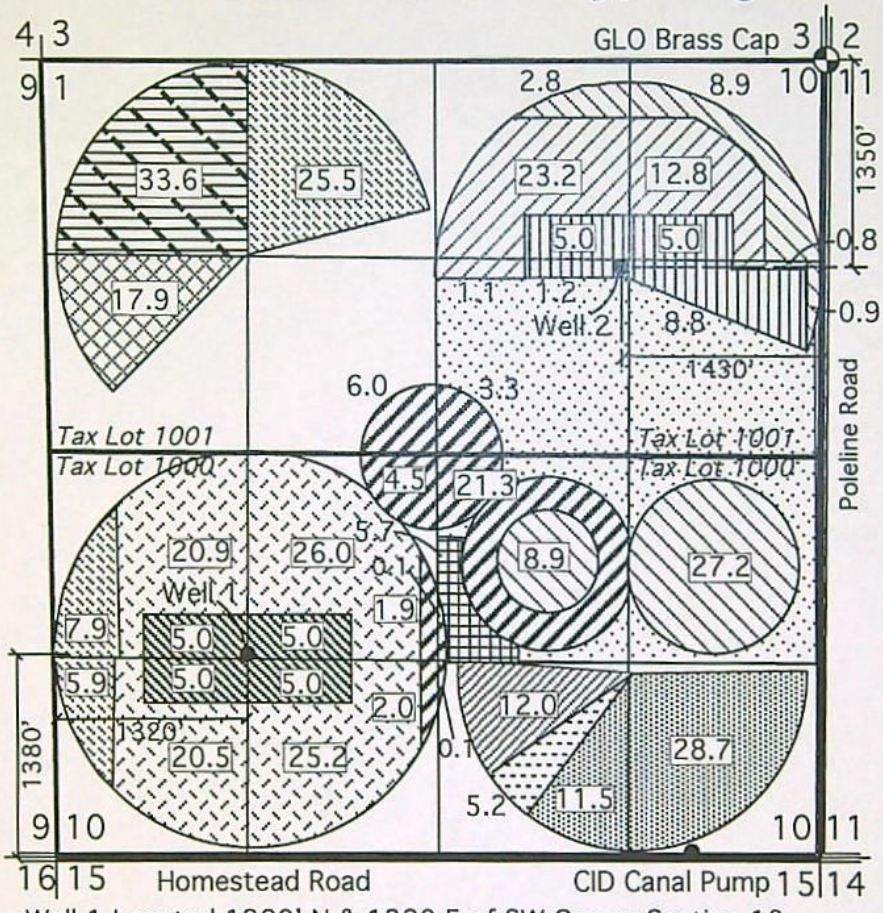
RECEIVED BY OWRD
DEC 23 2015
SALEM, OR

ENGINEERING - LAND SURVEYING - WATER RIGHTS
R. V. McKINNIS ENGINEERING
79980 Prindle Loop Road
Hermiston, Oregon 97838
(541) -567-2017

Rev. 10-24-15

T 12225

Township 3 North, Range 26 East, W.M.
Morrow County, Oregon



Well 1 Located 1380' N & 1320 E of SW Corner Section 10
Well 2 Located 1350' S & 1430 W of NE Corner Section 10
CID Canal Pump Station, Located 885' W of SE Corner Section 10

Permit G-1070 W/ 45563 Supp.
Permit G-1070 W/ 45563 Supp.
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Permit G-1322 W/ 45563 Supp.
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Permit U-549 W/ 45563 Supp.
Permit U-551 W/ 45563 Supp.
Permit 37293
Permit 45563
Permit 45563
Agricultural Use Permit G-1070 W/ 45563 Supp.

TRANSFER MAP

In Name Of

Sage Hollow Ranch, LLC

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NOV. 29, 1958
STATE OF OREGON
Expires 12-31-16

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Permit S-37293, Cert. 86393 Transfered FROM This Location

Permit S-37293, Cert. 86393 Transfered TO This Location

SCALE 1" = 1320

ENGINEERING - LAND SURVEYING - WATER RIGHTS

R. V. McKINNIS ENGINEERING

79980 Prindle Loop Road
Hermiston, Oregon 97838
(541) -567-2017

Rev. 12-04-16

SMITH Joan M * WRD

From: Willaim Porfily <bporfily@my180.net>
Sent: Tuesday, April 19, 2016 2:16 PM
To: 'SMITH Joan M'
Subject: RE: questions with regard to T-12248

Afternoon Joan

Replying to question number 1 below.

The supplemental right described in Certificate 49727 are supplemental from the same source of water that the primary right is authorized from thus no reason to transfer them.

William Porfily
P.O. Box 643
Stanfield, OR 97875
Cel: (541)561-7259
Off-Home (541)449-1327
E-mail: **wporfily@gmail.com**

From: SMITH Joan M [mailto:joan.m.smith@state.or.us]
Sent: Tuesday, April 19, 2016 9:17 AM
To: bporfily@my180.net
Subject: questions with regard to T-12248

Good Morning Bill, a couple questions for T-12248; before I can issue the dpd.

1) With regard to Certificate 49727 was it your intention to include the Supplemental Irrigation?
2) Is the applicant requesting to limit the total water use per year to 1000 acre feet to avoid potential enlargement of the rights?

The dpd is ready as soon as I hear back from you, and or the applicant.

Thanks

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.

SMITH Joan M * WRD

From: Willaim Porfily <bporfily@my180.net>
Sent: Tuesday, April 19, 2016 2:04 PM
To: 'SMITH Joan M'
Cc: gjtevelde@aol.com; wayned@irz.com
Subject: RE: questions with regard to T-12248

Follow Up Flag: Follow up
Flag Status: Flagged

Afternoon Again Joan

Responding to you question #2 below. In looking at the last five years usage from Page 5 of 8 of the OWRD Ground Waters Review, in 2012 the usage from the two wells was 1184 acre-ft thus I believe that is the amount that we can legally claim and would request that amount.

William Porfily
P.O. Box 643
Stanfield, OR 97875
Cel: (541)561-7259
Off-Home (541)449-1327
E-mail: wporfily@gmail.com

From: SMITH Joan M [mailto:joan.m.smith@state.or.us]
Sent: Tuesday, April 19, 2016 9:17 AM
To: bporfily@my180.net
Subject: questions with regard to T-12248

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Thanks

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

SMITH Joan M * WRD

From: Willaim Porfily <bporfily@my180.net>
Sent: Tuesday, April 19, 2016 2:04 PM
To: 'SMITH Joan M'
Cc: gjtevelde@aol.com; wayned@irz.com
Subject: RE: questions with regard to T-12248

Afternoon Again Joan

Responding to you question #2 below. In looking at the last five years usage from Page 5 of 8 of the OWRD Ground Waters Review, in 2012 the usage from the two wells was 1184 acre-ft thus I believe that is the amount that we can legally claim and would request that amount.

William Porfily
P.O. Box 643
Stanfield, OR 97875
Cel: (541)561-7259
Off-Home (541)449-1327
E-mail: **wporfily@gmail.com**

From: SMITH Joan M [mailto:joan.m.smith@state.or.us]
Sent: Tuesday, April 19, 2016 9:17 AM
To: bporfily@my180.net
Subject: questions with regard to T-12248

Good Morning Bill, a couple questions for T-12248; before I can issue the dpd.

1) With regard to Certificate 49727 was it your intention to include the Supplemental Irrigation?
2) Is the applicant requesting to limit the total water use per year to 1000 acre feet to avoid potential enlargement of the rights?

The dpd is ready as soon as I hear back from you, and or the applicant.

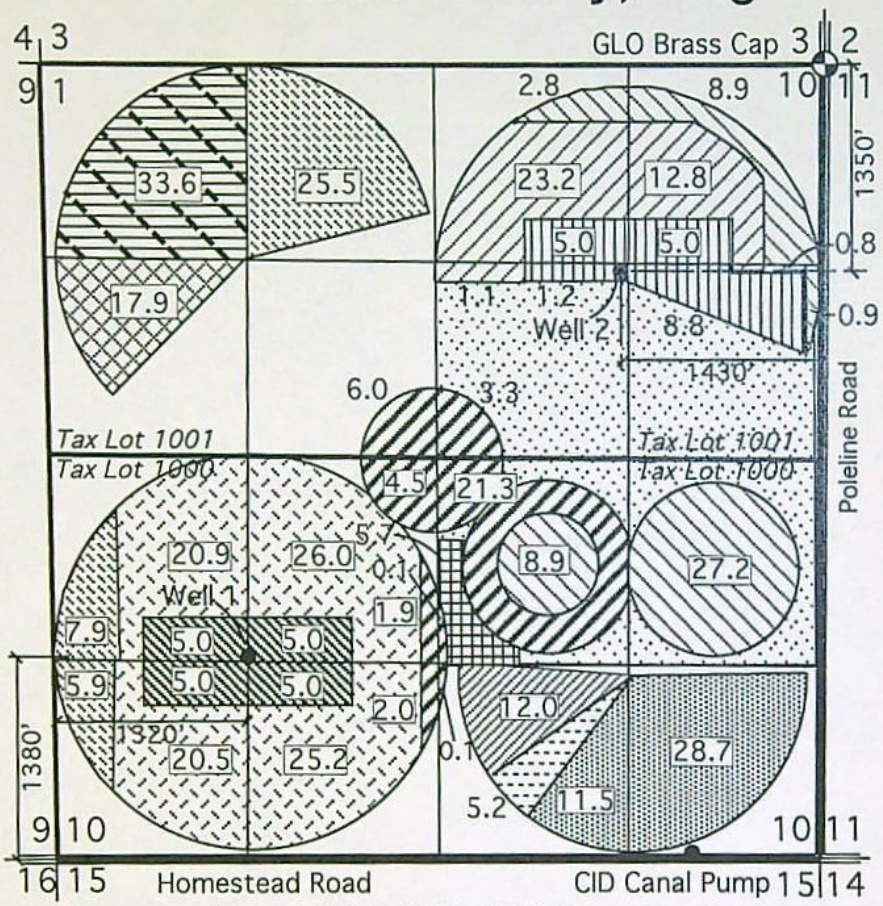
Thanks

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.

Township 3 North, Range 26 East, W.M.
Morrow County, Oregon



Well 1 Located 1380' N & 1320 E of SW Corner Section 10
Well 2 Located 1350' S & 1430 W of NE Corner Section 10
CID Canal Pump Station, Located 885' W of SE Corner Section 10

- Permit G-1070 W/ 45563 Supp.
- Permit G-1070 W/ 45563 Supp.
- Permit G-1070 W/ 45563 Supp.
- Permit G-1322 W/ 45563 Supp.
- Permit G-1322 W/ 45563 Supp.
- Permit G-1322 W/ 45563 Supp.
- Permit U-549 W/ 45563 Supp.
- Permit U-551 W/ 45563 Supp.
- Permit 37293
- Permit 45563
- Permit 45563
- Agricultural Use Permit G-1070 W/ 45563 Supp.

TRANSFER MAP

In Name Of

Sage Hollow Ranch, LLC

RONALD V. McKINNIS
NOV. 29, 1958
STATE OF OREGON
Expires 12-31-16

This Map is for the purpose of identifying the location of Water Rights only and is not intended to provide the legal dimensions or locations of property ownership lines.

- Permit S-37293, Cert. 86393 Transfered FROM This Location
- Permit S-37293, Cert. 86393 Transfered TO This Location

SCALE 1" = 1320

ENGINEERING - LAND SURVEYING - WATER RIGHTS

R. V. McKINNIS ENGINEERING

79980 Prindle Loop Road
Hermiston, Oregon 97838
(541) -567-2017

Rev. 12-04-16

CM-10-CG T 7P SP*33674-690

STATE OF OREGON

COUNTY OF MORROW

49726

CERTIFICATE OF WATER RIGHT

This Is to Certify, That GEORGE S. BULOW

of PO Box 320, Irrigon, State of Oregon 97844, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of Columbia River for the purpose of irrigation of 207.3 acres

under Permit No. G-1319 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 2, 1959

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.12 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW¼ SE¼, Section 4, T. 3 N., R. 26 E., W.M.; 1390 feet North and 2390 feet West from SE Corner, Section 4.

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 acre-feet per acre for each acre irrigated during the irrigation season of each year

and 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 hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

1.3 acres SW¼ NW¼
1.7 acres SE¼ NW¼
36.0 acres NE¼ SW¼
35.4 acres NW¼ SW¼
30.4 acres SW¼ SW¼
35.0 acres SE¼ SW¼
0.2 acre NE¼ SE¼
2.9 acres NW¼ SE¼
33.6 acres SW¼ SE¼
30.8 acres SE¼ SE¼
Section 4
T. 3 N., R. 26 E., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 41879, Volume 33, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on July 21, 1980, approving transfer application No. 4118.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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

WITNESS the signature of the Water Resources Director, affixed this date. October 28, 1980

Deputy *Water Resources Director*

Recorded in State Record of Water Right Certificates, Volume 43, *page* 49726

690-10-DGBC

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

55316

This is to certify, *That* GEORGE AND JERRY BULOW

of PO Box G, Irrigon , *State of* OR 97844 , *has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of*
Wells #1 & #2

a tributary of Columbia River *for the purpose of*
irrigation of 85.2 acres

under Permit No. G-1284 *and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from*
March 6, 1959
that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
0.35 cubic foot per second; being 0.19 cfs from Well #1 and 0.16 cfs from Well #2

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW 1/4 SE 1/4, NE 1/4 NE 1/4, Section 4, T3N, R26E, WM; #1 - 1390 feet North and 2390 feet West from SE corner Section 4; Well #2 - 840 feet South and 430 feet West from NE corner Section 4.

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,

and 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 hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

	WELL #1	WELL #2
NE 1/4 NE 1/4		18.4 acres
NW 1/4 NE 1/4		13.4 acres
SE 1/4 NE 1/4		7.3 acres
NE 1/4 SE 1/4	23.0 acres	
NW 1/4 SE 1/4	23.1 acres	

Section 4
Township 3 North, Range 26 East, WM

This certificate is issued to confirm changes in place of use and point of appropriation approved by an order of the Water Resources Director entered July 21, 1980, and together with certificate of water right recorded at page 49727, Volume 43, State Record of Water Right Certificates, supersedes certificate 41878.

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 purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed this date. December 19, 1986

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50 *, page* 55316

7655D/SA
T-4119

690-10-DGBC

STATE OF OREGON

COUNTY OF MORROW

55317

CERTIFICATE OF WATER RIGHT

This is to certify, *That* GEORGE AND JERRY BULOW

of PO Box G, Irrigon *, State of* OR 97844 *, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of*
Well #1

a tributary of Columbia River *for the purpose of*
irrigation of 12.2 acres

under Permit No. G-1319 *and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from*
March 2, 1959
that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
0.07 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW 1/4 SE 1/4, Section 4, T3N, R26E, WM; 1390 feet North and 2390 feet West from SE corner Section 4.

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,

and 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 hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

7.9 acres NE 1/4 SE 1/4
1.0 acre SW 1/4 SE 1/4
3.3 acres SE 1/4 SE 1/4
Section 4
Township 3 North, Range 26 East, WM

This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered July 21, 1980, and together with certificate of water right recorded at page 49726, Volume 43, State Record of Water Right Certificates, supersedes certificate 41879.

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 purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed this date. December 19, 1986

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50 *, page* 55317

7654D/SA
T-4118

Notice of Preliminary Determination for
Water Right Transfer T-12248

T-12248 filed by Sage Hollow Ranch LLC, 3620 Independence Rd. Sunnyside, WA 98944, proposes a point of appropriation, additional points of appropriation and place of use changes under Certificates(C) 49726, 55317, 49727, and 55316. C-49726 allows the use of 1.12 cfs from a well in Sec.4 T3N R26E WM for irrigation in Sec. 4. The applicant proposes to move the authorized well and add additional wells in Sects.16, 22, T3N R26E WM, to change the place of use to Sects.15, 16, T3N R26E WM, and to change the character of use to agricultural.C-55317 allows the use of 0.07 cfs from a well in Sec.4 T3N R26E WM for irrigation in Sec.4. The applicant proposes to move the authorized well and add additional wells in Sects.16, 22 T3N, R26E WM, to change the place of use to Sects.15, 16, T 3N, R26E WM and to change the character of use to agricultural.C-49727 allows the use of 0.84cfs from a well in Sec.4 T3N R26E WM for irrigation in Sec.4. The applicant proposes to move the authorized well and add additional wells in Sects.16, 22 T3N R26E WM, to change the place of use to Sects.15, 16 T3N R26E WM and to change the character of use to agricultural.C-55316 allows the use of 0.35cfs from wells in Sec.4 T3N R26E WM for irrigation in Sec.4. The applicant proposes to move the authorized well and add additional wells in Sects.16, 22 T3N R26E WM, to change the place of use to Sects.15, 16 T3N R26E WM and to change the character of use to agricultural.
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 or a protest form. If no protests are filed, the Department will issue a final order consistent with the preliminary determination.

SMITH Joan M * WRD

From: WOODY Jennifer L * WRD
Sent: Wednesday, December 21, 2016 9:25 AM
To: SMITH Joan M * WRD
Subject: RE: T-12248-DPD/ Applicant Response (Items 1 & 3)

Yes, left you a message on this yesterday- call me when you have a minute.
jen

From: SMITH Joan M * WRD
Sent: Tuesday, December 20, 2016 1:56 PM
To: WOODY Jennifer L * WRD
Subject: FW: T-12248-DPD/ Applicant Response (Items 1 & 3)

Please see the below. J

From: Langford, Shonee D. [mailto:SLangford@SCHWABE.com]
Sent: Tuesday, December 20, 2016 12:58 PM
To: 'Joan.M.Smith@state.or.us'; SMITH Joan M * WRD
Cc: 'William Porfily'
Subject: RE: T-12248-DPD/ Applicant Response (Items 1 & 3)

Good morning Joan,
I'm writing on behalf of the applicant to respond to items #1 and 3 in your Nov. 28 email below. We are concerned about the 1,000 acre-foot limitation proposed in Findings 24 and 25, and are hoping to address that as soon as possible.

I spoke to Jen Woody about her attached review for T-12248, in which she noted that "average total annual use from the two wells is about 1,000 acre-feet." I explained that her comment led to a proposed condition in the DPD that would limit future use to 1,000 acre-feet. I also noted that the full authorized volume was beneficially used as recently as 2012. After taking another look at her comment, Jen doesn't think she intended the 1,000 acre-feet to be a limit on future use and she encouraged me to submit comments to you.

Comments

1. Finding 24: The applicant disagrees with the last two sentences of Finding 24. Those sentences suggest that the amount of water that could be beneficially used without waste under the existing irrigation rights is equivalent to the average total annual use during the period of 1978 through 2014 (1,000 acre-feet), and that enlargement would result unless future use is limited to the average total annual use. We do not agree that future use in excess of 1,000 acre-feet would constitute an enlargement of existing rights. The applicant is not proposing to use a greater rate or duty than allowed under existing rights or to take more water at the new wells than has been available at the original wells. See OAR 690-380-0100 (defining enlargement). The authorized rate for irrigation is a total of 2.38 cfs, which results in a maximum annual volume of 1157 acre-feet (max rate multiplied by 245-day irrigation season). The applicant proposes to change the season of use to year-round, but that should not affect the annual volume of 1157 acre-feet. See Section 11.01 of Technical Operations Manual, Water Right Transfer Reviews, Aug. 15, 2008, page 11 of 21 ("The extension of the irrigation season does not constitute enlargement of the right if the total annual diversion is limited to the quantity that could have been diverted under the originating right"). The Department's water use records (cited in Figure 1 of the attached groundwater review) indicate that the water right holder used the maximum annual volume of 1157 acre-feet in 17 out of 37 years – most recently in 2012. This is not an enlargement situation, in which the water user couldn't have

beneficially used the authorized volume of 1157 acre-feet for the original purpose, as might have been the case if the original use had been for something like dust control (an intermittent, less intensive use). Please see below for our proposed changes to Finding 24.

2. Finding 25: You have already discussed this finding with me and Bill Porfily. As discussed, the applicant did not request that the use be limited to 1,000 acre-feet per year. In addition to that correction, we disagree with the last sentence of Finding 25 for reasons described above. Again, we do not believe that use of the authorized (and recently used) maximum volume of 1157 acre-feet would result in enlargement of the existing rights. Please see below for our proposed changes to Finding 25.

Proposed Changes

We propose the following changes to Findings 24 and 25:

24. Transfer Application T-12248 proposes to change the type of use from Irrigation during the irrigation season to year-around Agricultural Use for the construction and operation of a dairy. The proposed change could result in enlargement if not conditioned to prevent use of more water than could have been ~~beneficially used without waste for~~ **diverted under** the existing authorized use. ~~Water use records from 1978 to 2014 indicate that the average~~ **The** total annual ~~use~~ **volume that could have been diverted** from the two authorized Points of Appropriation was ~~1,000~~ **1,157** acre-feet.

25. On April 19, 2016, Sage Hollow Ranch, LLC requested ~~to limit the~~ **that the original authorized quantity be the quantity authorized for future** use under the rights evidenced by Certificates 49726, 55317, 49727, and 55316 ~~to no more than 1,000 acre-feet per year~~. Therefore, the proposed use, if conditioned to limit the total annual volume to ~~1,000~~ **1,157** acre feet per year under Certificates 49726, 55317, 49727, and 55316, would not result in enlargement of the rights.

Typographical Error

Bill found an error in the description for the proposed #2 South Well. He says the draft PD lists the location from the NE corner of Section 22. But the 4 maps all list and show the location from the NW Corner of Section 22. Everything else looks fine and is acceptable to the applicant (other than the issues discussed above).

Please let me know if you have questions or would like to discuss further.

Thank you,

Shonee

Shonee D. Langford
Direct: 503-540-4261

From: William Porfily [mailto:wporfily@gmail.com]
Sent: Friday, December 16, 2016 2:36 PM
To: Langford, Shonee D.
Subject: FW: T-12248-DPD

William Porfily
P.O. Box 643
Stanfield, OR 97875
Cel: (541)561-7259

Off-Home (541)449-1327
E-mail: wporfily@gmail.com

From: SMITH Joan M * WRD [mailto:Joan.M.Smith@oregon.gov]
Sent: Monday, November 28, 2016 2:49 PM
To: maplegrove@bentonrea.com; gjtevelde@aol.com
Cc: wporfily@gmail.com; SILBERNAGEL Greg M * WRD; dalevconsulting@gmail.com
Subject: T-12248-DPD

SUBJECT: Water Right Transfer Application T-12248

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-12248. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing…

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.

2. Certificate 49727 includes a 4.5 acre Supplemental Irrigation Right that is not mentioned in transfer application T-12248. However, Page 13 of the application states that the proposed changes will affect the entire water right. Please provide clarification regarding your intent to include, or exclude, the supplemental irrigation right in T-12248, and provide an updated transfer application and map stating your intention. Alternatively, if you wish to cancel the supplemental portion of Certificate 49727, please provide a completed Affidavit for Partial Cancellation of a Water Right to the Department.

3. Transfer application T-12248 proposed to change the type of use from Irrigation Use during the Irrigation Season to Year-around Agricultural Use for the construction and operation of a dairy. In order to prevent potential enlargement of the water rights, the Department is proposing to limit the volume of water used to 1,000 acre-feet per year, a volume equivalent to the average total annual use from the two authorized Points of Appropriation.

4. A report of landownership for the lands to which the water rights are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** *(Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.)*
   a) The title company's report must either be:
      i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
      ii) prepared within 3 months of recording of a water right conveyance agreement, or
      iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
   b) The ownership report shall include:
      i) Date reflected by the ownership information
      ii) List of owners at that time
      iii) Legal description of the property where the water right to be transferred is currently located.
   c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.

5. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the Hermiston Herald as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

Conditions to your water right…

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

Please note the proposed date by which all conditions must be met: October 1, 2031. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next…

Once the Preliminary Determination is issued a publication period is required. Because there are intervening points of appropriation between the new and the authorized points of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

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

1. your written response to the clarifications and revisions requested in 2 and 3, above;
2. your written request to the Department to limit the volume of use under the rights proposed for transfer to no more than 1,000 acre-feet per year. Or, you may provide the Department with an alternative proposal to prevent potential enlargement of the rights;
3. your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and
4. report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application.

If we do not receive the items listed above by December 29, 2016, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at joan.m.smith@wrd.state.or.us if I may be of assistance.

Sincerely,

Joan Smith
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-12248
Gregory M. Silbernagel, District 5 Watermaster *(via e-mail)*
William I. Porfily, Agent for the applicant *(via e-mail)*
Willow Creek Dairy, Receiving Landowner *(via e-mail)*
Dale G. VanScheiack, CWRE #333 *(via e-mail)*

NOTICE: This email may contain material that is confidential, privileged and/or attorney work product for the sole use of the intended recipient. Any review, reliance or

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

Ground Water Review Form:

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

Application: T-12248 Applicant Name: Sage Hollow Ranch LLC

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

Reviewer(s): Jen Woody Date of Review: 10/06/2016, supersedes reviews dated 2/25/2016 and 3/24/2016

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

☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.

☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.

☐ Other _____

---

1. Basic description of the changes proposed in this transfer: T-12248 proposes to make changes to 4 certificates to use groundwater in the Ordnance Basalt Critical Groundwater Area (CGWA). It proposes to move the 2 relevant points of appropriation (POAs) from T3N/R26E-Section 4 to T3N/R26E- Sections 16 and 22.

   Certificate 49726: authorizes MORR 595/590 for 1.12 cfs (207.3 acres primary irrigation), the transfer proposes to change the POA to 3 new wells.

   Certificate 55317 authorizes MORR 595/590 for 0.07 cfs (12 acres primary irrigation), the transfer proposes to change the POA to 3 new wells.

   Certificate 49727 authorizes one well (MORR 596 was authorized, MORR 591 is used as a replacement well) for 0.84 cfs (38.4 acres primary irrigation), the transfer proposes to change the POA to 3 new wells.

   Certificate 55316 authorizes MORR 595/590 and MORR 591 for 0.35 cfs total (85.2 acres primary irrigation), the transfer proposes to change the POA to 3 new wells.

   The certificates involved in this transfer are affected by the Ordnance Critical Groundwater Area Order (Special Order Volume 27, pp 40-86). Based on excessively declining groundwater levels, that order prohibited new allocation of groundwater from the CRBG aquifers within the Critical Area boundaries starting in 1976. Water use at MORR 595 and MORR 591 is summarized in Figure 1; average total annual use from the two wells is about 1,000 acre-feet.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments:

The existing and proposed wells will produce from one or more water-bearing zones in the Columbia River Basalt Group (CRBG), a series of lava flows with a composite thickness greater than 10,000 feet in the Columbia Plateau (Kahle et al., 2011). Each flow is characterized by a series of internal features, which generally include a thin rubble zone at the contact between flows and a thick, dense, low porosity and low permeability interior zone. In some cases, sedimentary layers were deposited during the time between basalt flow emplacements. A flow top, sedimentary interbed (if present) and flow bottom are collectively referred to as an interflow zone. Unconfined groundwater occurs near the weathered top of the basalts, but most water occurs in interflow zones under confining conditions at the contacts between lava flows. CRBG flow features result in a series of stacked, thin aquifers that are confined by dense flow interiors. The low permeability of the basalt flow interiors usually results in little connection between stacked aquifers, which results in tabular aquifers with unique water level heads (Reidel et al., 2002).

Constructing a well that is open to multiple water-bearing zones with distinct water level heads commingles multiple aquifers. When the pump is off, water migrates through the well bore from an aquifer of higher pressure to an aquifer of lower pressure. Over time, this can depressurize the aquifer and exacerbate water level decline.

Hydrogeologic investigations by Sceva (1966) and McCall (1975) found that the same CRBG aquifers extend through the currently authorized POA location and the proposed POA locations, based on groundwater elevations and trends. Assuming the new POAs are constructed to no greater depth that the existing wells, they should encounter the same aquifer (same source).

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☒ Yes ☐ No There is more than one aquifer developed within the CRBG. MORR 595 and MORR 591 are constructed with 700-800 foot open intervals in the CRBG. There are at least two CRBG aquifers within 800 feet of land surface in this area. Each aquifer has a distinct head, as evidenced by UMAT 1543 and MORR 1720 which were reconstructed with casing and seal depths that allow access to a single CRBG aquifer per well (see Figure 3) . The shallow CRBG aquifer accessed by UMAT 1543, is located above approximately 400 feet below land surface and has a current February groundwater elevation of 490-500 feet above mean sea level (amsl). Between approximately 400 and 800 feet below land surface, the aquifer accessed by MORR 1720 has a current February groundwater elevation of 260-280 feet amsl (see Figure 3). Cascading water has been documented by Department staff when measuring the water level at MORR 595. MORR 591 has 18' of seal reported on the log, leaving the well open to alluvium and multiple aquifers within the CRBG. To access the same aquifers with new wells that meet current well construction standards, it may be necessary to install multiple wells to replace MORR 595, for example.

The existing wells do not meet current well construction standards requiring single aquifer completion, based on the large open intervals and the lack of information regarding surface seals. They will need to be repaired, converted to dedicated observation wells or abandoned. The proposed APOAs are described in the application with total depth of 750-1000 feet and 150 feet of casing and seal. This will not meet current well construction standards requiring wells access a single aquifer.

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): There is not enough available information to determine what portion of the use is from the various water bearing zones intercepted by MORR 595 and MORR 591.

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: The proposed POAs are about ½ mile closer to nearby basalt wells, which will increase well-to-well interference. A dedicated observation well condition is specified to protect the resource and other existing users. The CGWA order requires that all wells be equipped with water level measuring facilities, which allow monitoring of long term water level trends and the degree of well-to-well interference. Since the proposed POAs will be in use year-round, a dedicated observation well is recommended to meet that requirement.

   b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: Groundwater elevations in the deep basalt aquifer are very consistent across the CGWA. That suggests that the basalt aquifers in this area are not extensively compartmentalized, which would exacerbate well-to-well interference. Interference is expected to be slightly increased by the change in location but similar in magnitude to current conditions.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☐ Yes ☒ No Comments: There is no significant change in surface water interference likely to result from the transfer.

   b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
Stream: _____ ☐ Minimal ☐ Significant
Stream: _____ ☐ Minimal ☐ Significant
Provide context for minimal/significant impact: _____

6. What conditions or other changes in the application are necessary to address any potential issues identified above:

References

McCall, William B., 1975, Ground-Water Conditions and Declining Water Levels in the Ordnance Area, Morrow and Umatilla Counties Oregon, State of Oregon Water Resources Department Groundwater Report No. 23, 134 p.

Oregon Water Resources Department, 1976, Special Order Volume 27, On the Determination of the Critical Ground Water Area in the Ordnance Area, Morrow and Umatilla Counties, Oregon, pp. 40-86.

Sceva, Jack E., 1966, A Brief Description of the Ground-water Conditions in the Ordnance Area Morrow and Umatilla Counties, Oregon, State of Oregon Ground Water Report No. 11, 43 p.

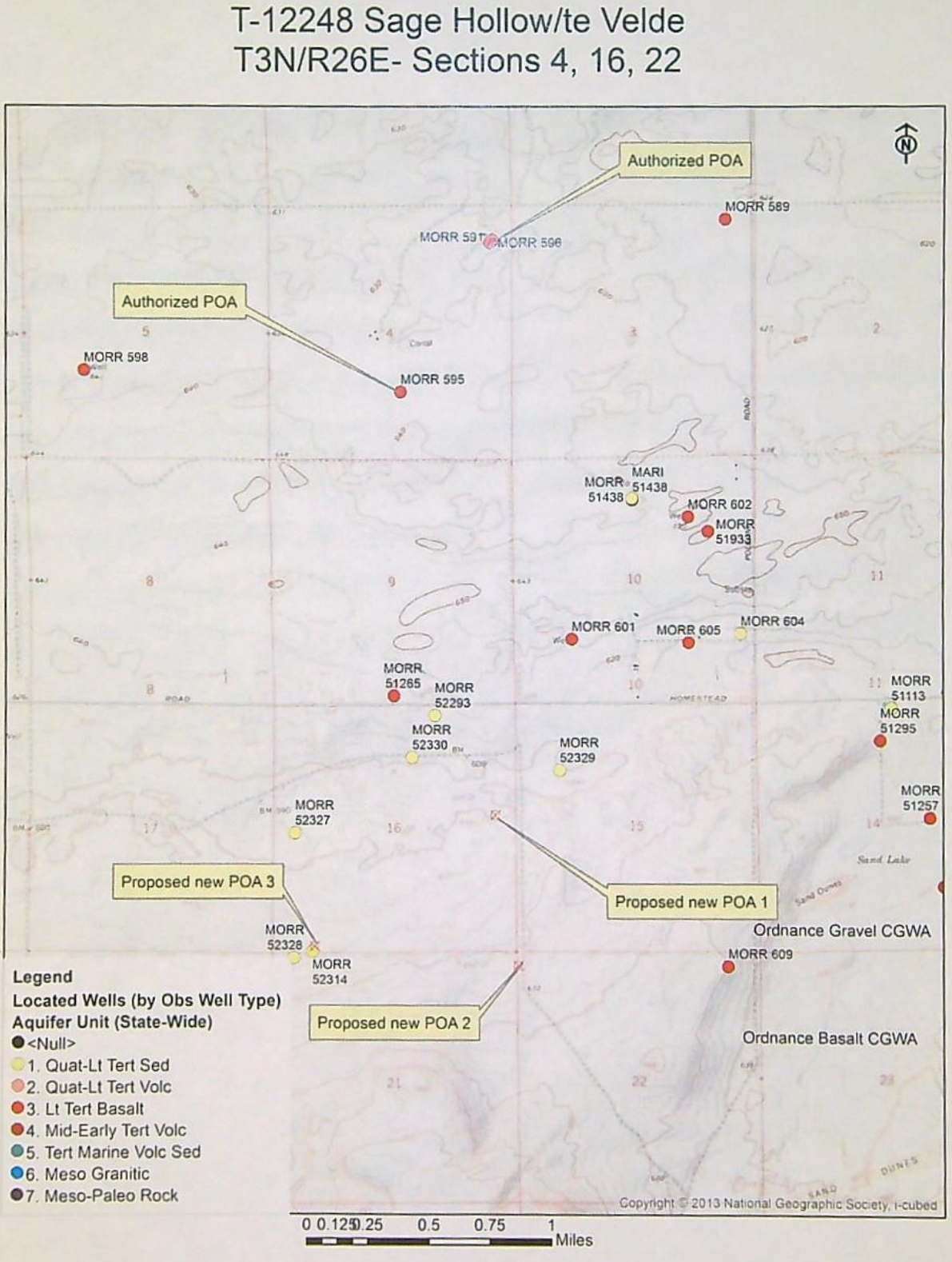
OWRD water level database, accessed 2/24/2016.

Logid	WaterUseYear	PumpageFinalAF	PumpageFinalSource
MORR 591	1978	109.97	FM
MORR 591	1979	409.08	FM
MORR 591	1980	43.79	FM
MORR 591	1981	402.40	FM
MORR 591	1982	270.44	FM
MORR 595	1983		
MORR 591	1983	809.72	FM
MORR 595	1984	256.07	FM
MORR 591	1984	174.23	FM
MORR 591	1985	869.93	FM
MORR 591	1986	299.20	PM
MORR 591	1987	979.64	PM
MORR 595	1988	680.20	FM
MORR 591	1988	722.94	FM
MORR 595	1989	697.63	FM
MORR 591	1989	696.67	FM
MORR 595	1990	692.87	FM
MORR 591	1990	868.61	FM
MORR 595	1991	819.06	FM
MORR 591	1991	839.19	FM
MORR 595	1992	772.40	FM
MORR 591	1992	701.20	FM
MORR 595	1993	790.99	FM
MORR 591	1993	471.38	FM
MORR 595	1994	677.58	FM
MORR 591	1994	928.05	FM
MORR 595	1995	751.85	FM
MORR 591	1995	811.78	FM
MORR 595	1996	570.49	FM
MORR 591	1996	780.91	FM
MORR 595	1997	596.27	FM
MORR 591	1997	716.69	FM
MORR 595	1998	616.15	FM
MORR 591	1998	235.09	FM
MORR 595	1999	746.05	FM
MORR 591	1999	345.39	FM
MORR 595	2000	587.55	FM / 2yrs
MORR 591	2000	377.46	PM
MORR 595	2001	587.55	FM / 2yrs
MORR 591	2001	666.50	FM
MORR 595	2002	852.73	FM
MORR 591	2002	768.73	FM
MORR 595	2003	771.19	FM
MORR 591	2003	910.53	FM
MORR 595	2004	703.95	FM
MORR 591	2004	640.39	FM
MORR 595	2005	699.21	FM
MORR 591	2005	773.16	FM
MORR 595	2006	631.84	FM
MORR 591	2006	555.13	FM
MORR 595	2007	517.75	FM
MORR 591	2007	572.02	FM
MORR 595	2008	517.97	FM
MORR 591	2008	426.11	FM
MORR 595	2009	549.32	FM
MORR 591	2009	458.93	FM
MORR 595	2010	532.92	FM
MORR 591	2010	338.52	FM
MORR 595	2011	491.96	FM
MORR 591	2011	449.25	FM
MORR 595	2012	711.34	FM
MORR 591	2012	472.58	FM
MORR 595	2013	538.28	FM / 2yrs
MORR 591	2013	578.13	FM
MORR 595	2014	538.28	FM / 2yrs
MORR 591	2014	552.02	FM

FM = flowmeter

Figure 1. Water use records from flowmeters at MORR 595 and MORR 591.

Figure 2. Well locations.



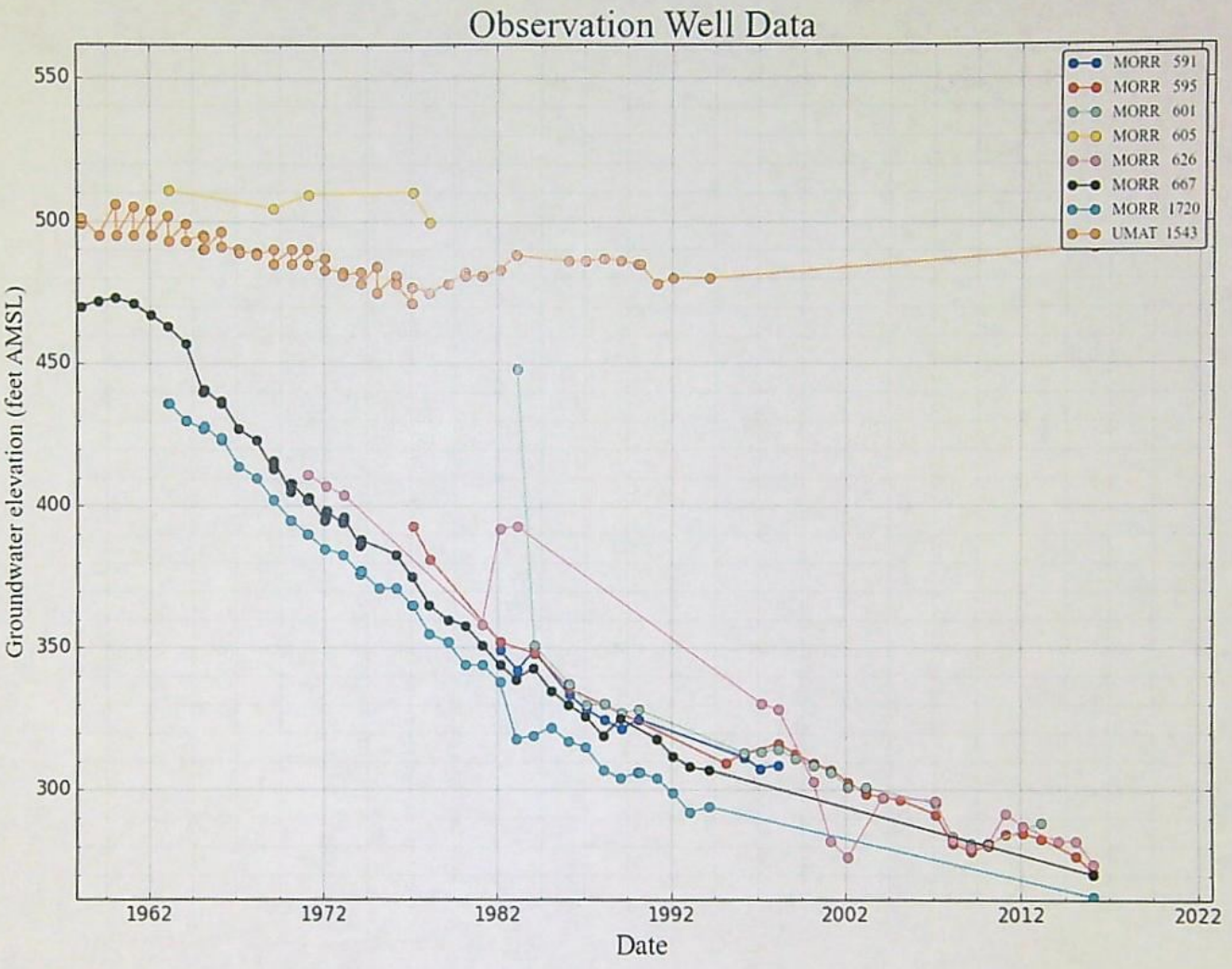


Figure 3. Water levels in wells in the Ordnance Basalt Critical Groundwater Area show two water bearing zones with distinct heads, and falling head with depth. See Figure 4 for well locations.

T-12248 te Velde
Location of wells in hydrograph (Figure 3)

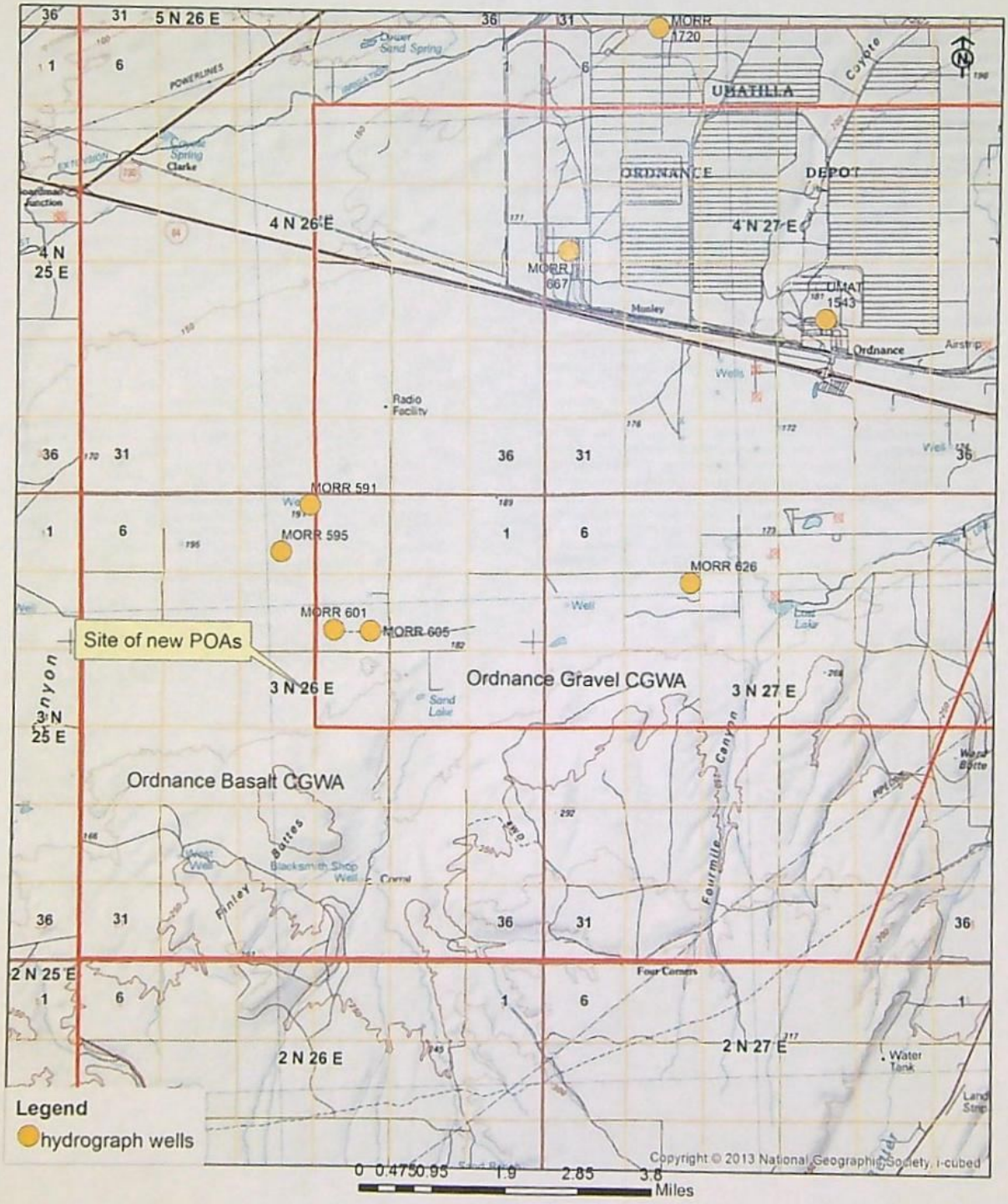


Figure 4. Location of wells with water level data depicted in Figure 3.

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-12248, Morrow County	)	**D R A F T**
	)	PRELIMINARY DETERMINATION PROPOSING APPROVAL OF A CHANGE IN POINTS OF APPROPRIATION AND ADDITIONAL POINTS OF APPROPRIATION, PLACE OF USE, AND CHARACTER OF USE

Authority

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

Applicant

SAGE HOLLOW RANCH LLC
3620 INDEPENDENCE RD
SUNNYSIDE, WA 98944

Receiving Landowner

WILLOW CREEK DAIRY (TE VELDE)
P.O. BOX 1210
BOARDMAN, OR. 97818

Findings of Fact

1. On January 15, 2016, Sage Hollow Ranch LLC filed an application to change the points of appropriation, for an additional point of appropriation; and to change the place of use, and character of use under Certificates 49726, 49727, 55317, and 55316. The Department assigned the application number T-12248.

2. Willow Creek Dairy (Te Velde) is the receiving landowner who will be responsible for completion of the changes.

3. Notice of the application for transfer was published on January 26, 2016, and again on September 6, 2016, pursuant to OAR 690-380-4000. Timely comments were filed in response to the notice.

4. On February 22, 2016, the applicant's agent clarified that the proposed change in character of use was intended to be for Year Round Agricultural Use for construction and operation of a diary.

5. On February 25, 2016, the Department received timely comments concerning potential injury to nearby water rights from David E. Filippi, Stoel Rives LLP on behalf of Pete and Tressa Meenderinck and Meenderinck Land Co. LLC. The Mennerinck's are very concerned that the use of groundwater for the proposed dairy will result in injury to the Meenerinck's existing water rights.

6. The Department will condition the Transfer to address any injury and enlargement issues.

7. On March 16, 2016, the application was amended to indicate the correct locations of the two proposed points of appropriation.

8. On August 2, 2016, the application was amended again requesting an additional well be added to the application.

9. The first right to be transferred is as follows:

Certificate: 49726 in the name of GEORGE S BULOW (perfected under Permit G-1319)
Use: IRRIGATION of 207.3 ACRES
Priority Date: MARCH 2, 1959
Rate: 1.12 CUBIC FEET PER SECOND
Limit/Duty: 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 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	SW NW	1.30
3 N	26 E	WM	4	SE NW	1.70
3 N	26 E	WM	4	NE SW	36.00
3 N	26 E	WM	4	NW SW	35.40
3 N	26 E	WM	4	SW SW	30.40
3 N	26 E	WM	4	SE SW	35.00
3 N	26 E	WM	4	NE SE	0.20
3 N	26 E	WM	4	NW SE	2.90
3 N	26 E	WM	4	SW SE	33.60
3 N	26 E	WM	4	SE SE	30.80
				Total:	207.30

10. Transfer Application T-12248 proposes to move the authorized point of appropriation point of appropriation approximately 2 miles from the existing point of appropriation and add an additional point of appropriation as described below to:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1/NORTH WELL	3 N	26 E	WM	16	SE NE	2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
2/SOUTH WELL	3 N	26 E	WM	22	NW NW	290 FEET SOUTH AND 10 FEET EAST FROM THE NE CORNER OF SECTION 22
Proposed Well 3	3 N	26 E	WM	16	SW SW	130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

11. Transfer Application T-12248 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

12. The second right to be transferred is as follows:

Certificate: 55317 in the name of GEORGE AND JERRY BULOW (perfected under Permit G-1319)
Use: IRRIGATION of 12.2 ACRES
Priority Date: MARCH 2, 1959
Rate: 0.07 CUBIC FOOT PER SECOND
Limit/Duty: 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.
Source: WELL #1 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE SE	7.9
3 N	26 E	WM	4	SW SE	1.0
3 N	26 E	WM	4	SE SE	3.3
				Total	12.2

13. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2 miles from the existing point of appropriation and add an additional point of appropriation as described below to:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1/NORTH WELL	3 N	26 E	WM	16	SE NE	2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
2/SOUTH WELL	3 N	26 E	WM	22	NW NW	290 FEET SOUTH AND 10 FEET EAST FROM THE NE CORNER OF SECTION 22
Proposed Well 3	3 N	26 E	WM	16	SW SW	130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

14. Transfer Application T-12248 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

15. The third right to be transferred is as follows:

Certificate: 49727 in the name of GEORGE S BULOW (perfected under Permit G-1284)
Use: IRRIGATION of 198.3 ACRES
Priority Date: MARCH 6, 1959
Rate: 0.84 CUBIC FOOT PER SECOND
Limit/Duty: 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 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: A WELL within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NE NE	840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4

Authorized Place of Use:

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE NE	0.3
3 N	26 E	WM	4	NW NE	4.4
3 N	26 E	WM	4	SW NE	30.3

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	SE NE	26.0
3 N	26 E	WM	4	NE NW	37.2
3 N	26 E	WM	4	NW NW	33.6
3 N	26 E	WM	4	SW NW	30.8
3 N	26 E	WM	4	SE NW	34.4
3 N	26 E	WM	4	NE SE	0.9
3 N	26 E	WM	4	NW SE	0.4
				Total	198.3

16. Transfer Application T-12248 proposes to move the authorized point of appropriation and add an additional point of appropriation all approximately 2 ½ mile from the existing point of appropriation to:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1/NORTH WELL	3 N	26 E	WM	16	SE NE	2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
2/SOUTH WELL	3 N	26 E	WM	22	NW NW	290 FEET SOUTH AND 10 FEET EAST FROM THE NE CORNER OF SECTION 22
Proposed Well 3	3 N	26 E	WM	16	SW SW	130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

17. Transfer Application T-12248 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

18. The fourth right to be transferred is as follows:

Certificate: 55316 in the name of GEORGE AND JERRY BULOW (perfected under Permit G-1284)
Use: IRRIGATION of 85.2 ACRES
Priority Date: MARCH 6, 1959
Rate: 0.35 CUBIC FOOT PER SECOND, BEING 0.19 CFS FROM WELL #1 AND 0.16 CFS FROM WELL #2
Limit/Duty: 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.

Source: WELL #1 and #2 within the COLUMBIA RIVER BASIN

Authorized Points of Appropriation:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
#2/NORTH WELL	3 N	26 E	WM	4	NE NE	840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4
#1/SOUTH WELL	3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

POA #	Twp	Rng	Mer	Sec	Q-Q	Acres
#2	3 N	26 E	WM	4	NE NE	18.4
#2	3 N	26 E	WM	4	NW NE	13.4
#2	3 N	26 E	WM	4	SE NE	7.3
#1	3 N	26 E	WM	4	NE SE	23.0
#1	3 N	26 E	WM	4	NW SE	23.1
					Total	85.2

19. Transfer Application T-12248 proposes to move the authorized points of appropriation approximately 2 ½ miles from the existing points of appropriation and add an additional point of appropriation as described below to:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1/NORTH WELL	3 N	26 E	WM	16	SE NE	2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
2/SOUTH WELL	3 N	26 E	WM	22	NW NW	290 FEET SOUTH AND 10 FEET EAST FROM THE NE CORNER OF SECTION 22
Proposed Well 3	3 N	26 E	WM	16	SW SW	130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

20. Transfer Application T-12248 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

21. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

Transfer Review Criteria (OAR 690-380-4010)

22. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

23. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12248.

24. Transfer Application T-12248 proposes to change the type of use from Irrigation during the irrigation season to year-around Agricultural Use for the construction and operation of a dairy. The proposed change could result in enlargement if not conditioned to prevent use of more water than could have been beneficially used without waste for the existing authorized use. Water use records from 1978 to 2014 indicate that the average total annual use from the two authorized Points of Appropriation was 1,000 acre-feet.

25. On April 19, 2016, Sage Hollow Ranch, LLC requested to limit the use under the rights evidenced by Certificates 49726, 55317, 49727, and 55316 to no more than 1,000 acre-feet per year. Therefore, the proposed use, if conditioned to limit the total annual volume to 1,184 acre feet per year under Certificates 49726, 55317, 49727, and 55316, would not result in enlargement of the rights.

26. The Department can consider the change in season of use for Transfer Application T-12248, because the aquifer acts as storage and if the annual water use is the same, the changing of the season of use from irrigation use to year-around will not change the overall balance in the aquifer.

27. The proposed change as conditioned would not result in injury to other water rights.

28. The proposed change as conditioned would not result in enlargement.

29. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation, additional point of appropriation and change in place of use and character of use changes proposed in Transfer Application T-12248 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-12248 is approved, the final order will include the following:

1. *The change in points of appropriation, additional point of appropriation and change in place of use and proposed in Transfer Application T-12248 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 Certificates 49726, 49727, 55317, and 55316 and any related decree.*

3. *Water right Certificates 49726, 49727, 55317, and 55316 are cancelled.*

4. *The quantity of water diverted at the new points of appropriation and additional point of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.*

5. *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 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.

6. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*

7. *The former place of use of the transferred right shall no longer receive water under the right.*

8. *The use of water for the proposed use, under the rights evidenced by Certificates 49726, 55317, 49727, and 55316 shall be limited to a total annual volume of 1,000 acre-feet during the entire year.*

9. ~~*The season of use as conditioned is changed to year-around use.*~~

10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before* ***October 1, 2031****. 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.*

11. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2016.

D R A F T

_____

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

This draft Preliminary Determination was prepared by Joan Smith if you have any questions with regard to this draft document you can contact me at joan.m.smith@state.or.us or by phone 503-986-0892.

SMITH Joan M * WRD

From: William Porfily <wporfily@gmail.com>
Sent: Monday, December 05, 2016 1:31 PM
To: SMITH Joan M
Cc: maplegrove@bentonrea.com; 1brianbosma@gmail.com; Gibb Evans; mike@pendletonlaw.net; gjtevelde@aol.com
Subject: FW: LOT BOOK 9947
Attachments: LOT BOOK 9947.pdf

Afternoon Joan

Please find attached Lot Book Report for Transfer T-12248. I will put in the mail today the cancelation affidavit for the 4.5 acres of Supplemental Irrigation Water rights Described in Certificate 49727 per item #2 in the recent DPD for this transfer.

William Porfily
P.O. Box 643
Stanfield, OR 97875
Cel: (541)561-7259
Off-Home (541)449-1327
E-mail: wporfily@gmail.com

-----Original Message-----
From: Title Desk [mailto:titledesk@midcotitle.com]
Sent: Monday, December 05, 2016 10:27 AM
To: William Porfily
Subject: LOT BOOK 9947

Please see attached lot book report. Let me know if you need anything else.

Thank you,

Melissa Eggers
Title Officer
Mid-Columbia Title Company
Boardman, Oregon 97818
Phone: 541-481-2280
Fax: 541-481-3280
Email: titledesk@midcotitle.com

Remit Payment To:
MID-COLUMBIA TITLE COMPANY
P.O. BOX 290 / 205 E. BOARDMAN AVENUE
BOARDMAN, OR 97818

INVOICE

Billed To:
William Porfily
wporfily@gmail.com

Invoice Date: December 5, 2016
Please Pay Before: December 5, 2016
Our File Number: 9947
Your Reference Number: SAGE HOLLOW RANCH

Property:
77080 Pole Line Road
, OR
Morrow County

Brief Legal:

DESCRIPTION	AMOUNT
Lot Book	200.00
Invoice Total Amount Due	**$ 200.00**

Thank you for your business. Please refer to our order number 9947 with remittance.

Mid-Columbia Title Company
205 E. BOARDMAN AVE. / P.O. BOX 290 • BOARDMAN, OR 97818
(541) 481-2280 • FAX (541) 481-3280

William Porfily
wporfily@gmail.com

LOT BOOK SEARCH

Date: December 5, 2016 Order No. 9947

WE HAVE SEARCHED OUR TRACT INDICES ON THE FOLLOWING DESCRIBED PROPERTY:

All of Section 4, Township 3 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

AND AS OF November 30, 2016, AT 8:00 A.M.

THE LAST DEED OF RECORD RUNS TO:

SAGE HOLLOW RANCH, LLC, an Oregon limited liability company---

WE FIND THE FOLLOWING APPARENT ENCUMBRANCES WITHIN 10 YEARS PRIOR TO THE EFFECTIVE DATE HEREIN:

1. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
2. Line of Credit Deed of Trust, including the terms and provisions thereof, Executed by Sage Hollow Ranch, LLC, as grantor(s), to Mid-Columbia Title Company as trustee for Northwest Farm Credit Services, FLCA, Beneficiary, dated November 30, 2009, Recorded December 4, 2009, as Microfilm No. 2009-25151, Morrow County Microfilm Records, given to secure the payment of $10,000,000.00. (Affects other property also)

NOTE: Taxes for 2015-16 $4,022.34 Paid in Full
(Account No. 3N-26 / 400)
(Reference No. 1987)

NOTE: Taxes for 2015-16 $2,866.09 Paid in Full
(Account No. 3N-26 / 401)
(Reference No. 1988)

NOTE: Taxes for 2015-16 $23.76 Paid in Full
(Account No. Manufactured Home)
(Reference No. 60543)

THIS IS NOT A COMMITMENT TO ISSUE TITLE INSURANCE, OR A PRELIMINARY TITLE REPORT, and no Examination has been made of the Title to the above described property. The search of our tract indices was limited to apparent monetary encumbrances, and therefore above listings do not include additional matters which may have been disclosed by an examination of the record title. The Liability in connection with this Lot Book Service is expressly limited to the sum paid therefore, and the issuing company will not otherwise be responsible for errors and omissions therein. The charge for this service will not include supplemental reports.

MID-COLUMBIA TITLE COMPANY

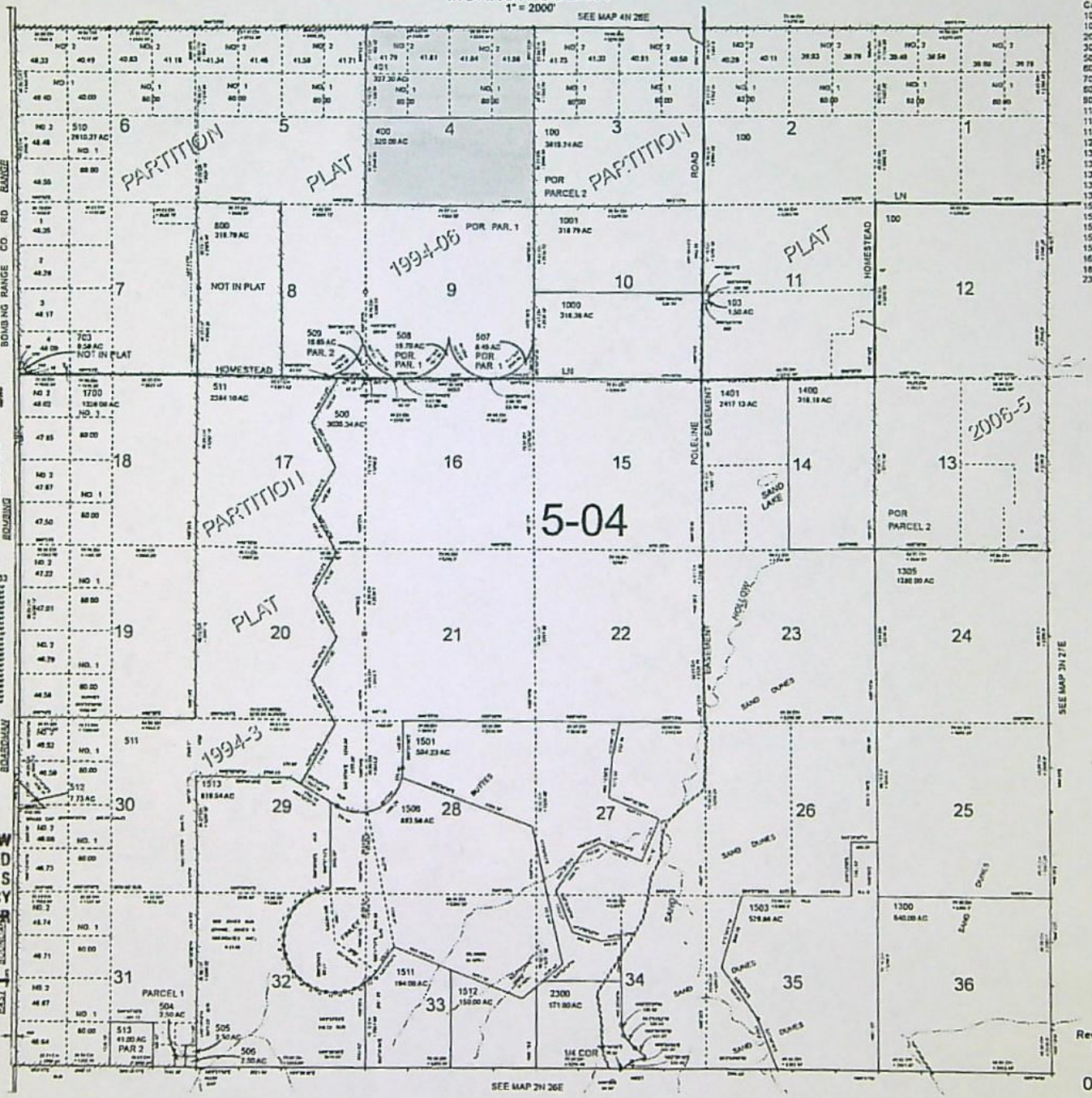
M. Eggers

MELISSA K. EGGERS
TITLE OFFICER

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T.3N. R.26E. W.M.
MORROW COUNTY
1" = 2000'

03N26E



Cancelled
101
102
200
300
501 thru 503
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700 thru 702
801
900
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1102
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1301
1302
1303
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1502
1504
1505
1507 thru 1510
1600
1800 thru 2200
2301

Revised DWC 06/18/2014

03N26E

N
W E
S

THIS MAP IS FURNISHED AS A CONVENIENCE BY:

Mid-Columbia Title company

THIS MAP IS NOT A SURVEY AND DOES NOT SHOW THE LOCATION OF ANY IMPROVEMENTS. IT IS PROVIDED FOR IDENTIFICATION OF LANDS ONLY, AND THIS COMPANY ACCEPTS NO LIABILITY FOR THE ACCURACY OF BOUNDARY LINES, EASEMENTS, ROADS OR OTHER MATTERS SHOWN THEREON.

MAP NO. _____

MCTC 6288

WARRANTY DEED - STATUTORY FORM

WARRANTY DEED	(Space Reserved for Recorder's Use)
BULOW FARM, an Oregon Partnership 77082 POLELINE RD BOARDMAN OR 97818 Grantor's Names & Address	MORROW COUNTY, OREGON 2006-18161 D-WD 12/01/2006 01:32:01 PM Cnt=1 Stn=1 TJ $20.00 $11.00 $10.00 $41.00 00002608200600181810040047 I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records. Bobbi Childers - County Clerk
SAGE HOLLOW RANCH, LLC, an Oregon Limited Liability Company 1291 KELLUM RD OUTLOOK WA 97938 Grantee's Name and Address	
After recording return to: MAUTZ BAUM & O'HANLON, LLP PO BOX 628 PENDLETON OR 97801	
Until a change is requested, all tax statements shall be sent to the following address: SAGE HOLLOW RANCH, LLC 1291 KELLUM RD OUTLOOK WA 97938	

BULOW FARM, a General Partnership, Grantor, conveys and warrants all its right, title and interest to SAGE HOLLOW RANCH, LLC, an Oregon Limited Liability Company, Grantee, the following described real property free of encumbrances except as specifically set forth herein, situated in Morrow County, Oregon, to-wit:

SEE ATTACHED EXHIBIT A.

The property is free from all encumbrances except: Encumbrances of record.

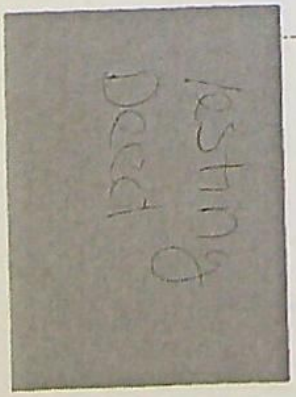
The true and actual consideration for this conveyance is $1,250,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEORE 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, 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 CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 30 day of November, 2006.

BULOW FARM, a General Partnership

By: Jerry Bulow
Jerry Bulow, Partner



Jerry Bulow, Trustee of the Revocable Living Trust of George and Phyllis Bulow dated May 11, 1978, partner of Bulow Farm

Jerry Bulow, Personal Representative of the Estate of Claudia Bulow, partner of Bulow Farm

Gayle E. Ervin, Heir of the Estates of George and Phyllis Bulow and as beneficiary of the Revocable Living Trust of George and Phyllis Bulow dated May 11, 1978

Kevin G. Bulow, Heir of the Estates of George and Phyllis Bulow and beneficiary of the Revocable Living Trust of George and Phyllis Bulow dated May 11, 1978

STATE OF OREGON, County of Morrow) ss.

On this 30 day of November, 2006, personally appeared JERRY BULOW, who being duly sworn, did say that he is a Partner of Bulow Farm, a General Partnership; that said instrument was signed in behalf of said General Partnership; and acknowledged said instrument to be its voluntary act and deed.

OFFICIAL SEAL
RENEE J GRACE
NOTARY PUBLIC-OREGON
COMMISSION NO. 395407
MY COMMISSION EXPIRES AUGUST 14, 2009

Notary Public for Oregon
My commission expires: 8-14-09

STATE OF OREGON, County of Morrow) ss.

On this 30 day of November, 2006, personally appeared JERRY BULOW, who, being duly sworn, did say that he is Trustee of the Revocable Living Trust of George and Phyllis Bulow dated May 11, 1978, partner of Bulow Farm, that said instrument was signed in behalf of Trust; and acknowledged said instrument to be its voluntary act and deed.

OFFICIAL SEAL
RENEE J GRACE
NOTARY PUBLIC-OREGON
COMMISSION NO. 395407
MY COMMISSION EXPIRES AUGUST 14, 2009

Notary Public for Oregon
My commission expires: 8-14-09

STATE OF OREGON, County of Morrow) ss.

On this 30 day of November, 2006, personally appeared JERRY BULOW, who, being duly sworn, did say that he is the duly appointed Personal Representative of the Estate of Claudia Bulow, partner of Bulow Farm; that said instrument was signed by him as Personal Representative of the Estate of Claudia Bulow, partner of Bulow Farm; and acknowledged said instrument to be his voluntary act and deed.

OFFICIAL SEAL
RENEE J GRACE
NOTARY PUBLIC-OREGON
COMMISSION NO. 395407
MY COMMISSION EXPIRES AUGUST 14, 2009

Renée J Grace
Notary Public for Oregon
My commission expires: 8.14.09

STATE OF WASHINGTON, County of Benton) ss.

On this 29th day of November, 2006, before me personally appeared GAYLE E. ERVIN, Heir of the Estates of George and Phyllis Bulow and beneficiary of the Revocable Living Trust dated May 11, 1978; and acknowledged the foregoing instrument as her voluntary act and deed. Before me:

DINA M. McMAHON
COMMISSION EXPIRES
NOTARY
PUBLIC
OCTOBER 15, 2010
STATE OF WASHINGTON

Dina M. McMahon
Notary Public for WASHINGTON
My commission expires: 10.15.2010

STATE OF WASHINGTON, Benton) ss.

On this 29th day of November, 2006, before me personally appeared KEVIN G. BULOW, Heir of the Estates of George and Phyllis Bulow and beneficiary of the Revocable Living Trust dated May 11, 1978; and acknowledged the foregoing instrument as his voluntary act and deed. Before me:

DINA M. McMAHON
COMMISSION EXPIRES
NOTARY
PUBLIC
OCTOBER 15, 2010
STATE OF WASHINGTON

Dina M. McMahon
Notary Public for WASHINGTON
My commission expires: 10.15.2010

EXHIBIT "A"

PARCEL I: All of Section 4, Township 3 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon---

PARCEL II: An Easement for Ingress and Egress and Roadway, including the terms and provisions thereof, across the North 30.00 feet of Section 4, Township 3 North, Range 26, E.W.M., in the County of Morrow and State of Oregon as disclosed in Document recorded May 31, 1978 as Microfilm No. M-13424, Morrow County Microfilm Records.

Remit Payment To:
MID-COLUMBIA TITLE COMPANY
P.O. BOX 290 / 205 E. BOARDMAN AVENUE
BOARDMAN, OR 97818

INVOICE

Billed To:
William Porfily
wporfily@gmail.com

Invoice Date: December 5, 2016
Please Pay Before: December 5, 2016
Our File Number: 9947
Your Reference Number: SAGE HOLLOW RANCH

Property:
77080 Pole Line Road
, OR
Morrow County

Brief Legal:

DESCRIPTION	AMOUNT
Lot Book	200.00
Invoice Total Amount Due	**$ 200.00**

Thank you for your business. Please refer to our order number 9947 with remittance.

(9947.PFD/9947/1)

Mid-Columbia Title Company
205 E. BOARDMAN AVE. / P.O. BOX 290 • BOARDMAN, OR 97818
(541) 481-2280 • FAX (541) 481-3280

William Porfily
wporfily@gmail.com

LOT BOOK SEARCH

Date: December 5, 2016 Order No. 9947

WE HAVE SEARCHED OUR TRACT INDICES ON THE FOLLOWING DESCRIBED PROPERTY:

All of Section 4, Township 3 North, Range 26, East of the Willamette Meridian, in the County of Morrow and State of Oregon.

AND AS OF November 30, 2016, AT 8:00 A.M.

THE LAST DEED OF RECORD RUNS TO:

SAGE HOLLOW RANCH, LLC, an Oregon limited liability company---

WE FIND THE FOLLOWING APPARENT ENCUMBRANCES WITHIN 10 YEARS PRIOR TO THE EFFECTIVE DATE HEREIN:

1. The assessment roll and the tax roll disclose that the within described premises were specially assessed as Farm Use Land. If the land has become disqualified for the special assessment under the statute, an additional tax, interest and penalties thereon may be levied for the years in which the land was subject to the special land use assessment.
2. Line of Credit Deed of Trust, including the terms and provisions thereof, Executed by Sage Hollow Ranch, LLC, as grantor(s), to Mid-Columbia Title Company as trustee for Northwest Farm Credit Services, FLCA, Beneficiary, dated November 30, 2009, Recorded December 4, 2009, as Microfilm No. 2009-25151, Morrow County Microfilm Records, given to secure the payment of $10,000,000.00. (Affects other property also)

NOTE: Taxes for 2015-16 $4,022.34 Paid in Full
(Account No. 3N-26 / 400)
(Reference No. 1987)

NOTE: Taxes for 2015-16 $2,866.09 Paid in Full
(Account No. 3N-26 / 401)
(Reference No. 1988)

NOTE: Taxes for 2015-16 $23.76 Paid in Full
(Account No. Manufactured Home)
(Reference No. 60543)

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MID-COLUMBIA TITLE COMPANY

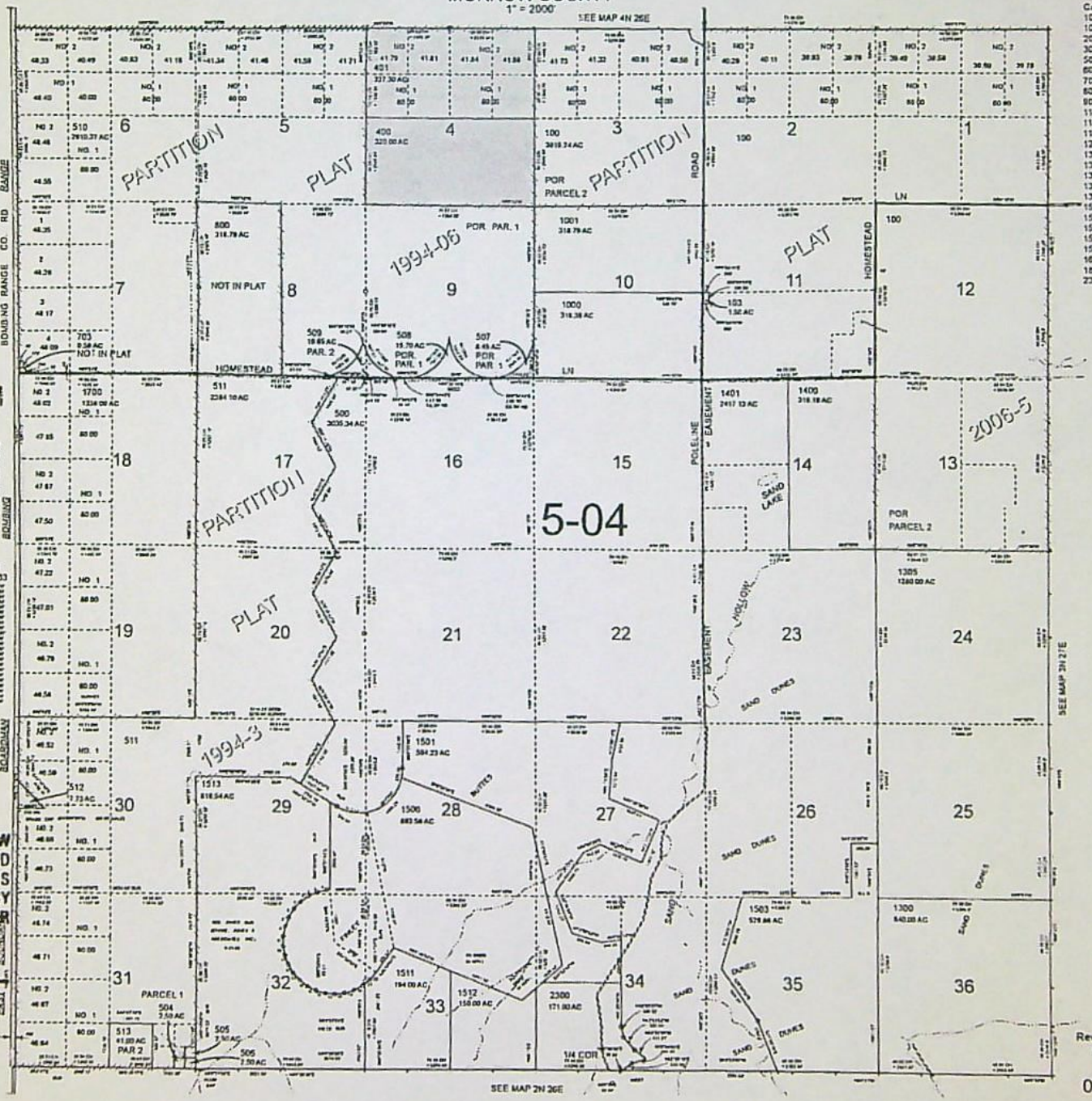
M. Eggers

MELISSA K. EGGERS
TITLE OFFICER

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

T.3N. R.26E. W.M.
MORROW COUNTY
1" = 2000'

03N26E



Cancelled
101
102
200
300
501 thru 503
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700 thru 702
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1301
1302
1303
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1600
1800 thru 2200
2301

TL 1510
SECTIONS
28, 29, 32, 33

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THIS MAP IS FURNISHED AS A CONVENIENCE BY:

Mid-Columbia Title company

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MAP NO. _____

Revised DWC
06/18/2014

03N26E

WARRANTY DEED - STATUTORY FORM

MCTC 6288

WARRANTY DEED	(Space Reserved for Recorder's Use)
BULOW FARM, an Oregon Partnership 77082 POLELINE RD BOARDMAN OR 97818 Grantor's Names & Address	MORROW COUNTY, OREGON 2006-18161 D-WD 12/01/2006 01:32:01 PM Cnt=1 Stn=1 TJ $20.00 $11.00 $10.00 $41.00 00002608200600181810040047 I, Bobbi Childers, County Clerk for Morrow County, Oregon, certify that the instrument identified herein was recorded in the Clerk records. Bobbi Childers - County Clerk
SAGE HOLLOW RANCH, LLC, an Oregon Limited Liability Company 1291 KELLUM RD OUTLOOK WA 97938 Grantee's Name and Address	
After recording return to: MAUTZ BAUM & O'HANLON, LLP PO BOX 628 PENDLETON OR 97801	
Until a change is requested, all tax statements shall be sent to the following address: SAGE HOLLOW RANCH, LLC 1291 KELLUM RD OUTLOOK WA 97938	

BULOW FARM, a General Partnership, Grantor, conveys and warrants all its right, title and interest to SAGE HOLLOW RANCH, LLC, an Oregon Limited Liability Company, Grantee, the following described real property free of encumbrances except as specifically set forth herein, situated in Morrow County, Oregon, to-wit:

SEE ATTACHED EXHIBIT A.

The property is free from all encumbrances except: Encumbrances of record.

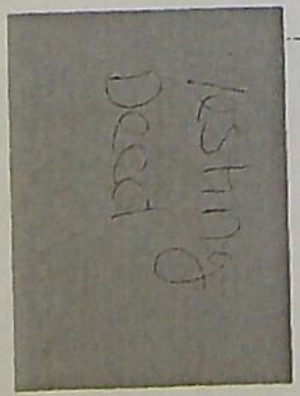
The true and actual consideration for this conveyance is $1,250,000.00.

BEFORE SIGNING OR ACCEPTING THIS INSTRUMENT, THE PERSON TRANSFERRING FEE TITLE SHOULD INQUIRE ABOUT THE PERSON'S RIGHTS, IF ANY, UNDER CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)). THIS INSTRUMENT DOES NOT ALLOW USE OF THE PROPERTY DESCRIBED IN THIS INSTRUMENT IN VIOLATION OF APPLICABLE LAND USE LAWS AND REGULATIONS. BEORE 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, 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 CHAPTER 1, OREGON LAWS 2005 (BALLOT MEASURE 37 (2004)).

Dated this 30 day of November, 2006.

BULOW FARM, a General Partnership

By: Jerry Bulow
Jerry Bulow, Partner



Jerry Bulow, Trustee of the Revocable Living Trust of George and Phyllis Bulow dated May 11, 1978, partner of Bulow Farm

Jerry Bulow, Personal Representative of the Estate of Claudia Bulow, partner of Bulow Farm

Gayle E. Ervin, Heir of the Estates of George and Phyllis Bulow and as beneficiary of the Revocable Living Trust of George and Phyllis Bulow dated May 11, 1978

Kevin G. Bulow, Heir of the Estates of George and Phyllis Bulow and beneficiary of the Revocable Living Trust of George and Phyllis Bulow dated May 11, 1978

STATE OF OREGON, County of Morrow) ss.

On this 30 day of November, 2006, personally appeared JERRY BULOW, who being duly sworn, did say that he is a Partner of Bulow Farm, a General Partnership; that said instrument was signed in behalf of said General Partnership; and acknowledged said instrument to be its voluntary act and deed.

OFFICIAL SEAL
RENEE J GRACE
NOTARY PUBLIC-OREGON
COMMISSION NO. 395407
MY COMMISSION EXPIRES AUGUST 14, 2009

Notary Public for Oregon
My commission expires: 8-14-09

STATE OF OREGON, County of Morrow) ss.

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My commission expires: 8-14-09

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OFFICIAL SEAL
RENEE J GRACE
NOTARY PUBLIC-OREGON
COMMISSION NO. 395407
MY COMMISSION EXPIRES AUGUST 14, 2009

Renée J Grace
Notary Public for Oregon
My commission expires: 8.14.09

STATE OF WASHINGTON, County of Benton) ss.

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DINA M. McMAHON
NOTARY PUBLIC
COMMISSION EXPIRES
OCTOBER 15, 2010
STATE OF WASHINGTON

Dina M. McMahon
Notary Public for WASHINGTON
My commission expires: 10.15.2010

STATE OF WASHINGTON, Benton) ss.

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DINA M. McMAHON
NOTARY PUBLIC
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Notary Public for WASHINGTON
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PARCEL II: An Easement for Ingress and Egress and Roadway, including the terms and provisions thereof, across the North 30.00 feet of Section 4, Township 3 North, Range 26, E.W.M., in the County of Morrow and State of Oregon as disclosed in Document recorded May 31, 1978 as Microfilm No. M-13424, Morrow County Microfilm Records.

Oregon
Kate Brown, Governor

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

November15, 2016

SAGE HOLLOW RANCH, LLC
3620 INDEPENDENCE RD
SUNNYSIDE, WA 98944

SUBJECT: Water Right Transfer Application T-12248

Your water right transfer is in one of three phases of processing. Enclosed is a draft of our Preliminary Determination regarding Transfer Application T-12248. The document reflects the Department's conclusion that, based on the information currently available, the transfer will be approved.

Items needed before the next phase of processing…

1. Please review the draft carefully to see if it accurately reflects the changes you intend to make, and to become familiar with all proposed conditions. **You will need to respond in writing** by the deadline provided below, whether you agree with the proposed action and conditions. Also we will appreciate having you let us know if there are typographical errors that need to be corrected.

2. There appears to be a clerical error in Table 2, Page 11, for Certificate 55317. The SE of the SE of Section 16, Township 3 North, Range 26 East, W.M. is not included in Table 2 as a proposed place of use, but is shown on Sheet 8 of 8, Certificate 555317 "To Map". Please confirm that this ¼ ¼ section is included in T 12248 for Certificate 55317, and provide an updated Table 2, Page 11, to the Department.

3. Certificate 49727 includes a 4.5 acre Supplemental Irrigation Right that is not mentioned in transfer application T-12248. However, Page 13 of the application states that the proposed changes will affect the entire water right. Please provide clarification regarding your intent to include, or exclude, the supplemental irrigation right in T-12248, and provide an updated transfer application and map stating your intention. Alternatively, if you wish to cancel the supplemental portion of Certificate 49727, please provide a completed Affidavit for Partial Cancellation of a Water Right to the Department.

4. Transfer application T-12248 proposed to change the type of use from Irrigation Use during the Irrigation Season to Year-around Agricultural Use for the construction and operation of a dairy. In order to prevent potential enlargement of the water rights, the Department is proposing to limit the volume of water used to 1,000 acre-feet per year, a volume equivalent to the average total annual use from the two authorized Points of Appropriation.

5. A report of landownership for the lands to which the water rights are appurtenant (the FROM lands) is required. **The report must be prepared by a title company and meet the criteria below.** *(Reports may be called by various names, such as Customer Service Report, Property Analysis Report (PAR), List Pack, Lot Book Report, etc.)*
   a) The title company's report must either be:
      i) prepared within 3 months of the draft Preliminary Determination showing current ownership, or
      ii) prepared within 3 months of recording of a water right conveyance agreement, or
      iii) prepared at any time, but showing ownership at the time a water right conveyance agreement was recorded.
   b) The ownership report shall include:
      i) Date reflected by the ownership information
      ii) List of owners at that time
      iii) Legal description of the property where the water right to be transferred is currently located.
   c) You will need to submit a notarized statement of consent from any landowner listed in the ownership report who is not already included in the transfer application, or other information such as a water right conveyance agreement, if applicable.
6. Notice of this transfer will need to be published in a newspaper with general circulation in the area where the water rights are currently located. You will be responsible for the charges. Please confirm the Hermiston Herald as the newspaper you prefer to publish in so we can get an accurate estimate of the cost.

Conditions to your water right…

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

Please note the proposed date by which all conditions must be met: October 1, 2031. If the required completion date is insufficient to comply with any of the conditions, you may extend the date at no cost to you during this stage of processing. Please let me know by the comment deadline so we can make the proper arrangements to get you the time you need.

What happens next…

Once the Preliminary Determination is issued a publication period is required. Because there are intervening points of appropriation between the new and the authorized points of appropriation, the Department will publish notice of the transfer in a local newspaper having a general circulation in the area of the water right at least once per week for two consecutive weeks. You are responsible for sending a check to cover the cost of publication prior to the issuance of the Preliminary Determination and publication of notice.

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

1. your written response to the clarifications and revisions requested in 2 and 3, above;
2. your written request to the Department to limit the volume of use under the rights proposed for transfer to no more than 1,000 acre-feet per year. Or, you may provide the Department with an alternative proposal to prevent potential enlargement of the rights;
3. your written response to the conditions and proposed action in the draft Preliminary Determination (e-mail is acceptable); and

4. report of ownership, and affidavits of consent from any landowners shown in the ownership report who have not signed the transfer application.

If we do not receive the items listed above by December 15, 2016, a Preliminary Determination may be issued denying the application as incomplete.

Please do not hesitate to contact me at joan.m.smith@wrd.state.or.us if I may be of assistance.

Sincerely,

Joan Smith
Transfer Specialist
Transfer and Conservation Section

cc: Transfer Application file T-12248
Gregory M. Silbernagel, District 5 Watermaster *(via e-mail)*
William I. Porfily, Agent for the applicant *(via e-mail)*
Willow Creek Dairy, Receiving Landowner *(via e-mail)*
Dale G. VanScheiack, CWRE #333 *(via e-mail)*

encs

SMITH Joan M

From: WOODY Jen L
Sent: Monday, October 31, 2016 11:08 AM
To: SMITH Joan M
Subject: T-12248

Hi Joan,
You posed two questions regarding the referenced transfer:

Question 1. Will the proposed changes increase interference with surface water?
Question 2. Will the change from irrigation season pumping to year-round pumping affect the aquifer negatively? Does the aquifer act as storage?

Answer 1. As noted in Section 5 of the transfer review, the proposed changes are not expected to cause a significant change in surface water interference. The proposed POAs are located at a greater distance from surface water than the current POAs. Increased distance between wells and surface water decreases the degree of groundwater-surface water impacts.
Answer 2. The aquifers do store water for long periods of time. Groundwater in the basalt aquifers of the Umatilla Basin has been age- date at thousands of years old. If the total annual use is the same, changing the season of use from irrigation season to year-round will not change the overall water balance in the aquifer.

Let me know if you need anything further.
Jen

Jen Woody
Hydrogeologist
Oregon Water Resources Department
725 Summer St NE, Suite A
Salem, OR 97301
503-986-0855

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-12248, Morrow County	)	**D R A F T**
	)	PRELIMINARY DETERMINATION PROPOSING APPROVAL OF A CHANGE IN POINTS OF APPROPRIATION AND ADDITIONAL POINTS OF APPROPRIATION, PLACE OF USE, AND CHARACTER OF USE

Authority

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

Applicant

SAGE HOLLOW RANCH LLC
3620 INDEPENDENCE RD
SUNNYSIDE, WA 98944

Receiving Landowner

WILLOW CREEK DAIRY (TE VELDE)
P.O. BOX 1210
BOARDMAN, OR. 97818

Findings of Fact

1. On January 15, 2016, Sage Hollow Ranch LLC filed an application to change the points of appropriation, for an additional point of appropriation; and to change the place of use, and character of use under Certificates 49726, 49727, 55317, and 55316. The Department assigned the application number T-12248.

2. Willow Creek Dairy (Te Velde) is the receiving landowner who will be responsible for completion of the changes.

3. Notice of the application for transfer was published on January 26, 2016, and again on September 6, 2016, pursuant to OAR 690-380-4000. Timely comments were filed in response to the notice.

4. On February 22, 2016, the applicant's agent clarified that the proposed change in character of use was intended to be for Year Round Agricultural Use for construction and operation of a diary.

5. On February 25, 2016, the Department received timely comments concerning potential injury to nearby water rights.

Include all the comment & the address of the commenter.

put in comments word for word

6. On March 16, 2016, the application was amended to indicate the correct locations of the two proposed points of appropriation.

7. On August 2, 2016, the application was amended again requesting an additional well be added to the application.

8. The first right to be transferred is as follows:

Certificate: 49726 in the name of GEORGE S BULOW (perfected under Permit G-1319)
Use: IRRIGATION of 207.3 ACRES
Priority Date: MARCH 2, 1959
Rate: 1.12 CUBIC FEET PER SECOND
Limit/Duty: 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 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	SW NW	1.30
3 N	26 E	WM	4	SE NW	1.70
3 N	26 E	WM	4	NE SW	36.00
3 N	26 E	WM	4	NW SW	35.40
3 N	26 E	WM	4	SW SW	30.40
3 N	26 E	WM	4	SE SW	35.00
3 N	26 E	WM	4	NE SE	0.20
3 N	26 E	WM	4	NW SE	2.90
3 N	26 E	WM	4	SW SE	33.60
3 N	26 E	WM	4	SE SE	30.80
				Total:	207.30

9. Transfer Application T-12248 proposes to move the authorized point of appropriation ~~point of appropriation~~ approximately 2 miles from the existing point of appropriation and add ~~an~~ additional point of appropriation as described below to:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1/NORTH WELL	3 N	26 E	WM	16	SE NE	2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
2/SOUTH WELL	3 N	26 E	WM	22	NW NW	290 FEET SOUTH AND 10 FEET EAST FROM THE NE CORNER OF SECTION 22
Proposed Well 3	3 N	26 E	WM	16	SW SW	130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

10. Transfer Application T-12248 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

From Irrigation to ?

11. The second right to be transferred is as follows:

Certificate: 55317 in the name of GEORGE AND JERRY BULOW (perfected under Permit G-1319)
Use: IRRIGATION of 12.2 ACRES
Priority Date: MARCH 2, 1959
Rate: 0.07 CUBIC FOOT PER SECOND
Limit/Duty: 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.
Source: WELL #1 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE SE	7.9
3 N	26 E	WM	4	SW SE	1.0
3 N	26 E	WM	4	SE SE	3.3
				Total	12.2

12. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2 miles from the existing point of appropriation and add an additional points of appropriation as described below to:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1/NORTH WELL	3 N	26 E	WM	16	SE NE	2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
2/SOUTH WELL	3 N	26 E	WM	22	NW NW	290 FEET SOUTH AND 10 FEET EAST FROM THE NE CORNER OF SECTION 22
Proposed Well 3	3 N	26 E	WM	16	SW SW	130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

13. Transfer Application T-12248 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

14. The third right to be transferred is as follows:

Certificate: 49727 in the name of GEORGE S BULOW (perfected under Permit G-1284)
Use: IRRIGATION of 198.3 ACRES
Priority Date: MARCH 6, 1959
Rate: 0.84 CUBIC FOOT PER SECOND
Limit/Duty: 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 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: A WELL within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NE NE	840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4

Authorized Place of Use:

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE NE	0.3
3 N	26 E	WM	4	NW NE	4.4
3 N	26 E	WM	4	SW NE	30.3
3 N	26 E	WM	4	SE NE	26.0
3 N	26 E	WM	4	NE NW	37.2
3 N	26 E	WM	4	NW NW	33.6
3 N	26 E	WM	4	SW NW	30.8
3 N	26 E	WM	4	SE NW	34.4
3 N	26 E	WM	4	NE SE	0.9
3 N	26 E	WM	4	NW SE	0.4
				Total	198.3

15. Transfer Application T-12248 proposes to move the authorized point of appropriation and add an additional point of appropriation all approximately 2 ½ mile from the existing point of appropriation to:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1/NORTH WELL	3 N	26 E	WM	16	SE NE	2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
2/SOUTH WELL	3 N	26 E	WM	22	NW NW	290 FEET SOUTH AND 10 FEET EAST FROM THE NE CORNER OF SECTION 22
Proposed Well 3	3 N	26 E	WM	16	SW SW	130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

16. Transfer Application T-12248 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

17. The fourth right to be transferred is as follows:

Certificate: 55316 in the name of GEORGE AND JERRY BULOW (perfected under Permit G-1284)
Use: IRRIGATION of 85.2 ACRES
Priority Date: MARCH 6, 1959
Rate: 0.35 CUBIC FOOT PER SECOND, BEING 0.19 CFS FROM WELL #1 AND 0.16 CFS FROM WELL #2
Limit/Duty: 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.
Source: WELL #1 and #2 within the COLUMBIA RIVER BASIN

Authorized Points of Appropriation:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
#2/NORTH WELL	3 N	26 E	WM	4	NE NE	840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4
#1/SOUTH WELL	3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

POA #	Twp	Rng	Mer	Sec	Q-Q	Acres
#2	3 N	26 E	WM	4	NE NE	18.4
#2	3 N	26 E	WM	4	NW NE	13.4
#2	3 N	26 E	WM	4	SE NE	7.3
#1	3 N	26 E	WM	4	NE SE	23.0
#1	3 N	26 E	WM	4	NW SE	23.1
					Total	85.2

18. Transfer Application T-12248 proposes to move the authorized points of appropriation approximately 2 ½ miles from the existing points of appropriation and add an additional point of appropriation as described below to:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1/NORTH WELL	3 N	26 E	WM	16	SE NE	2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
2/SOUTH WELL	3 N	26 E	WM	22	NW NW	290 FEET SOUTH AND 10 FEET EAST FROM THE NE CORNER OF SECTION 22
Proposed Well 3	3 N	26 E	WM	16	SW SW	130 FEET NORTH AND 950 FEET EAST FROM THE SW CORNER OF SECTION 16

19. Transfer Application T-12248 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

20. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

Transfer Review Criteria (OAR 690-380-4010)

21. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

22. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12248.

23. Transfer Application T-12248 proposes to change the type of use from ~~Irrigation Use~~ irrigation during the irrigation season to year-around ~~A~~agricultural ~~U~~use for the construction and operation of a dairy. The proposed change could result in enlargement if not conditioned to prevent use of more water than could have been beneficially used without waste for the existing authorized use. Water use records from 1978 to 2014 indicate that the average total annual use from the two authorized Points of Appropriation was 1,184 acre-feet.

24. On April 19, 2016, Sage Hollow Ranch, LLC requested to limit the use under the rights evidenced by Certificates 49726, 55317, 49727, and 55316 to no more than 1,000 acre-feet per year. Therefore, the proposed use, if conditioned to limit the total annual volume to ~~1,184~~ 1000 acre feet per year under Certificates 49726, 55317, 49727, and 55316, would not result in enlargement of the rights.

25. The Department can consider the change in season of use for Transfer Application T-12248, because the aquifer acts as storage and if the annual water use is the same, the changing of the season of use from irrigation use to year-around will not change the overall balance in the aquifer.

26. The proposed change as conditioned would not result in injury to other water rights.

27. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation, additional point of appropriation and change in place of use and character of use changes proposed in Transfer Application T-12248 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-12248 is approved, the final order will include the following:

1. *The change in points of appropriation, additional point of appropriation and change in place of use and proposed in Transfer Application T-12248 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 Certificates 49726, 49727, 55317, and 55316 and any related decree.*

3. *Water right Certificates 49726, 49727, 55317, and 55316 are cancelled.*

4. *The quantity of water diverted at the new points of appropriation and additional point of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.*

5. *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 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.

6. *Water shall be acquired from the same aquifer (water source) as the original points of appropriation.*

7. *The former place of use of the transferred right shall no longer receive water under the right.*

8. *The use of water under the rights evidenced by Certificates 49726, 55317, 49727, and 55316 shall be limited to a total annual volume of 1,000 acre-feet.*

9. *The season of use as conditioned is changed to year-around use.*

10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before* ***October 1, 2031****. 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.*

11. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2016.

D R A F T

_____

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

This draft Preliminary Determination was prepared by Joan Smith if you have any questions with regard to this draft document you can contact me at joan.m.smith@state.or.us or by phone 503-986-0892.

WATERWATCH

PROTECTING NATURAL FLOWS IN OREGON RIVERS

November 14, 2016

BY EMAIL

Public Records Request
Oregon Water Resources Department
725 Summer Street NE, Ste A
Salem, OR 97301
publicrecords@wrd.state.or.us

Dear Public Records officer:

Pursuant to Oregon's Public Records Law, including ORS 192.410–192.505, WaterWatch of Oregon ("WaterWatch") hereby requests the following:

1. All documents in the "file" for transfer application T-12247 (Willow Creek Dairy) except those documents already available online under the file number in the Water Rights Information System ("WRIS").

2. All documents referring or relating to transfer application T-12247 that are not in the "file" for the application, including but not limited to all notes, emails, voicemails, text messages and the like.

3. All documents in the "file" for transfer application T-12248 (Sage Hollow Ranch, LLC) except those documents already available online under the file number in WRIS.

4. All documents referring or relating to transfer application T-12248 that are not in the "file" for the application, including but not limited to all notes, emails, voicemails, text messages and the like.

5. All documents in the "file" for transfer application T-12398 (Frank Tiegs) except those documents already available online under the file number in WRIS.

6. All documents referring or relating to transfer application T-12398 that are not in the "file" for the application, including but not limited to all notes, emails, voicemails, text messages and the like.

7. All documents in the "file" for limited license applications LL 1626, 1637 and 1645 (Greg te Velde) except those documents already available online under the file number in WRIS.

8. All documents referring or relating to limited license applications LL 1626, 1637 and 1645 that are not in the "file" for the application, including but not limited to all notes, emails, voicemails, text messages and the like.

9. To the extent not produced in response to the above requests, all documents evidencing, referring or relating to use or non-use of water at the designated places of use under the portions of water rights being transferred under applications T-12247 and T-12248.

10. To the extent not provided in response to the above requests, all documents relating to Greg te Velde, and/or any business or operation identified by a name identical or substantially similar to "Lost Valley Ranch" and/or "Willow Creek Dairy," for which the place of use or prospective place of use is within 50 miles of the proposed "to" lands under T-12248.

We request to receive the documents in electronic form. If the originals are paper documents, we request that the documents be scanned into single-page TIF format. If the documents are in electronic form, we request copies in native format.

If any requested document is claimed to be exempt from disclosure or review, or otherwise withheld, we request an index or log of documents withheld, with the maximum possible identifying information that you can provide, including a description of the document withheld, its date, its location, its recipient(s) and the specific reason(s) the document is being withheld.

Thank you for your assistance in this matter. We look forward to prompt receipt of the requested documents. Please do not hesitate to contact me should you have any questions.

Sincerely,
Brian Posewitz
Brian Posewitz
Staff Attorney
brian@waterwatch.org

Example

STATE OF OREGON

OREGON WATER RESOURCES DEPARTMENT

In the Matter of the Protest Against Water Right Transfer Application T-8867,	)	FINAL ORDER DISMISSING CONTESTED CASE HEARING APPROVING TRANSFER APPLICATION T-8867 FOR A CHANGE IN USE, PLACE OF USE, AN ADDITIONAL POINT OF APPROPRIATION AND CANCELLATION OF A PORTION OF CERTIFICATE 34282
M&P Holdings, LLC, *Applicant,*	)	
WaterWatch of Oregon, *Protestant*	)	

FINDINGS OF FACT

On July 16, 2001, M&P Holdings, LLC (Applicant) submitted transfer application T-8867 pursuant to ORS 540.505 to 540.530. The application proposes to modify the water right evidenced by water right certificate 34282 by changing the use, place of use, and adding a point of appropriation. The subject water right authorizes the use of ground water from a well within the Columbia River Basin. The current and proposed places of use are located in Morrow County. The priority date is December 19, 1960. The current use is for irrigation of 320.0 acres, limited to an amount actually beneficially used and not to exceed 4.0 cubic feet per second ("cfs"). The proposed transfer changes a portion of the water right from irrigation use on 62.8 acres to agricultural use associated with a dairy, changes the place of use for irrigation on another 62.8 acres, adds an additional point of appropriation (well), and cancels a portion of the water right. The current well and the proposed well develop a confined basalt aquifer and do not have the potential for substantial interference with surface water. The proposed transfer from irrigation to agricultural use for dairy operations includes a corresponding change in the period of use from the irrigation season to the full calendar year.

Protestant WaterWatch of Oregon, Inc. filed a timely protest to the transfer application alleging that it violates Oregon's water right transfer laws and would result in injury *per se*. Pursuant to the provisions of ORS 540.520, the Water Resources Department (Department) initiated a contested case hearing and referred the matter to the Central Hearing Officer Panel. The case was assigned to Hearing Officer Weisha Mize.

On April 22, 2002, the Department moved for a ruling on whether a proposed change in the period of use constitutes injury *per se*, and requested that on a finding that such a change did not constitute injury, the contested case proceeding be dismissed. On April 22, 2002, Applicant

joined in the Department's motion and also moved for a ruling, and subsequent dismissal, on the grounds that WaterWatch lacked standing to file a protest against the proposed transfer. At WaterWatch's unopposed request for additional time to file responsive argument, an order issued on April 25, 2002 allowing WaterWatch until May 10, 2002 to file a response and setting May 17, 2002 as the due date for the Department and Applicant replies. Having considered the arguments and accompanying documents submitted on these issues, Hearing Officer Mize issued a Proposed Order proposing to dismiss the contested case hearing. None of the parties filed exceptions to the Proposed Order. This Final Order is issued as provided in OAR 690-002-0170.

STANDARD OF REVIEW

OAR 137-003-0580(1) provides that an agency or party involved in a contested case before the Hearing Officer Panel may request "a ruling in favor of the agency or party on any or all legal issues (including claims and defenses) in the contested case." The Administrative Law Judge (ALJ) presiding over the case "shall grant the motion if ... the pleadings, affidavits, supporting documents ... and the record in the contested case show there is no genuine issue as to any material fact that is relevant to resolution of the legal issue as to which a decision is sought, and ... the agency or party filing the motion is entitled to a favorable ruling as a matter of law." OAR 137-003-0580(6).

CONCLUSIONS OF LAW

1. WaterWatch has standing to protest Transfer Application T-8867

ORS 540.520(6) provides that "any person" may file a protest against approval of a transfer application. OAR 690-015-0085(1), the Water Resources Commission's rule on filing protests against transfer applications, also provides that "any person"[1] may file a protest against approval of a transfer application. The rule further incorporates the basis on which a transfer application may be denied – injury – and requires a protest to be based on the ground that the transfer will result in injury.

Applicant asserts that WaterWatch lacks standing to protest this transfer application as it does not allege injury to any existing water rights. Applicant further argues that assertions of injury to the public interest do not constitute allegations of injury to existing water rights. The Department notes that WaterWatch has alleged that a change in season of use will cause enlargement, and as the definition of injury includes enlargement, WaterWatch has thus alleged injury. OAR 690-015-0050.

WaterWatch is a nonprofit corporation and thus qualifies as "any person" under the definition in OAR 690-002-0010(7). WaterWatch has alleged "injury" within the meaning of the

[1] OAR 690-002-0010(7) defines person as "any individual, partnership, corporation, association, governmental subdivision or public or private organization of any character...."

applicable rules. Therefore, we need not address whether a Protestant must allege injury in order to secure standing. WaterWatch has standing in this matter.

2. Where there is no determination of injury, a change in the time of use, made as part of the change in type or place of use may be made.

WaterWatch argues that the water right proposed to be transferred, an irrigation right, has a seasonal parameter, that OAR 690-250-0005(9) does not limit the imposition of seasonal restrictions to irrigation rights only, and that the Department has no authority under ORS 540.510 *et seq.* to approve changes in any aspect of a water right other than the place or type of use or point of diversion. In particular, WaterWatch asserts that the use authorized in the right is the type of beneficial use authorized or allowed under the right, while the period of use is a limitation on when the type of use may be made and still remain beneficial. The Department and Applicant disagree that the law prohibits a change in the season of use. As WaterWatch notes, the reason for establishing an irrigation season is to assure that the use remains beneficial – most crops will not benefit from the application of water during the winter or outside the growing season. If the beneficial use to which the use is changed requires year-round use, there is no longer a need to ensure the use is beneficial by way of a seasonal limitation.

ORS 540.510(1) clearly allows a change in the type of use. In this case, the certificate issued for the water right to be transferred provides that the amount of water to which the right is entitled, for "the purposes aforesaid" (irrigation of 320.0 acres) is limited to an amount actually beneficially used for said purposes, is not to exceed a specified amount, and the water used for irrigation is to be limited to a particular rate of appropriation and total application, or duty, during the irrigation season. (emphasis added). The maximum amount of water that may be appropriated under the right for the new use will not, and may not, change from that allocated in the right originally issued for irrigation. The season of use is clearly applicable only to use of the right for irrigation purposes.

No season is assigned for agricultural use, the proposed use under the subject transfer. ORS 540.510(1) contemplates a whole-scale change in the type of use, including a change in the period of use, by authorizing a change in the "use theretofore made of the water." In contrast there are no statutory provisions that implicitly or explicitly prohibit changing the period of use to correspond with a change in the type of use. The law allows, and in at least 14 instances since 1980, the Department has interpreted the law to allow, and has approved, changes in the season of use where the resultant change does not result in injury. If the authorized use changes, it is implicit that the time or the season during which that use may be made, if there is one, may also change.

3. A change in the time of use, made as part of the change in type or place of use, does not constitute enlargement and thus injury *per se*.

WaterWatch asserts that if expanding the rate and duty constitutes injury as a matter of law, then increasing the period of time allowed for use under the permit is an enlargement and

thus constitutes injury requiring denial of the transfer. In support of this position, WaterWatch suggests that expanding the period of use to allow appropriation during a time previously prohibited by the right "has the same effect as increasing the rate and duty during that time" and will affect the resource and other users, even though there will be no net increase in either the rate or duty (total amount of water allowed for appropriation).

In contrast, M&P and the Department note that the transfer statute does not define injury, a task thus left to the Department. The Department defined injury to existing water rights in OAR 690-015-0005(5) as meaning that "a proposed transfer would result in a water right not receiving the water to which it is legally entitled." The definition of injury is expanded in OAR 690-015-0050(2)(a)-(c) to include enlargement.[2] Enlargement is defined as the transfer resulting in the diversion of more water (i.e. increased rate or duty) than an applicant is entitled to under the right, an existing right receiving less than it is entitled to, or, where there is a change in place of use, where the lands from which the right is removed continue to benefit from water following completion of the transfer. *Id.* A change in season that does not result in enlargement as defined herein does not constitute enlargement or injury. The Department's interpretation of its own rules is entitled to deference so long as the interpretation is "plausible" and "cannot be shown either to be inconsistent with the working of the rule itself, with the rule's context, or with any other source of law." *Don't Waste Oregon Comm. v. EFSC*, 320 Or 132, 142, 881 P2d 119 (1994); *County of Morrow v. ODFW*, 37 P3d 180, 184 n.1 (Or App 2001) (citations omitted).

WaterWatch provides no factual support for its assertion that the proposed change "will result in effects on resources and other right holders that would not have occurred but for the transfer," an increase in rate or duty, a reduction in water available to other water rights, or the original place of use continuing to receive water. The Department's hydrogeologist conducted a technical analysis of the proposed transfer and determined that none of these effects would occur as a result and that the proposed transfer would not result in injury. This determination is based

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[2] OAR 690-015-0050 **Transfer Shall Not Result in Injury to Existing Water Rights**

(1) A transfer application shall not be approved if the proposed transfer would result in the injury of an existing water right. Injury shall include the following:

(a) A transfer would result in a net loss of water available to downstream water rights; or

(b) The water right to be transferred would be enlarged.

(2) An injury to an existing water right or an enlargement of the water right to be transferred shall be determined to result from, but is not limited to, the following:

(a) A change reducing the quantity of water previously available to another water right and to which the other water right is entitled;

(b) A diversion of more water than is specified as a rate of flow or duty of water per acre for the subject water right; or

(c) Under a change in place of use, the original place of use cannot be prevented from receiving water from the same source.

Stat. Auth.: ORS 536.025 & ORS 536.027
Stats. Implemented: ORS 540.510 - ORS 540.532
Hist.: WRD 7-1987, f. & ef. 6-11-87; WRD 5-1996, f. & cert. ef. 7-11-96

on undisputed facts of this case -- the allowed rate and volume of use will not exceed that allowed under the original right; the existing and proposed wells develop the same confined basalt aquifer; ground water in the subject aquifer is available in storage on a continuous basis and therefore water not pumped from the aquifer during one time of the year is left in "storage" for use in another time of year; and the subject aquifer does not have the potential for substantial interference with surface water.

The Department and the Applicant requested that on a finding that a change in season of use did not constitute injury, the contested case proceeding be dismissed. I concur with the Hearing Officer that a change in season of use may be made in a transfer and that the proposed change in the season of use will not constitute injury. The Department and Applicant are entitled to a favorable ruling on these issues as a matter of law, and therefore this contested case is dismissed.

ORDER

It is ORDERED that the contested case proceeding in this matter is dismissed.

It is FURTHER ORDERED that pursuant to ORS 540.510 to 540.530 and ORS 537.705, and finding no injury to existing water rights would result, Transfer Application T-8867, submitted by M&P Holdings, LLC, requesting a change in use, place of use and an additional point of appropriation is APPROVED as limited and conditioned below.

The right to be modified, as evidenced by a PORTION of Certificate 34282, was perfected under Permit G-1738 with a date of priority of DECEMBER 19, 1960. The right allows the use of WELL NO. 1, in the COLUMBIA RIVER BASIN, for IRRIGATION OF 125.6 ACRES. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 1.57 cubic feet per second, if available at the original well; SW¼ NE¼, SECTION 14, T 3 N, R 26 E, W.M.; 2540 FEET SOUTH AND 1520 FEET WEST FROM THE NE CORNER, SECTION 14, or its equivalent in case of rotation, measured at the well.

The amount of water used for irrigation, together with the amount secured under any other right existing on the same lands, is 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 acre-feet per acre for each acre irrigated during the irrigation season of each year. The use shall conform to any reasonable rotation system ordered by the proper state officer.

The authorized place of use is as follows:

NE¼ NE¼	31.4 ACRES
NW¼ NE¼	31.4 ACRES
SW¼ NE¼	31.4 ACRES
SE¼ NE¼	31.4 ACRES

SECTION 14
TOWNSHIP 3 NORTH RANGE, 26 EAST, W.M.

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

The applicant proposes to change the place of use of 62.8 acres to:

NE¼ NE¼ 21.0 ACRES
SE¼ NE¼ 36.8 ACRES
NE¼ SE¼ 5.0 ACRES
SECTION 14
TOWNSHIP 3 NORTH RANGE, 26 EAST, W.M.

The applicant further proposes to change the character of use from IRRIGATION OF 62.8 ACRES to AGRICULTURAL WATER USE ASSOCIATED WITH A DAIRY. In addition, the period of allowed use shall be changed from MARCH 1 THROUGH OCTOBER 31 to YEAR-ROUND. The amount of water to which this new use is entitled is limited to an amount beneficially used and shall not exceed 0.527 cubic foot per second (236.5 gallons per minute) and shall be further limited to a diversion of not to exceed 188.4 acre-feet.

The proposed place of use for the AGRICULTURAL WATER USE ASSOCIATED WITH A DAIRY is located as follows:

NW¼ NE¼
SW¼ NE¼
SECTION 14
TOWNSHIP 3 NORTH RANGE, 26 EAST, W.M.

The applicant further proposes to add an ADDITIONAL POINT OF APPROPRIATION (WELL 2) for both the irrigation and dairy uses to:

NW¼ NE¼, SECTION 14, T 3 N, R 26 E, W.M.; WELL 2 - 1300 FEET SOUTH 2610 FEET WEST FROM THE NE CORNER, SECTION 14.

It is FURTHER ORDERED that pursuant to ORS 540.610, a portion of the water rights evidenced by Certificate 34282 are canceled as described below.

On July 16, 2001, an affidavit was received from Glenn Chowning and Ken Vandewall, owners of certain land and the water right appurtenant to it. A portion of the water right has been abandoned and is requested to be canceled.

The portion is described by Certificate 34282, State Record of Water Right Certificates. The date of priority is December 19, 1960. The water use was for irrigation of 68.8 acres from Well No. 1, within the Columbia River Basin. The amount of water authorized is 0.86 cubic foot per second.

The abandoned portion is located as follows:

NE¼ NE¼	8.6 ACRES
NW¼ NE¼	8.6 ACRES
SW¼ NE¼	8.6 ACRES
SE¼ NE¼	8.6 ACRES
NE¼ SE¼	8.6 ACRES
NW¼ SE¼	8.6 ACRES
SW¼ SE¼	8.6 ACRES
SE¼ SE¼	8.6 ACRES

SECTION 14
TOWNSHIP 3 NORTH RANGE, 26 EAST, W.M.

THESE CHANGES TO AN EXISTING WATER RIGHT MAY BE MADE PROVIDED THE FOLLOWING CONDITIONS ARE MET BY THE WATER USER:

1. The proposed changes shall be completed on or before October 1, 2005.

2. The quantity of water diverted for IRRIGATION at the new point of appropriation (Well 2), together with the quantity diverted at the old point of appropriation (Well 1), shall not exceed the quantity of water lawfully available from the original point of appropriation. That is, the water user cannot divert more than 0.785 cubic foot per second (352.3 gallons per minute) from either well or a combination of both wells. In addition, they cannot exceed a total volume of 188.4 acre-feet of water during the irrigation season, being March 1 through October 31, of each year.

3. The quantity of water diverted for AGRICULTURAL WATER USE ASSOCIATED WITH A DAIRY at the new point of appropriation (Well 2), together with the quantity diverted at the old point of appropriation (Well 1), shall not exceed the quantity of water lawfully available from the original point of appropriation. That is, the water user cannot divert more than 0.527 cubic foot per second (236.5 gallons per minute) from either well or a combination of both wells. In addition, they cannot exceed a total volume of 188.4 acre-feet of water in a calendar year, being January 1 through December 31.

4. **Prior** to beginning use of water as approved by this order, the water user **shall** install and maintain totalizing flow meters for measuring and recording the rate and volume of water appropriated for permitted irrigation use, permitted dairy use and exempt uses from both the old and new wells. That is, the water user must be able to separate and account for the total use of each permitted use and any exempt use. The type and plans of the measuring devices must be approved by the Department prior to beginning construction and shall be installed under the general supervision of the Department.

5. The water user shall submit a **yearly** record of the measurements from all the meters to the Watermaster due on the 15th of January of each year for the preceding year's uses on a form provided by the Department. The report shall contain the total volume of water diverted from the wells for permitted irrigation use, permitted dairy use and exempt uses for the previous year. The Watermaster may modify the reporting requirements as needed.

6. The water user shall measure the static water level in the new well before any new or modified water use begins. That water level shall be reported to the Department's Ground Water and Hydrology Section within 90 days from the date of measurement.

7. Water shall be acquired from the same aquifer as the original point of appropriation.

8. The former place of use shall no longer be irrigated as part of this water right.

It is FURTHER ORDERED that Certificate 34282 is canceled. A new certificate will be issued to confirm that portion of the right NOT involved in this transfer. When satisfactory proof of the completed changes is received, a new certificate confirming this water right will be issued.

WITNESS the signature of the Water Resources

Director, affixed Sept. 16, 2002

Paul R. Cleary, Director

Appeal Rights

You are entitled to judicial review of this order. Judicial review may be obtained by filing a petition for review with 60 days from the date of service of this Order. If this Order was personally delivered to you, the date of service is the date you received the Order. If this Order was mailed to you, the date of service is the day it was mailed. Judicial review, pursuant to the provisions of ORS 536.075, is to the Oregon Court of Appeals. If you do not file a petition for judicial review within the 60-day time period, you will lose your right to appeal.

CERTIFICATE OF SERVICE

I hereby certify that on the 16th day of September 2002, I served the attached FINAL ORDER DISMISSING CONTESTED CASE HEARING, APPROVING TRANSFER APPLICATION T-8867 FOR A CHANGE IN USE, PLACE OF USE, AN ADDITIONAL POINT OF APPROPRIATION AND CANCELLATION OF A PORTION OF CERTIFICATE 34282, by mailing certified in a sealed envelope, and by regular U.S. mail, postage pre-paid, a copy thereof addressed as follows:

David E. Filippi
Stoel Rives LLP
Standard Insurance Center
900 SW 5th Ave. Suite 2600
Portland, Oregon 97204-1268

Karen Russell
WaterWatch of Oregon
213 SW Ash, Suite 208
Portland, Oregon 97204

Cindy Smith
Cindy Smith
Water Resources Department

~~EXAMPLE~~ pro-rata "rate"

Certificate 49726 = *1.12 cfs for 207.3 acres* *(entire water right)*

> *that equates to 0.0054 cfs (less than 1/80th) per acre per irrigation season (March 10 thru October 15)*
> *limited to 3.0 acre-feet per acre per irrigation season (Totals = 621.9 ac/ft)*

HOWEVER, at rate listed in certificate, you would only reach 487.87 acre/feet in 220 days MAX irrigation season.

Certificate 49727 = *0.84 cfs for 202.8 acres* *(entire water right)*

> *that equates to 0.00414 cfs (less than 1/80th) per acre per irrigation season (March 10 thru October 15)*
> *limited to 3.0 acre-feet per acre per irrigation season (Totals = 608.4 ac/ft)*

HOWEVER, at rate listed in certificate, you would only reach 365.9 acre/feet in 220 days MAX irrigation season.

Certificate 55317 = *0.07 cfs for 12.2 acres* *(entire water right)*

> *that equates to 0.00574 cfs (less than 1/80th) per acre per irrigation season (March 10 thru October 15)*
> *limited to 3.0 acre-feet per acre per irrigation season (Totals = 36.6 ac/ft)*

HOWEVER, at rate listed in certificate, you would only reach 30.49 acre/feet in 220 days MAX irrigation season.

Certificate 55316 = *0.35 cfs for 85.2 acres* *(entire water right)*

> *that equates to 0.00411 cfs (less than 1/80th) per acre per irrigation season (March 10 thru October 15)*
> *limited to 3.0 acre-feet per acre per irrigation season (Totals = 255.6 ac/ft)*

HOWEVER, at rate listed in certificate, you would only reach 152.46 acre/feet in 220 days MAX irrigation season.

TOTAL ACRE-FEET PUMPED/COMBINED TOTALS = 1036.72 acre/feet in Irrigation Season (220 days)

Irrigation Season to Year Round Agricultural Use:

CALCULATIONS:

Irrigation Season (Ordnance CGWA) is March 10 thru October 15 of each year = 220 days

To arrive at a rate for 12 months year round use, pro-rate the amount by dividing the 220 days into the full year 365 days, or 0.60274% of rate.

▲ Thus: the transfer requests a total of 2.38 cfs be converted to year round Agricultural use and shall be cut back/pro-rated at 1.43 cfs instantaneous rate, but is still limited to a year round combined duty of 1036.72 acre/feet.

TOTAL VOLUME

Pro-Rated cfs rates for year round

Certificate 49726 = 0.67 cfs x 1.98 x 365 ~~220 DAYS~~ ~~484~~ 487 A.F.

Certificate 49727 = 0.506 cfs x 1.98 X 365 DAYS = 365 A.F.

Certificate 55317 = 0.042 cfs x 1.98 x 365 DAYS = 30.35 A.F.

Certificate 55316 = 0.211 cfs x 1.98 X 365 DAY = 152.5 A.F.

Review Checklist T-12248 **Caseworker:** RA **PR Initials**_____

File Prep

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

1 comment

APPLICATION/MAP REVIEW

PR	CW		PR	CW	
☑	☑	Appropriately signed (original is amended app not signed)	☑	☐	Ditch Company, Irr. Dist. and/or BOR sent copies
☑	☑	Checked WRIS contact address/e-mail for accuracy	☑	☐	Appropriate Fees Paid overpaid $350 ← no overpay- new well
☑	☑	Revisit application checklist & Supporting Docs	☒	☐	Overpayment of Fees, Refund Request with FO
☑	☐	Any deficiencies that need to be addressed? ☒ Yes ☐ No Notes: clarification of intnt Regarding Supplemental rights + 1 1/4 1/4 missing from 1 Table 2 (p. 11)	☑	☑	Land Use Form matches Tax Lots, is signed by proper official and is **APPROVED**

DETERMINING THE "FROM" AND "TO" LANDS

PR	CW		PR	CW	
☑	☑	*Only* the authorized POD's/POA's and POUs to be transferred are listed. Except Supplemental	☑	☑	Application & certificate tabulations match. *(Mark on appl. and cert. copies and note corrections needed)* except for supplemental
☒	N/A	Marked on certificate the acreage being transferred, cancelled and remaining by ¼ ¼. Entire certs	☒	N/A ☑	Marked on certificate the quantity of water being transferred, cancelled, and remaining Entire certs
☑	☑	Compare Water Right map to App Map for Accuracy Supplemental not mapped	☑	☑	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					
☒	☒	ODFW N/A	☐ Fish Screens	☐	Other:	
☑	☑	Ground water	average annual use from both authorized PoAs is 1,000 AF; dedicated observation well condition - all			
☑	☑	Watermaster	☐ Headgate N/A	☐	Prior to diverting	☐ wells must be equipped w/ totalizing measuring devices
			☒ Measuring Devices	☒	Prior to diverting	☑ Type of Device? Totalizing flow meter or other approved
☑	☑	Injury	☐ Yes ☑ No	☐	Enlargement	☐ Yes ☑ No
☑	☐	Conditions to Avoid Enlargement/Injury - observation well; volume limitation				

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

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SALEM, OR

OWNERSHIP VERIFICATION

PR	CW		PR	CW	
☐	☐	The deed/ROI matches the ***"from"*** lands.	☐	☐	Notarized, signed statement of consent (if applicable)
☐	☐	*All* owners on the deed/ROI have signed the application.	☐	☐	Compare with current tax lot map.

PR	CW	PD PUBLIC NOTICE/NEWSPAPER NOTICE/COVER LETTER
☐	☐	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
☐	☐	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
☐	☐	Format matches current template
☐	☐	Content matches PD info?
☐	☐	Spell checked?
☐	☐	Correct address?
☐	☐	Cost Estimate for Newspaper if applicable send email to support staff ☐2 weeks ☐ three weeks
☐	☐	Send Letter to Applicant/Agent regarding newspaper notice cost
☐	☐	Have funds been received from Applicant/Agent for newspaper costs?

PR	CW	REMAINING RIGHT CERTIFICATE
☐	☐	UPDATE WRIS APPS FOLDER (FIELD STAFF ONLY)
☐	☐	Check tenses ex...Find & Replace point(s), Right(s) Meter(s), Device(s) Is/Are, Was/Were
☐	☐	Table Format matches current template
☐	☐	Content format matches original certificate
☐	☐	Spell checked?
☐	☐	Name and address matches originating certificate?

CW	CASEWORKER WRAP UP
☐	Organize Working Docs For Peer Review (Remove Duplicates)
☐	Update Computer entry (add postal confirmation receipt number and date file was mailed
☐	Put file contents on Salem Exchange Folder
☐	Print e-mail and correspondence put it in order of the findings of PD (if applicable)
☐	Has Affidavit of Publication been received? ☐N/A ☐ Yes--Date for FO: _____ ☐_No—have Codi call newspaper

Record Keeping: DPD Mailed (Date)_____ PD Mailed (Date) _____

COMMENTS:

49726

STATE OF OREGON

All

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

This Is to Certify, That GEORGE S. BULOW

of PO Box 320, Irrigon, State of Oregon 97844, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of a well

a tributary of Columbia River for the purpose of irrigation of 207.3 acres

under Permit No. G-1319 and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from March 2, 1959

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 1.12 cubic feet per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW¼ SE¼, Section 4, T. 3 N., R. 26 E., W.M.; 1390 feet North and 2390 feet West from SE Corner, Section 4.

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 acre-feet per acre for each acre irrigated during the irrigation season of each year

and 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 hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

entire certificate is being transferred

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SALEM, OR

49726

1.3 acres SW¼ NW¼
1.7 acres SE¼ NW¼
36.0 acres NE¼ SW¼
35.4 acres NW¼ SW¼
30.4 acres SW¼ SW¼
35.0 acres SE¼ SW¼
0.2 acre NE¼ SE¼
2.9 acres NW¼ SE¼
33.6 acres SW¼ SE¼
30.8 acres SE¼ SE¼
Section 4
T. 3 N., R. 26 E., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 41879, Volume 33, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on July 21, 1980, approving transfer application No. 4118.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

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

WITNESS the signature of the Water Resources Director, affixed this date. October 28, 1980

Deputy *Water Resources Director*

Recorded in State Record of Water Right Certificates, Volume 43, *page* 49726

55317

All

690-10-DGBC

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

This is to certify, *That* GEORGE AND JERRY BULOW

of PO Box G, Irrigon *, State of* OR 97844 *, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of*
Well #1

a tributary of Columbia River *for the purpose of*
irrigation of 12.2 acres

under Permit No. G-1319 *and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from*
March 2, 1959
that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
0.07 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW 1/4 SE 1/4, Section 4, T3N, R26E, WM; 1390 feet North and 2390 feet West from SE corner Section 4.

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,

and 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 hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

entire certificate is being transferred

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SALEM, OR

55317

7.9 acres NE 1/4 SE 1/4
1.0 acre SW 1/4 SE 1/4
3.3 acres SE 1/4 SE 1/4
Section 4
Township 3 North, Range 26 East, WM

This certificate is issued to confirm a change in place of use approved by an order of the Water Resources Director entered July 21, 1980, and together with certificate of water right recorded at page 49726, Volume 43, State Record of Water Right Certificates, supersedes certificate 41879.

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 purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed this date. December 19, 1986

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50 *, page* 55317

7654D/SA
T-4118

690-10-DGBC

55316
ALL

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

This is to certify, *That* GEORGE AND JERRY BULOW

of PO Box G, Irrigon *, State of* OR 97844 *, has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of*
Wells #1 & #2

a tributary of Columbia River *for the purpose of*
irrigation of 85.2 acres

under Permit No. G-1284 *and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from*
March 6, 1959
that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed
0.35 cubic foot per second; being 0.19 cfs from Well #1 and 0.16 cfs from Well #2

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NW 1/4 SE 1/4, NE 1/4 NE 1/4, Section 4, T3N, R26E, WM; #1 - 1390 feet North and 2390 feet West from SE corner Section 4; Well #2 - 840 feet South and 430 feet West from NE corner Section 4.

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,

and 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 hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

entire right being transferred

RECEIVED BY OWRD
APR 07 2016
SALEM, OR

	WELL #1	WELL #2
NE 1/4 NE 1/4		18.4 acres ✓
NW 1/4 NE 1/4		13.4 acres ✓
SE 1/4 NE 1/4		7.3 acres ✓
NE 1/4 SE 1/4	23.0 acres ✓	
NW 1/4 SE 1/4	23.1 acres ✓	

Section 4
Township 3 North, Range 26 East, WM

This certificate is issued to confirm changes in place of use and point of appropriation approved by an order of the Water Resources Director entered July 21, 1980, and together with certificate of water right recorded at page 49727, Volume 43, State Record of Water Right Certificates, supersedes certificate 41878.

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 purposes aforesaid is restricted to the lands or place of use herein described.

WITNESS the signature of the Water Resources Director, affixed this date. December 19, 1986

/s/ William H. Young
Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 50 *, page* 55316

7655D/SA
T-4119

49727

ALL

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

This Is to Certify, *That* GEORGE S. BULOW

of PO Box 320, Irrigon , *State of* Oregon 97844 , *has made proof to the satisfaction of the Water Resources Director, of a right to the use of the waters of* a well

a tributary of Columbia River *for the purpose of* irrigation of 198.3 acres and supplemental irrigation of 4.5 acres

under Permit No. G-1284 *and that said right to the use of said waters has been perfected in accordance with the laws of Oregon; that the priority of the right hereby confirmed dates from* March 6, 1959

that the amount of water to which such right is entitled and hereby confirmed, for the purposes aforesaid, is limited to an amount actually beneficially used for said purposes, and shall not exceed 0.84 cubic foot per second

or its equivalent in case of rotation, measured at the point of diversion from the well. The well is located in the NE¼ NE¼, Section 4, T. 3 N., R. 26 E., W.M.; 840 feet South and 430 feet West from NE Corner, Section 4.

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 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein,

and 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 hereby confirmed, and to which such right is appurtenant, is as follows:

SEE NEXT PAGE

RECEIVED BY OWRD

APR 07 2016

SALEM, OR

49727

Primary

0.3 acre NE¼ NE¼ ✓
4.4 acres NW¼ NE¼ ✓
30.3 acres SW¼ NE¼ ✓
26.0 acres SE¼ NE¼ ✓
37.2 acres NE¼ NW¼ ✓
33.6 acres NW¼ NW¼ ✓
30.8 acres SW¼ NW¼ ✓
34.4 acres SE¼ NW¼ ✓
0.9 acre NE¼ SE¼ ✓
0.4 acre NW¼ SE¼ ✓
Section 4
T. 3 N., R. 26 E., W.M.

not shown on transfer map sheet 3

Supplemental

Shown on 1974 final proof ✓1.2 acres SW¼ NW¼
" ✓1.6 acres SE¼ NW¼
1.4 acres NE¼ SW¼ — only 0.7 A shown on 1974 final proof
Shown on 1974 final proof ✓0.2 acre NW¼ SW¼
" ✓0.1 acre NW¼ SE¼
Section 4
T. 3 N., R. 26 E., W.M.

This certificate describes that portion of the water right confirmed by the prior certificate recorded at page 41878, Volume 33, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered on July 21, 1980, approving transfer application No. 4119.

The issuance of this superseding certificate does not confirm the status of the water right in reference to ORS 540.610.

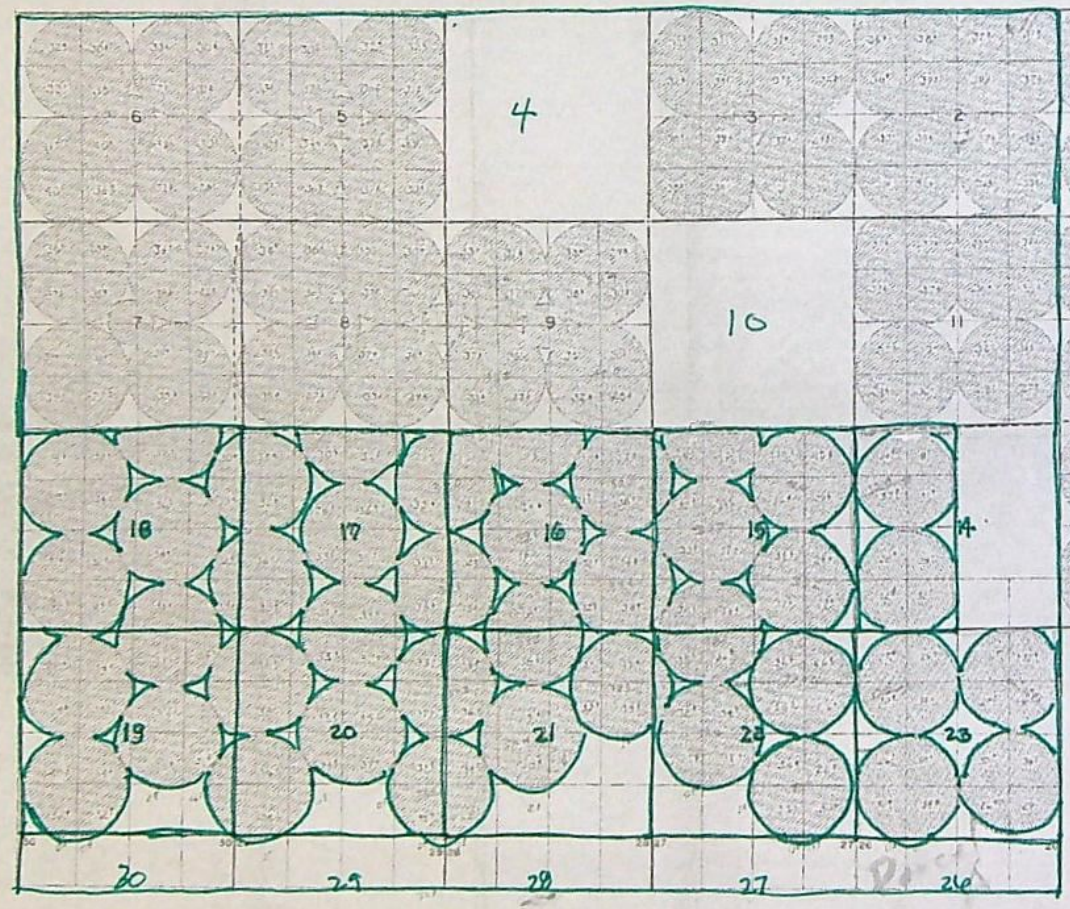
The right to the use of the water for the purposes aforesaid is restricted to the lands or place of use herein described.

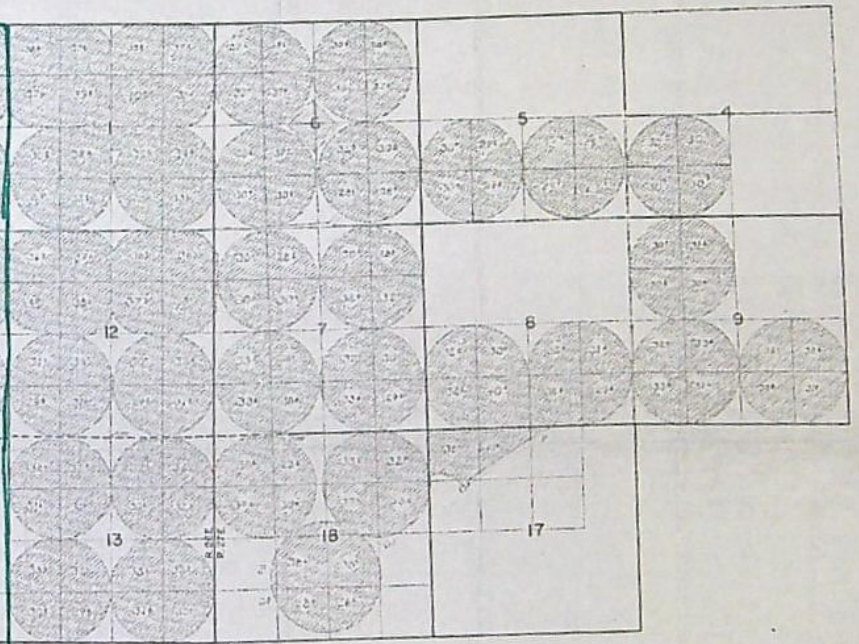
WITNESS the signature of the Water Resources Director, affixed this date. October 28, 1980

Deputy Water Resources Director

Recorded in State Record of Water Right Certificates, Volume 43, *page* 49727

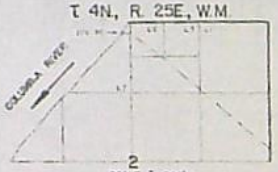
TOWNSHIP 3 NORTH, RANGE 26 & 27 EAST, W. M.





FINAL PROOF SURVEY
UNDER
APPL. NO. 50951 PER NO. 37150
IN NAME OF
SABRE FARMS, INC. ETAL

T 4N, R. 25E., W.M.



SCALE 1"=1000'

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CONNECTICUT GENERAL LIFE INSURANCE COMPANY and
FIRST INTERSTATE BANK OF OREGON
c/o BOB O'ROURKE
P.O. BOX 490
PENDLETON, OREGON 97801-0490

confirms the right to use the waters of the COLUMBIA RIVER, a tributary of the PACIFIC OCEAN, for IRRIGATION OF 4410.3 ACRES.

This right was perfected under Permit 37150. The date of priority is JULY 25, 1973. The amount of water to which this right is entitled is limited to an amount actually beneficially used and shall not exceed 68.97 CUBIC FEET PER SECOND or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

LOT 7 (NE¼ NW¼), SECTION 2, T 4 N, R 25 E, W.M.; 150 FEET SOUTH AND 2990 FEET WEST FROM THE NORTHEAST CORNER, SECTION 2.

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH 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 4½ acre-feet for each acre irrigated during the irrigation season of each year.

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

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

SW¼ NW¼	33.0 ACRES
SE¼ NW¼	30.6 ACRES
NE¼ SW¼	30.3 ACRES
NW¼ SW¼	30.9 ACRES
SW¼ SW¼	33.3 ACRES
SE¼ SW¼	32.9 ACRES

SECTION 14

NE¼ NW¼	32.6 ACRES
NW¼ NW¼	28.2 ACRES
SW¼ NW¼	31.9 ACRES
SE¼ NW¼	34.6 ACRES
NE¼ SW¼	36.7 ACRES
NW¼ SW¼	32.4 ACRES
SW¼ SW¼	31.7 ACRES
SE¼ SW¼	33.2 ACRES
NE¼ SE¼	23.7 ACRES
NW¼ SE¼	33.3 ACRES
SW¼ SE¼	36.5 ACRES
SE¼ SE¼	28.5 ACRES

SECTION 15

NE¼ NE¼	32.6 ACRES
NW¼ NE¼	29.1 ACRES
SW¼ NE¼	31.0 ACRES
SE¼ NE¼	36.8 ACRES
NE¼ NW¼	31.2 ACRES
NW¼ NW¼	29.4 ACRES
SW¼ NW¼	33.7 ACRES
SE¼ NW¼	34.6 ACRES
NE¼ SW¼	36.7 ACRES
NW¼ SW¼	32.3 ACRES
SW¼ SW¼	31.4 ACRES
SE¼ SW¼	33.8 ACRES
NE¼ SE¼	33.8 ACRES
NW¼ SE¼	31.3 ACRES
SW¼ SE¼	32.1 ACRES
SE¼ SE¼	38.0 ACRES

SECTION 16

NE¼ NE¼	29.2 ACRES
NW¼ NE¼	31.3 ACRES
SW¼ NE¼	33.0 ACRES
SE¼ NE¼	35.6 ACRES
NE¼ NW¼	30.4 ACRES
NW¼ NW¼	33.6 ACRES
SW¼ NW¼	36.8 ACRES
SE¼ NW¼	28.4 ACRES
NE¼ SW¼	33.2 ACRES
NW¼ SW¼	36.0 ACRES
SW¼ SW¼	38.4 ACRES
SE¼ SW¼	31.6 ACRES
NE¼ SE¼	31.4 ACRES
NW¼ SE¼	35.7 ACRES
SW¼ SE¼	33.0 ACRES
SE¼ SE¼	35.2 ACRES

SECTION 17

NE¼ NE¼	30.6 ACRES
NW¼ NE¼	37.6 ACRES
SW¼ NE¼	36.0 ACRES
SE¼ NE¼	33.2 ACRES
NE¼ NW¼	32.4 ACRES
NW¼ NW¼	34.8 ACRES
SW¼ NW¼	38.0 ACRES
SE¼ NW¼	34.4 ACRES
NE¼ SW¼	32.8 ACRES
NW¼ SW¼	31.6 ACRES
SW¼ SW¼	36.4 ACRES
SE¼ SW¼	34.4 ACRES
NE¼ SE¼	32.8 ACRES
NW¼ SE¼	38.4 ACRES
SW¼ SE¼	35.2 ACRES
SE¼ SE¼	33.3 ACRES

SECTION 18

TOWNSHIP 3 NORTH,
RANGE 26 EAST, W.M.

NE¼ NE¼ 34.4 ACRES
NW¼ NE¼ 39.2 ACRES
SW¼ NE¼ 35.2 ACRES
SE¼ NE¼ 32.2 ACRES
NE¼ NW¼ 34.0 ACRES
NW¼ NW¼ 28.4 ACRES
SW¼ NW¼ 34.8 ACRES
SE¼ NW¼ 36.8 ACRES
NE¼ SW¼ 34.4 ACRES
NW¼ SW¼ 28.4 ACRES
SW¼ SW¼ 32.8 ACRES
SE¼ SW¼ 32.8 ACRES
NE¼ SE¼ 31.2 ACRES
NW¼ SE¼ 38.4 ACRES
SW¼ SE¼ 2.8 ACRES
SE¼ SE¼ 14.3 ACRES

SECTION 19

NE¼ NE¼ 33.0 ACRES
NW¼ NE¼ 37.0 ACRES
SW¼ NE¼ 35.1 ACRES
SE¼ NE¼ 37.6 ACRES
NE¼ NW¼ 33.6 ACRES
NW¼ NW¼ 36.4 ACRES
SW¼ NW¼ 38.0 ACRES
SE¼ NW¼ 33.2 ACRES
NE¼ SW¼ 34.8 ACRES
NW¼ SW¼ 36.0 ACRES
SW¼ SW¼ 38.7 ACRES
SE¼ SW¼ 11.8 ACRES
NE¼ SE¼ 31.8 ACRES
NW¼ SE¼ 37.6 ACRES
SW¼ SE¼ 0.7 ACRES
SE¼ SE¼ 35.0 ACRES

SECTION 20

NE¼ NE¼ 34.5 ACRES
NW¼ NE¼ 32.8 ACRES
SW¼ NE¼ 31.5 ACRES
SE¼ NE¼ 36.4 ACRES
NE¼ NW¼ 38.0 ACRES
NW¼ NW¼ 32.7 ACRES
SW¼ NW¼ 34.9 ACRES
SE¼ NW¼ 33.8 ACRES
NW¼ SW¼ 28.6 ACRES
SW¼ SW¼ 28.4 ACRES

SECTION 21

NE¼ NE¼ 25.7 ACRES
NW¼ NE¼ 35.8 ACRES
SW¼ NE¼ 36.0 ACRES
SE¼ NE¼ 28.5 ACRES
NE¼ NW¼ 35.7 ACRES
NW¼ NW¼ 34.3 ACRES
SW¼ NW¼ 32.1 ACRES
SE¼ NW¼ 34.0 ACRES
NE¼ SE¼ 25.7 ACRES
NW¼ SE¼ 33.3 ACRES
SW¼ SE¼ 34.6 ACRES
SE¼ SE¼ 29.7 ACRES

SECTION 22

NE¼ NE¼ 32.6 ACRES
NW¼ NE¼ 33.5 ACRES
SW¼ NE¼ 31.0 ACRES
SE¼ NE¼ 31.0 ACRES
NE¼ NW¼ 30.5 ACRES
NW¼ NW¼ 29.4 ACRES
SW¼ NW¼ 30.9 ACRES
SE¼ NW¼ 33.2 ACRES
NE¼ SW¼ 30.4 ACRES
NW¼ SW¼ 27.6 ACRES
SW¼ SW¼ 31.2 ACRES
SE¼ SW¼ 34.4 ACRES
NE¼ SE¼ 34.9 ACRES
NW¼ SE¼ 30.3 ACRES
SW¼ SE¼ 28.6 ACRES
SE¼ SE¼ 30.4 ACRES

SECTION 23
TOWNSHIP 3 NORTH,
RANGE 26 EAST, W.M.

NE¼ NW¼	0.8 ACRE	NE¼ NE¼	0.6 ACRE
NW¼ NW¼	0.6 ACRE	NW¼ NW¼	1.2 ACRES
SECTION 26		SECTION 29	
NE¼ NE¼	0.4 ACRE	NE¼ NW¼	0.8 ACRE
NW¼ NE¼	0.8 ACRE	NW¼ NW¼	0.8 ACRE
SECTION 27		SECTION 30	
NW¼ NW¼	0.2 ACRE	TOWNSHIP 3 NORTH, RANGE 26 EAST, W.M.	
SECTION 28			

This certificate is issued to correct a scrivener's error contained in the certificate recorded at page 79850, State Record of Water Right Certificates. Certificate 79850 incorrectly identified the quarter quarter listing for certain lands in Section 21, Township 3 North, Range 26 East, W.M.. This certificate supersedes Certificate 79850.

Certificate 79850 describes that portion of the water right confirmed by Certificate 68261, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director approving Transfer Application 7890.

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. The use confirmed herein may be made only at times when sufficient water is available to satisfy all prior rights, including rights for maintaining instream flows.

WITNESS the signature of the Water Resources Director, affixed APR 2 8 2003.

for Paul R. Cleary, Director

Recorded in State Record of Water Right Certificates numbered 80062.

Oregon Water Resources Department
Water Rights in the Same Area

Places of Use from Water Rights in the Same Area

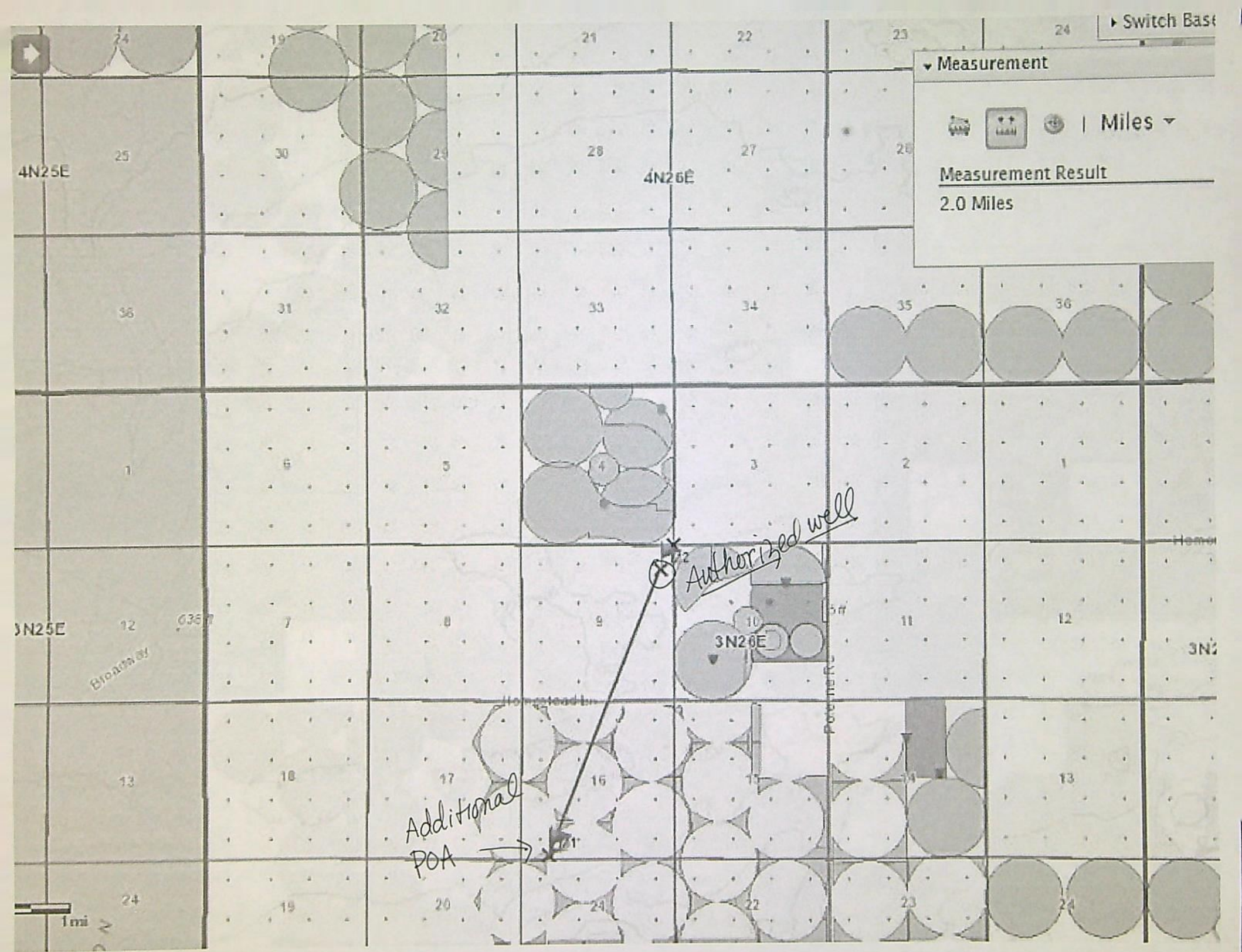
The following rights have acreage in the same quarter-quarter as Cert:80062 RR CR *

Right	Name	Decree	App	Permit	Cert	Priority	Status	Use	T-R-S-QQ	DLC	Gov't Lot	Acres
APP: LL 1626 *	GREG TE VELDE		LL-1626			1/25/2016	NC	GC	03.00N-26.00E-15-SWNW			
								GC	03.00N-26.00E-15-NWSW			
								GC	03.00N-26.00E-15-SWSW			
								GC	03.00N-26.00E-16-SENE			
								GC	03.00N-26.00E-16-SWNE			
								GC	03.00N-26.00E-16-SENW			
								GC	03.00N-26.00E-16-SWNW			
								GC	03.00N-26.00E-16-NESE			
								GC	03.00N-26.00E-16-NWSE			
								GC	03.00N-26.00E-16-SESE			
								GC	03.00N-26.00E-16-SWSE			
								GC	03.00N-26.00E-16-NESW			
								GC	03.00N-26.00E-16-SESW			
								GC	03.00N-26.00E-16-NWSW			
APP: LL 1637 *	GREG TE VELDE		LL-1637			3/10/2016	NC	GC	03.00N-26.00E-16-NWSW			
								GC	03.00N-26.00E-16-SESW			
								GC	03.00N-26.00E-16-NESW			
								GC	03.00N-26.00E-16-SWSE			
								GC	03.00N-26.00E-16-SESE			
								GC	03.00N-26.00E-16-NWSE			
								GC	03.00N-26.00E-16-NESE			
								GC	03.00N-26.00E-16-SWNW			
								GC	03.00N-26.00E-16-SENW			
								GC	03.00N-26.00E-16-SWNE			
								GC	03.00N-26.00E-16-SENE			
								GC	03.00N-26.00E-15-SWSW			
								GC	03.00N-26.00E-15-NWSW			
								GC	03.00N-26.00E-15-SWNW			
APP: LL 1645 *	GREG TE VELDE		LL-1645			5/2/2016	NC	GC	03.00N-26.00E-15-SWNW			
								GC	03.00N-26.00E-15-NWSW			
								GC	03.00N-26.00E-15-SWSW			
								GC	03.00N-26.00E-16-SENE			
								GC	03.00N-26.00E-16-SWNE			
								GC	03.00N-26.00E-16-SENW			
								GC	03.00N-26.00E-16-SWNW			
								GC	03.00N-26.00E-16-NESE			
								GC	03.00N-26.00E-16-NWSE			
								GC	03.00N-26.00E-16-SESE			
								GC	03.00N-26.00E-16-SWSE			
								GC	03.00N-26.00E-16-NESW			

			GC	03.00N-26.00E-16-SESW	
			GC	03.00N-26.00E-16-NWSW	
CERT:76669 OR *	COUNTY LINE IMPROVEMENT DISTRICT	S-48966 S-41512 76669 1/31/1972 NC	GR	03.00N-26.00E-15-SESW	
			GR	03.00N-26.00E-15-NWSW	
			GR	03.00N-26.00E-15-SWSW	
			GR	03.00N-26.00E-15-NESE	
			GR	03.00N-26.00E-15-SENW	
			GR	03.00N-26.00E-15-SWNW	
			GR	03.00N-26.00E-15-NWSE	
			GR	03.00N-26.00E-15-SESE	
			GR	03.00N-26.00E-15-SWSE	
			GR	03.00N-26.00E-15-NESW	
			GR	03.00N-26.00E-14-SENW	
			GR	03.00N-26.00E-14-SWNW	
			GR	03.00N-26.00E-14-NESW	
			GR	03.00N-26.00E-14-NWSW	
			GR	03.00N-26.00E-14-SESW	
			GR	03.00N-26.00E-14-SWSW	
			GR	03.00N-26.00E-15-NENW	
			GR	03.00N-26.00E-15-NWNW	
CERT:86992 CF *	BOARDMAN TREE FARM LLC	S-50951 S-37150 86992 7/25/1973 NC	IR	03.00N-26.00E-15-NWNW	2.4000
			IR	03.00N-26.00E-16-SWNE	5.4000
			IR	03.00N-26.00E-16-NENE	0.6000
			IR	03.00N-26.00E-16-NWNE	1.8000
			IR	03.00N-26.00E-16-SENE	2.0000
			IR	03.00N-26.00E-16-NWSE	7.4000
			IR	03.00N-26.00E-16-NESE	5.2000
			IR	03.00N-26.00E-16-SWNW	6.0000
			IR	03.00N-26.00E-16-NENW	0.8000
			IR	03.00N-26.00E-16-NWNW	2.3000
			IR	03.00N-26.00E-16-SENW	5.2000
			IR	03.00N-26.00E-16-SESW	4.2000
			IR	03.00N-26.00E-20-NENE	2.5000
			IR	03.00N-26.00E-20-NWNE	0.5000
			IR	03.00N-26.00E-20-SENE	0.7000
			IR	03.00N-26.00E-20-SWNE	0.5000
			IR	03.00N-26.00E-20-NESE	1.5000
			IR	03.00N-26.00E-20-NWSE	0.2000
			IR	03.00N-26.00E-16-SWSW	4.7000
			IR	03.00N-26.00E-17-NENE	1.5000
			IR	03.00N-26.00E-17-NWNE	1.0000
			IR	03.00N-26.00E-17-SENE	2.4000
			IR	03.00N-26.00E-17-SWNE	2.0000
			IR	03.00N-26.00E-17-NESE	5.1000
			IR	03.00N-26.00E-17-NWSE	0.9000

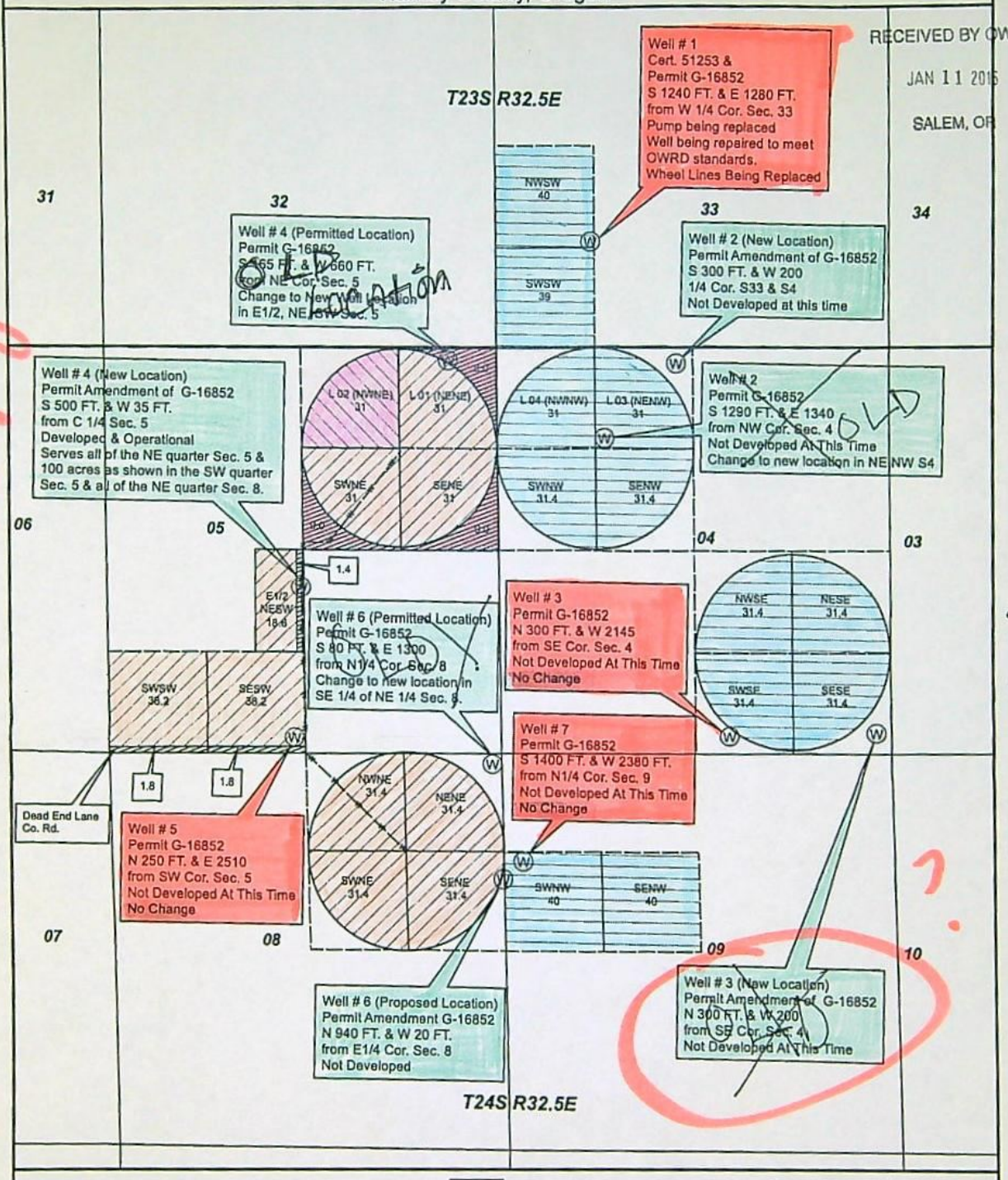
					IR	03.00N-26.00E-17-SESE	1.2000
					IR	03.00N-26.00E-17-SWSE	0.9000
					IR	03.00N-26.00E-16-NWSW	7.2000
					IR	03.00N-26.00E-16-NESW	3.0000
					IR	03.00N-26.00E-16-SWSE	6.5000
					IR	03.00N-26.00E-16-SESE	1.2000
					IR	03.00N-26.00E-21-NENE	4.4000
					IR	03.00N-26.00E-21-NWNE	6.4000
					IR	03.00N-26.00E-21-SENE	0.5000
					IR	03.00N-26.00E-21-SWNE	6.2000
					IR	03.00N-26.00E-21-NENW	1.2000
					IR	03.00N-26.00E-21-NWNW	4.7000
					IR	03.00N-26.00E-21-SENW	5.2000
					IR	03.00N-26.00E-21-SWNW	3.6000
					IR	03.00N-26.00E-21-NWSW	4.2000
					IR	03.00N-26.00E-21-SWSW	7.1000
					IR	03.00N-26.00E-20-SESE	0.5000
					IR	03.00N-26.00E-20-SWSE	0.3000
CERT:83517 RR CR *	CONNECTICUT GENERAL LIFE INSURANCE CO.	S-51650 S-37293 83517 2/7/1974	NC		IR	03.00N-26.00E-20-SESW	23.2000
					IR	03.00N-26.00E-20-SWSE	34.4000
					IR	03.00N-26.00E-19-SESE	17.8000
					IR	03.00N-26.00E-19-SWSE	30.4000
					IR	03.00N-26.00E-19-SESW	3.2000
					IR	03.00N-26.00E-20-SESE	2.4000
					IR	03.00N-26.00E-23-SESE	1.1000
					IR	03.00N-26.00E-23-SWSE	0.7000
					IR	03.00N-26.00E-26-NENW	29.4000
					IR	03.00N-26.00E-26-NWNW	26.2000
					IR	03.00N-26.00E-27-NWNE	31.6000
					IR	03.00N-26.00E-28-NWNW	22.5000
					IR	03.00N-26.00E-29-NENE	32.3000
					IR	03.00N-26.00E-30-NWNW	28.0000
					IR	03.00N-26.00E-30-NENW	29.6000
					IR	03.00N-26.00E-27-NENE	27.4000
CERT:86993 CF *	BOARDMAN TREE FARM LLC	S-51650 S-37293 86993 2/7/1974	NC		IR	03.00N-26.00E-22-SWSE	4.1000
					IR	03.00N-26.00E-23-NENE	2.7000
					IR	03.00N-26.00E-23-NWNE	2.7000
					IR	03.00N-26.00E-23-SWNE	7.9000
					IR	03.00N-26.00E-23-SENE	7.7000
					IR	03.00N-26.00E-23-NENW	9.0000
					IR	03.00N-26.00E-23-NWNW	6.0000
					IR	03.00N-26.00E-23-SWNW	5.9000
					IR	03.00N-26.00E-23-SENW	5.8000
					IR	03.00N-26.00E-23-NESW	7.3000
					IR	03.00N-26.00E-23-NWSW	6.6000
					IR	03.00N-26.00E-23-SWSW	4.4000

IR	03.00N-26.00E-23-SESW		5.1000
IR	03.00N-26.00E-23-NESE		3.5000
IR	03.00N-26.00E-23-NWSE		1.8000
IR	03.00N-26.00E-23-SWSE		9.5000
IR	03.00N-26.00E-23-SESE		7.8000
IR	03.00N-26.00E-26-NENW		6.7000
IR	03.00N-26.00E-26-NWNW		6.2000
IR	03.00N-26.00E-27-NENE		6.7000
IR	03.00N-26.00E-27-NWNE		7.1000
IR	03.00N-26.00E-28-NWNW		11.1000
IR	03.00N-26.00E-29-NENE		1.0000
IR	03.00N-26.00E-15-SWSW		7.3000
IR	03.00N-26.00E-15-NWSW		6.7000
IR	03.00N-26.00E-15-SESW		6.0000
IR	03.00N-26.00E-15-NENW		1.1000
IR	03.00N-26.00E-14-SWSW		3.8000
IR	03.00N-26.00E-14-SESW		6.1000
IR	03.00N-26.00E-14-NWSW		4.6000
IR	03.00N-26.00E-14-NESW		8.1000
IR	03.00N-26.00E-14-SWNW		3.0000
IR	03.00N-26.00E-14-SENW		6.4000
IR	03.00N-26.00E-15-NESW		2.4000
IR	03.00N-26.00E-15-SWSE		2.7000
IR	03.00N-26.00E-15-SESE		7.6000
IR	03.00N-26.00E-15-NWSE		6.0000
IR	03.00N-26.00E-15-SWNW		6.6000
IR	03.00N-26.00E-15-SENW		4.1000
IR	03.00N-26.00E-15-NESE		12.6000
IR	03.00N-26.00E-22-NENE		10.2000
IR	03.00N-26.00E-22-NWNE		2.9000
IR	03.00N-26.00E-22-SENE		7.3000
IR	03.00N-26.00E-22-SWNE		3.0000
IR	03.00N-26.00E-22-NENW		3.2000
IR	03.00N-26.00E-22-NWNW		4.8000
IR	03.00N-26.00E-22-SENW		5.0000
IR	03.00N-26.00E-22-SWNW		7.0000
IR	03.00N-26.00E-22-NESE		11.3000
IR	03.00N-26.00E-22-NWSE		6.0000
IR	03.00N-26.00E-22-SESE		6.3000
IR	03.00N-26.00E-21-NWSW		4.0000


Switch Base
Measurement
Miles
Measurement Result
2.0 Miles
4N25E
4N26E
3N25E
3N26E
Authorized well
Additional POA
1mi

Permit Amendment Map for G-16852

Located In T23S R32 1/2E, Section 33 & T24S R32 1/2E,Sections 4, 5, 8, 9 . W.M.
Harney County, Oregon



2 - new location
4 - new loc.
6 - new loc.
3 - new loc

1 - no change
~~3 - no change~~
5 - no change
7 - no change

Developed per G-16852
Priority Date: 1/23/2011

No Change; Permit Extension Filed
Permit G-16852. Priority Date: 1/23/2011

Change in Place of Use
From Lands per permit G-16852
Priority Date: 1/23/2011

Proposed Place of Use
See attached Land Sales Contract
Dated: September 4, 2015

Ⓦ Well (as noted)

15-12-8 Ins. Diam. Buried
Water Line per Land Owner

Township Line

Section Line

Gur Farm
Quarter-Quarter Sections

1 inch = 1,320 feet

CERTIFIED WATER RIGHT EXAMINER
83181
SCOTT D. FEIN
MAY 10, 2012
STATE OF OREGON
EXPIRES: 12/31/20 17

Prepared For:
Gur Farm LLC
c/o Gurvinder Singh Dhanoa
16215 Index Court SE
Renton, WA 98058

Prepared By:
Scott Fein Water Rights
Scott Fein, CWRE
600 Tyler Creek Rd.
Ashland, OR 97520
541-842-0795
sfeinsurveyor@gmail.com

Field Survey: October 16, 2015
Drawn: November 29, 2015

T 12242

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Water Rights Platcard Report

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Search Criteria

FROM T 12248

Meridian: Willamette | Township: 3 North | Range: 26 East | Section: 4 | Records per Page: 10 | Search

Platcards Maps! Learn about • View Map

	Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE	SE SE	Unkown QQ
Select	**Cert:41878 OR CN** Additional Info: GEORGE S BULOW App: G1411 Permit: G1284 Cert: 41878	T4119	3/6/1959	IRRIGATION	CN				~~0.3~~	~~4.4~~	~~40~~	~~30.2~~	~~37.2~~	~~33.6~~	~~30.8~~	~~36.8~~	~~2.7~~				~~29.8~~	~~35.9~~	~~1.6~~	~~0.2~~	
Select	**Cert:41879 OR CN** Additional Info: GEORGE S BULOW App: G1402 Permit: G1319 Cert: 41879		3/2/1959	IRRIGATION	CN										~~1.3~~	~~1.7~~	~~36~~	~~35.4~~	~~30.4~~	~~36.8~~	~~0.2~~	~~2.9~~	~~38.4~~	~~36.4~~	
Select	**Cert:49726 RR *** Additional Info: GEORGE S BULOW App: G1402 Cert: 49726	T12248	3/2/1959	IRRIGATION	subject										1.3	1.7	36	35.4	30.4	35	0.2	2.9	33.6	30.8	
Select	**Cert:49727 RR *** Additional Info: GEORGE S BULOW App: G1411 Permit: G1284 Cert: 49727	T12248	3/6/1959	IRRIGATION	subject				0.3	4.4	30.3	26	37.2	33.6	30.8	34.4					0.9	0.4			
Select	**Cert:55316 CF *** Additional Info: GEORGE/JERRY BULOW App: G1411 Permit: G1284 Cert: 55316	T12248	3/6/1959	IRRIGATION	subject				18.4	13.4		7.3									23	23.1			
Select	**Cert:55317 RR *** Additional Info: GOERGE/JERRY BULOW App: G1402 Cert: 55317	T12248	3/2/1959	IRRIGATION	subject																7.9		1	3.3	
Select	**Inchoate: T 11198 CF (REG) *** Additional Info: SAGE HOLLOW RANCH LLC App: G1413 Permit: G1322		3/11/1959	IRRIGATION	not a conflict					(18.3)	(4.6)	(3.3)	(3.5)			(1.7)	(3.4)				(8.3)	(8.2)			
Select	**Cert:41878 OR CN** Additional Info: GEORGE S BULOW App: G1411 Permit: G1284 Cert: 41878	T4119	3/6/1959	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	CN										~~1.2~~	~~1.6~~	~~1.4~~	~~0.2~~				~~0.1~~			
Select	**Cert:49727 RR *** Additional Info: GEORGE S BULOW App: G1411 Permit: G1284 Cert: 49727	T12248	3/6/1959	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	subject										1.2	1.6	1.4	0.2				0.1			
Select	**Inchoate: T 11198 CF (REG) *** Additional Info: SAGE HOLLOW RANCH LLC App: S61230 Permit: S45563		2/5/1981	SUPPLEMENTAL IRRIGATION (Suppl'mtl)	not a conflict					(18.3)	(4.6)	(3.3)	(3.5)			(1.7)	(3.4)				(8.3)	(8.2)			

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

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Search Criteria

To T 12 24 B

Meridian: Willamette | Township: 3 North | Range: 26 East | Section: 15 | Records per Page: 10 | Search | Platcards Learn about *

Water Right	Changing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): Q(160):	NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE
Select **App: LL 1623** * Additional Info: GREG TE VELDE App: LL1623		12/21/2015	DAIRY BARN USES	not a conflict										•			•	•				
Select **App: LL 1626** * Additional Info: GREG TE VELDE App: LL1626		1/25/2016	GENERAL CONSTRUCTION OR MAINTENANCE	not a conflict										•			•	•				
Select **Cert:76669 OR** * Additional Info: COUNTY LINE IMPROVEMENT DISTRICT App: S48966 Permit: S41512 Cert: 76669		1/31/1972	GROUND WATER RECHARGE	not a conflict				•	•	•	•	•	•	•	•	•	•	•	•	•	•	•
Select **Cert:52083 OR CN** Additional Info: CONNECTICUT GENERAL LIFE INSURANCE CO App: S50951 Permit: S37150 Cert: 52083	T6697	7/25/1973	IRRIGATION	CN				~~25.8~~	~~30.4~~	~~36.8~~	~~29.6~~	~~33.2~~	~~28.8~~	~~32.8~~	~~35.6~~	~~37.6~~	~~33.2~~	~~32.4~~	~~34~~	~~24.4~~	~~34~~	~~37.2~~
Select **Cert:68261 RR CN** Additional Info: BOB OROURKE App: S50951 Permit: S37150 Cert: 68261	T7890	7/25/1973	IRRIGATION	CN								~~33.2~~	~~28.8~~	~~32.8~~	~~35.6~~	~~37.6~~	~~33.2~~	~~32.4~~	~~34~~	~~24.4~~	~~34~~	~~37.2~~
Select **Cert:79850 RR CN** Additional Info: BOB OROURKE App: S50951 Permit: S37150 Cert: 79850		7/25/1973	IRRIGATION	CN								~~32.6~~	~~28.2~~	~~31.9~~	~~34.6~~	~~36.7~~	~~32.4~~	~~31.7~~	~~33.2~~	~~23.7~~	~~33.3~~	~~36.5~~
Select **Cert:80062 RR CR** * Additional Info: BOB OROURKE App: S50951 Permit: S37150 Cert: 80062	T12247	7/25/1973	IRRIGATION	all part of consumer T 12247, not a conflict								32.6	28.2	31.9	34.6	36.7	32.4	31.7	33.2	23.7	33.3	36.5
Select **Cert:86992 CF** * Additional Info: BOARDMAN TREE FARM LLC App: S50951 Permit: S37150 Cert: 86992	T12247	7/25/1973	IRRIGATION										2.4									
Select **Cert:86993 CF** * Additional Info: BOARDMAN TREE FARM LLC App: S51650 Permit: S37293 Cert: 86993	T12247	2/7/1974	IRRIGATION						7.4	8.4	1.1	1.1		6.6	4.1	2.4	6.7	7.3	6	12.6	6	2.7

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 specifie

In any case

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Search Criteria

↓ To T 12248

Meridian: Willamette | Township: 3 North | Range: 26 East | Section: 16 | Records per Page: 10 | Search | Platcards Learn about *

	Water Right	Channing Xfers	Priority	Use	Use Status	DLC	Gov't Lot	QQ(40): NE NE	NW NE	SW NE	SE NE	NE NW	NW NW	SW NW	SE NW	NE SW	NW SW	SW SW	SE SW	NE SE	NW SE	SW SE
Select	**App: LL 1623** * Additional Info: GREG TE VELDE App: LL1623		12/21/2015	DAIRY BARN USES	not a conflict					•	•			•	•	•	•		•	•	•	•
Select	**App: LL 1626** * Additional Info: GREG TE VELDE App: LL1626		1/25/2016	GENERAL CONSTRUCTION OR MAINTENANCE	not a conflict					•	•			•	•	•	•		•	•	•	•
Select	**Cert:52083 OR CN** Additional Info: CONNECTICUT GENERAL LIFE INSURANCE CO. App: S50951 Permit: S37150 Cert: 52083	T6697	7/25/1973	IRRIGATION	CN			~~33.2~~	~~30.4~~	~~31.9~~	~~38~~	~~32.4~~	~~30.8~~	~~34~~	~~34.8~~	~~37~~	~~32.4~~	~~35.2~~	~~35.2~~	~~34.8~~	~~32.4~~	~~32.8~~
Select	**Cert:68261 RR CN** Additional Info: BOB OROURKE App: S50951 Permit: S37150 Cert: 68261	T7890	7/25/1973	IRRIGATION	CN			~~33.2~~	~~30.4~~	~~31.9~~	~~38~~	~~32.4~~	~~30.8~~	~~34~~	~~34.8~~	~~37~~	~~32.4~~	~~35.2~~	~~35.2~~	~~34.8~~	~~32.4~~	~~32.8~~
Select	**Cert:79850 RR CN** Additional Info: BOB OROURKE App: S50951 Permit: S37150 Cert: 79850		7/25/1973	IRRIGATION	CN			~~32.6~~	~~29.1~~	~~31~~	~~36.8~~	~~31.2~~	~~29.4~~	~~33.7~~	~~34.6~~	~~36.7~~	~~32.3~~	~~31.4~~	~~33.8~~	~~33.8~~	~~31.3~~	~~32.1~~
Select	**Cert:80062 RR CR** * Additional Info: BOB OROURKE App: S50951 Permit: S37150 Cert: 80062	T12247	7/25/1973	IRRIGATION				32.6	29.1	31	36.8	31.2	29.4	33.7	34.6	36.7	32.3	31.4	33.8	33.8	31.3	32.1
Select	**Cert:86992 CF** * Additional Info: BOARDMAN TREE FARM LLC App: S50951 Permit: S37150 Cert: 86992	T12247	7/25/1973	IRRIGATION				0.6	1.8	5.4	2	0.8	2.3	6	5.2	3	7.2	4.7	4.2	5.2	7.4	6.5

} both part of concern

T 12247 not a conflict in any case

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 specifiec

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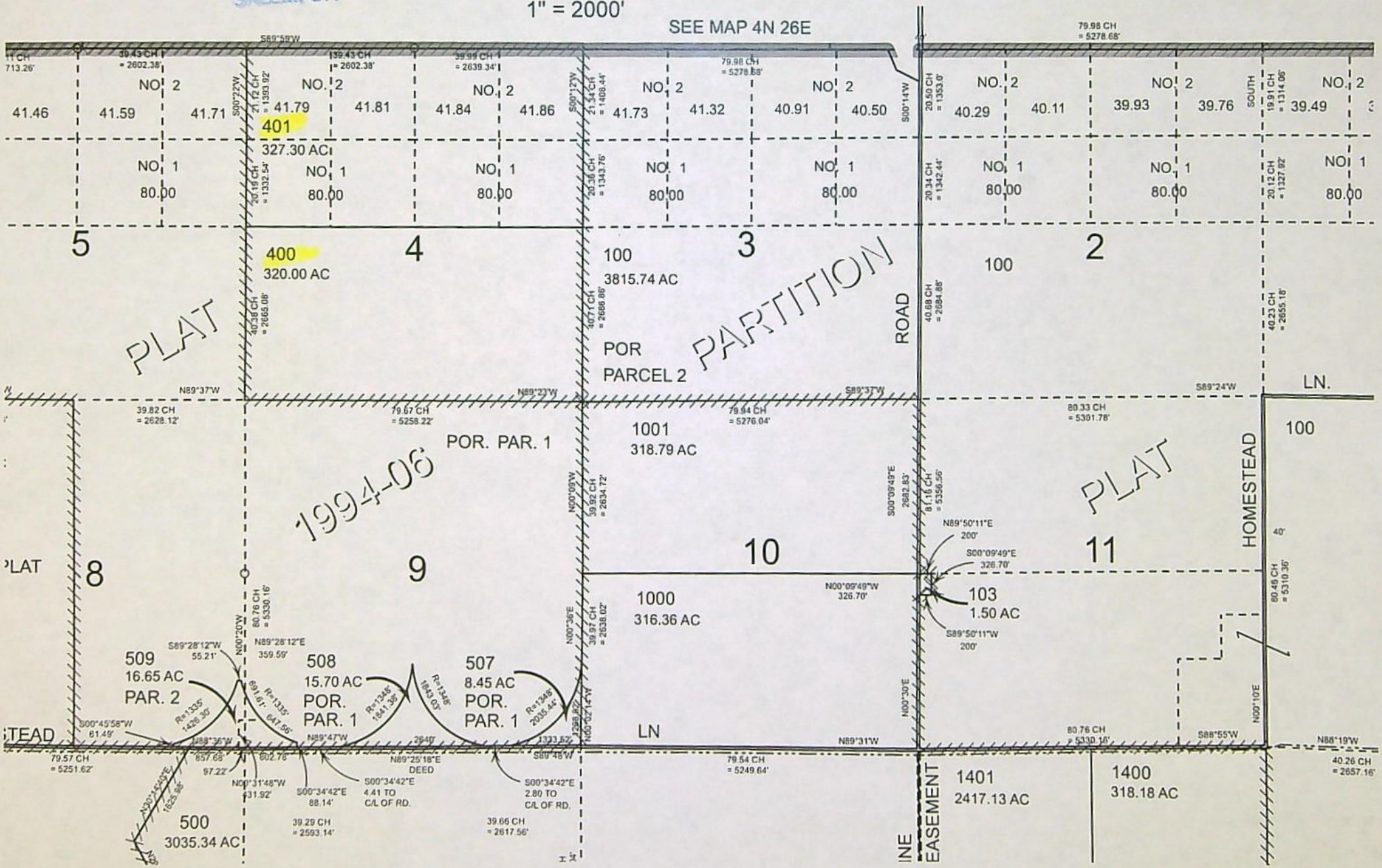
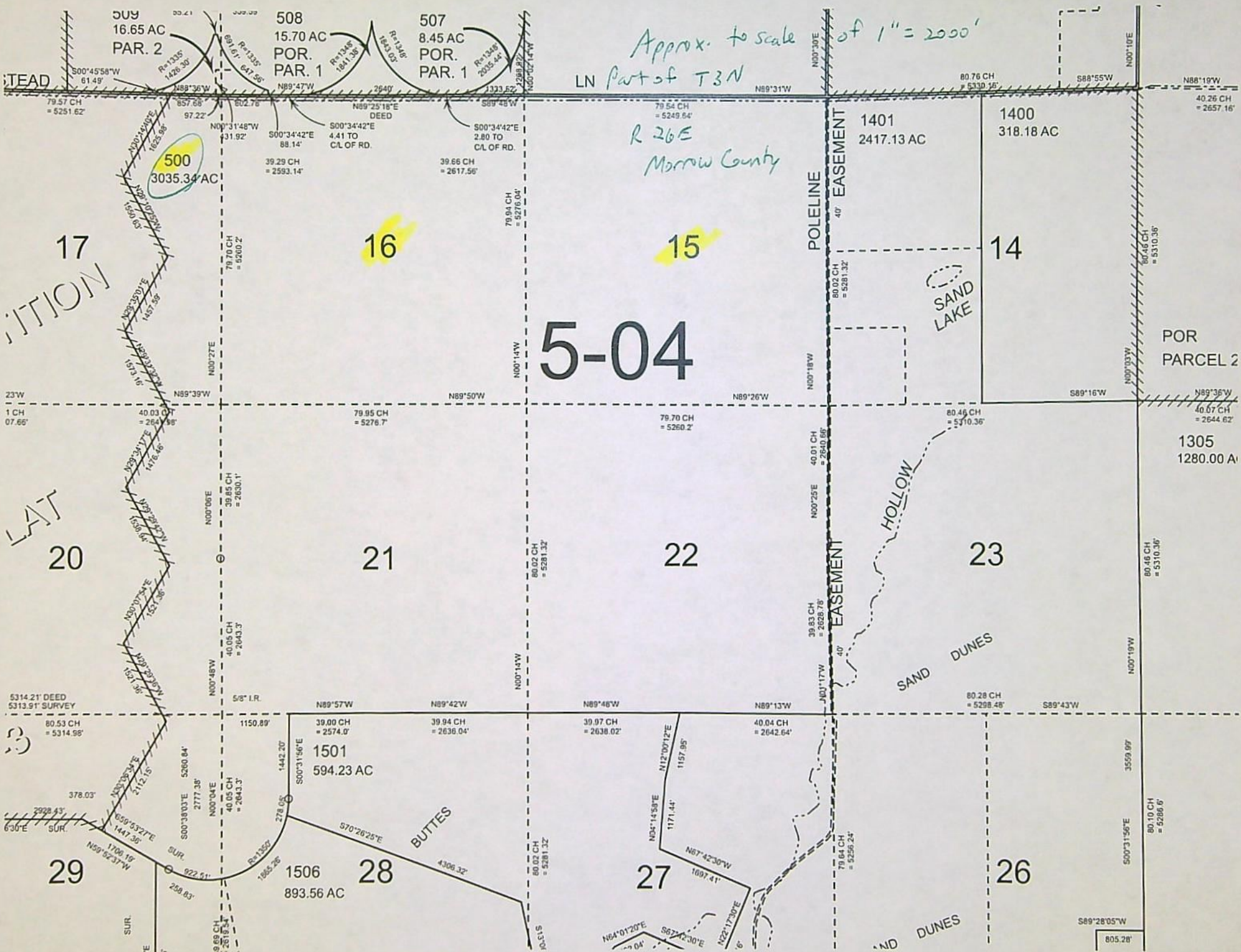
0 4,000 Feet

T.3N. R.26E. W.M.
MORROW COUNTY
1" = 2000'

Approx to scale



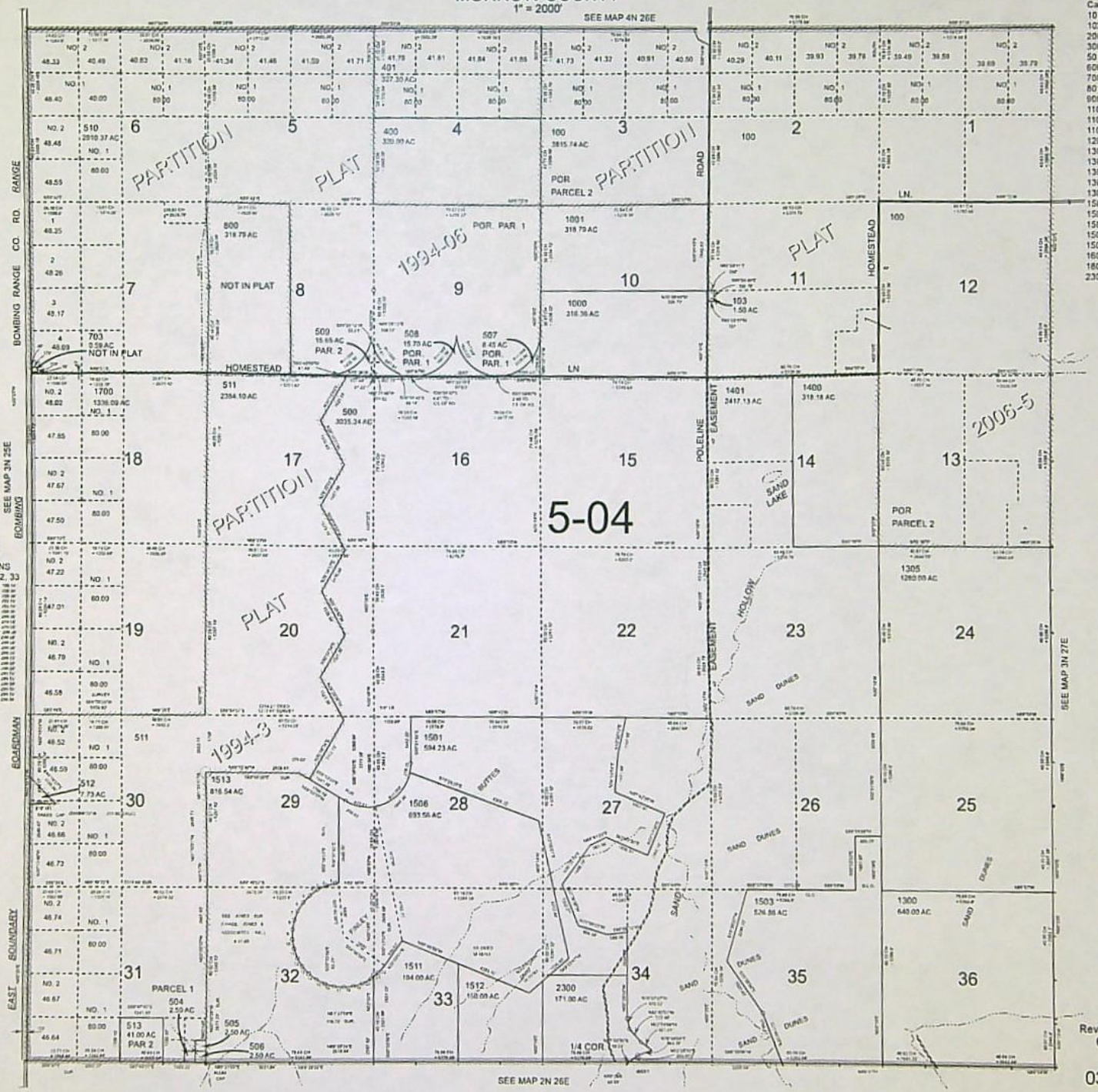

509
16.65 AC
PAR. 2
508
15.70 AC
POR.
PAR. 1
507
8.45 AC
POR.
PAR. 1
Approx. to scale of 1" = 2000'
LN Part of T3N
R 26E
Morrow County
500
3035.34 AC
1401
2417.13 AC
1400
318.18 AC
POLELINE EASEMENT
SAND LAKE
POR PARCEL 2
1305
1280.00 A
5-04
17
16
15
14
20
21
22
23
29
28
27
26
1501
594.23 AC
1506
893.56 AC
BUTTES
SAND DUNES
HOLLOW
EASEMENT
5314.21' DEED
5313.91' SURVEY
5/8" I.R.

THIS MAP WAS PREPARED FOR ASSESSMENT PURPOSE ONLY

NOT TO SCALE

T.3N. R.26E. W.M.
MORROW COUNTY
1" = 2000'

03N26E



TL 1510
SECTIONS
28, 29, 32, 33

Cancelled
101
102
200
300
501 thru 503
600
700 thru 702
801
900
1100
1101
1102
1200
1300U3
1301
1302
1303
1304
1500
1502
1504
1505
1507 thru 1510
1600
1800 thru 2200
2301

Revised: DWC
06/18/2014

03N26E

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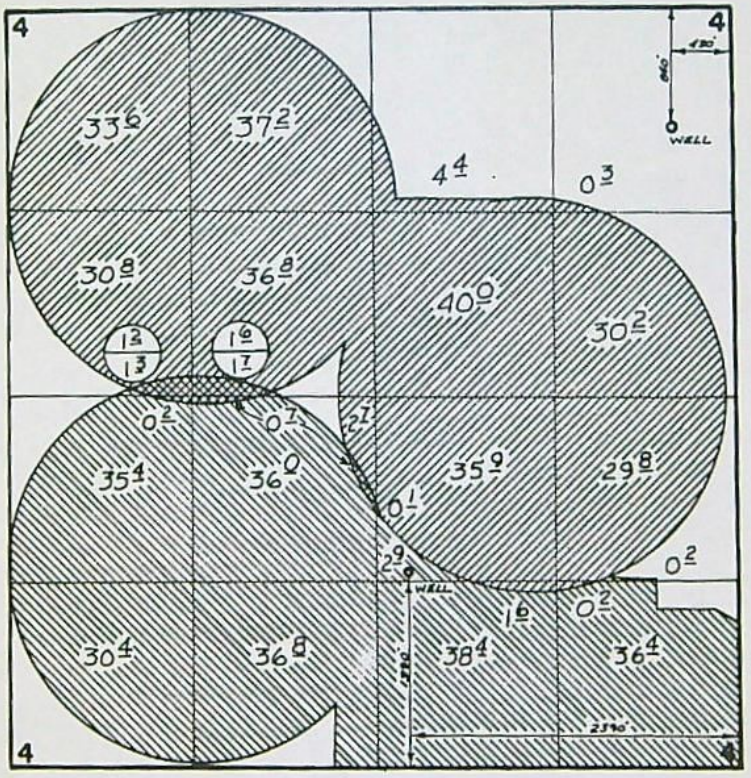
T. 3N., R. 26E., W.M.



FINAL PROOF SURVEY

UNDER

Application No. G-1402 / G-1411 Permit No. G-1319 / G-1284

G-1319 South Well
G-1284 North Well

IN NAME OF

GEORGE S. BULOW

Surveyed April 18 1914, by David Norby

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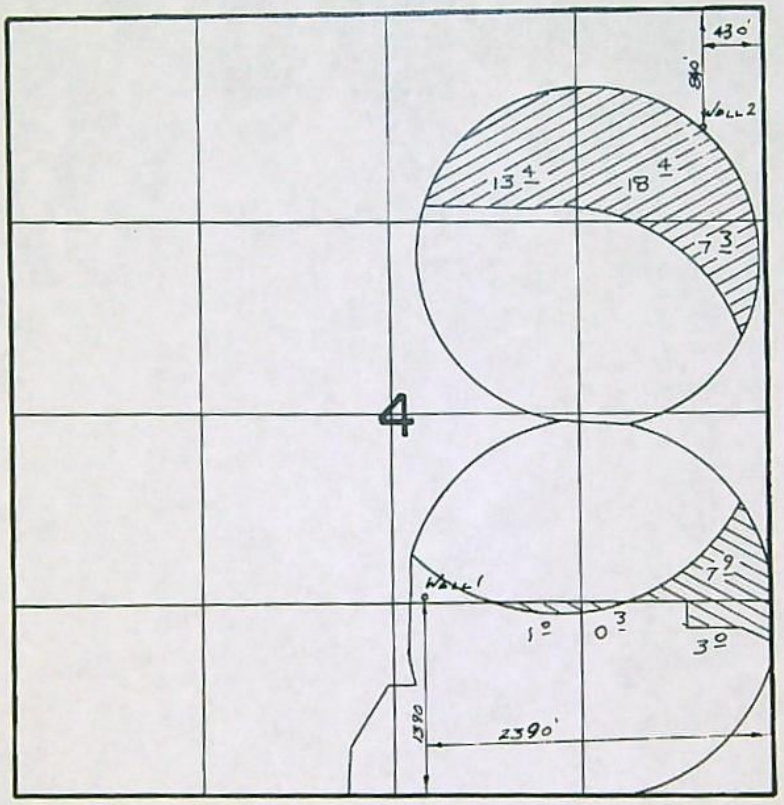
Cert 49726, 49727, 55316

41049-272-121

T. 3N., R. 26E., W.M.



now certif 55316

4119

4118

now certificate 55317

FINAL PROOF SURVEY

UNDER

TRANSFER 4118, 4119

IN NAME OF

GEORGE & JERRY BULOW

Surveyed Nov. 5 19 81., by Val Church

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SALEM, OR

SP. OR. V 33 P 442

V. 33 P 444

OBSERVATION WELL → See deeper one

Morr 590 South Well

WATER WELL REPORT

STATE OF OREGON GH02

State Well No. 3N/26-4 #L

State Permit No. G1319

File Original and First Copy with the STATE ENGINEER, SALEM, OREGON

MORR 595

(1) OWNER:

GEORGE BLOW

Name Luther W. Cramer

Address 406 West 4th

Hermiston, Ore

(2) LOCATION OF WELL:

County Morrow Owner's number, if any—

NW ¼ SE ¼ Section 4 T. 3N R. 26E W.M.

Bearing and distance from section or subdivision corner

S 66°-6' E 3142.0 ft from The West ¼ Sect Monument

(3) TYPE OF WORK (check):

New Well ☒ Deepening ☐ Reconditioning ☐ Abandon ☐

If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

Domestic ☐ Industrial ☐ Municipal ☐

Irrigation ☒ Test Well ☐ Other ☐

(5) TYPE OF WELL:

Rotary ☐ Driven ☐

Cable ☒ Jetted ☐

Dug ☐ Bored ☐

(6) CASING INSTALLED:

Threaded ☐ Welded ☒

12 " Diam. from Ground ft. to 92 ft. Gage 4"

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(7) 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.

perforations from ft. to ft.

perforations from ft. to ft.

(8) SCREENS:

Well screen installed ☐ Yes ☒ No

Manufacturer's Name

Type Model No.

Slot size Set from ft. to ft.

Slot size Set from ft. to ft.

(9) CONSTRUCTION:

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

Gravel placed from ft. to ft.

Was a surface seal provided? ☐ Yes ☐ No To what depth? ft.

Material used in seal— Casing Driven Tight into Rock Clay

Did any strata contain unusable water? ☐ Yes ☒ No

Type of water? Depth of strata

Method of sealing strata off

(10) WATER LEVELS:

Static level 158 ft. below land surface Date

Artesian pressure lbs. per square inch Date

Log Accepted by:

[Signed] Luther W. Cramer (Owner) Date Sept 26, 1960

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? ☒ Yes ☐ No If yes, by whom? Luther W. Cramer

Yield: 500 gal./min. with 5 ft. drawdown after 3 hrs.

" 400 " 4 " 3-40 min

" 300 " 3 " 3-40 "

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

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

0-487½' 12" 487½-623-8"

(12) WELL LOG:

Diameter of well inches.

Depth drilled 623 ft. Depth of completed well 623 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Sand & Silt	0	76'
Tan Clay	76	120'
Soft Basalt Rock	120	135'
Yellow & Blue Cube Clay	135	180'
Drilling Water	174½'	
Conglamorate Rock	180	190
Black Basalt	190	246
Yellow & Blue Cube Clay	246	356
Basalt	356	623
8" Cavity with Wate Struck at	607'	

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Work started June 26 19 59 Completed Mar 26 19 60

(13) PUMP:

Manufacturer's Name Western Pump Co

Type: 7 stage 12" Turbine Pump H.P. Max 200

Well Driller's Statement:

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

NAME Luther W. Cramer (Person, firm, or corporation) (Type or print)

Address 406 West 4th, Hermiston

Driller's well number

[Signed] Luther W. Cramer (Well Driller)

License No. Date Sept 26, 1960

(USE ADDITIONAL SHEETS IF NECESSARY)

T 12218

WATER WELL REPORT
STATE OF OREGON

Authorized POA for 49726 2 55317 7 55316

MORR 590

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WATER RESOURCES DEPT
SALEM, OREGON

State Well No. 3N/26E-4db

State Permit No. South Well

(1) OWNER:
Name BULow FARM
Address BOX G
City IRRIGON State ORE

(2) TYPE OF WORK (check):
New Well ☐ Deepening ☑ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary Air ☑ Driven ☐
Rotary Mud ☐ Dug ☐
☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☑ Test Well ☐ Other ☐
Thermal: ☐ Withdrawal ☐ Reinjection ☐

(5) CASING INSTALLED:
Steel ☐ Plastic ☐
Threaded ☐ Welded ☐
NA Diam. from ..... ft. to ..... ft. Gauge .....
..... Diam. from ..... ft. to ..... ft. Gauge .....

LINER INSTALLED:
..... Diam. from ..... ft. to ..... ft. Gauge .....

(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 ..... Set from ..... ft. to ..... ft.
Diam. ..... Slot Size ..... Set from ..... ft. to ..... ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☑ No If yes, by whom?
..... gal./min. with ft. drawdown after hrs.
" " " "
Air test gal./min. with drill stem at ft. hrs.
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ..... ft.

(9) CONSTRUCTION:
Special standards: Yes ☐ No ☐
Well seal—Material used NA
Well sealed from land surface to ..... ft.
Diameter of well bore to bottom of seal ..... in.
Diameter of well bore below seal ..... in.
Number of sacks of cement used in well seal ..... sacks
How was cement grout placed? .....
.....
.....
Was pump installed? ..... Type ..... HP ..... Depth ..... ft.
Was a drive shoe used? ☐ Yes ☑ No Plugs ..... Size: location ..... ft.
Did any strata contain unusable water? ☐ Yes ☑ No
Type of Water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☑ No Size of gravel: .....
Gravel placed from ..... ft. to ..... ft.

(10) LOCATION OF WELL:
County MORROW Driller's well number
NW ¼ SE ¼ Section 4 T. 3N R. 26E W.M.
Tax Lot # Lot Blk Subdivision
Address at well location:

(11) WATER LEVEL: Completed well.
Depth at which water was first found 712 ft.
Static level 283 ft. below land surface. Date 2-25-82
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 12
Depth drilled 212 ft. Depth of completed well 835 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
REAMED 8" TO 12" FROM APPROX 460' TO ~~465'~~ ~~680'~~ 623			
DRILLED NEW HOLE FROM ~~623~~ TO 835			
BASALT GRAY	623	712	
" BLACK	712	718	
GRAY	718	733	
BLACK	733	763	
GRAY	763	805	
BLACK	805	820	
GRAY	820	828	
BLACK	828	835	

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JAN 15 2016
SALEM, OR

Work started 2-5 1982 Completed 2-25 1982
Date well drilling machine moved off of well 19

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] ..... (Drilling Machine Operator) Date 2-25, 1982
Drilling Machine Operator's License No. 1386

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 LARRY BUAD WELL DRILLING INC (Person, firm or corporation) (Type or print)
Address 5543 SW DOUGLAS PENDLETON ORE
[Signed] Larry Buad (Water Well Contractor)
Contractor's License No. 544 Date 2-25, 1982

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.

SP*12658-690

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APR 07 2016

T 12248

MORR 596

OBSERVATION WELL: North Well

WATER WELL REPORT

File Original and First Copy with the STATE ENGINEER, SALEM, OREGON

STATE OF OREGON G1411

State Well No. 3N/26-4A(1)

State Permit No. G1284

(1) OWNER: GEORGE BULOW –
Name Mildred F. Cramer
Address 406 West 4th
Hermiston Ore

(2) LOCATION OF WELL:
County Morrow Owner's number, if any—
NE ¼ NE ¼ Section 4 T. 3N R. 26E W.M.
Bearing and distance from section or subdivision corner
S 26° 22' W, 965.0 ft
From The N.E. Section
Corner

(3) TYPE OF WORK (check):
New Well [X] Deepening [ ] Reconditioning [ ] Abandon [ ]
If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):
Domestic [ ] Industrial [ ] Municipal [ ]
Irrigation [X] Test Well [ ] Other [ ]

(5) TYPE OF WELL:
Rotary [ ] Driven [ ]
Cable [X] Jetted [ ]
Dug [ ] Bored [ ]

(6) CASING INSTALLED: Threaded [ ] Welded [X]
12" Diam. from 0 ft. to 123 ft. Gage ¼"
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(7) PERFORATIONS: Perforated? [ ] Yes [X] 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.
perforations from ft. to ft.
perforations from ft. to ft.

(8) SCREENS: Well screen installed [ ] Yes [X] No
Manufacturer's Name
Type Model No.
Slot size Set from ft. to ft.
Slot size Set from ft. to ft.

(9) CONSTRUCTION:
Was well gravel packed? [ ] Yes [X] No Size of gravel:
Gravel placed from ft. to ft.
Was a surface seal provided? [ ] Yes [X] No To what depth? ft.
Material used in seal—Casing Driven Tight into Clay & Rock
Did any strata contain unusable water? [ ] Yes [X] No
Type of water? Depth of strata
Method of sealing strata off

(10) WATER LEVELS:
Static level 155½ ft. below land surface Date June 11, 1960
Artesian pressure lbs. per square inch Date

Log Accepted by:
[Signed] Mildred F. Cramer Date Sept. 26, 1960
(Owner)

(11) WELL TESTS: Drawdown is amount water level is lowered below static level
Was a pump test made? [X] Yes [ ] No If yes, by whom? Luther W. Cramer
Yield: 500 gal./min. with 12 ft. drawdown after 3 hrs.
" 400 " 9½ " 3 " 10 Min.
" 300 " 7½ " 3 " 20 Min.
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m. Date
Temperature of water Was a chemical analysis made? [ ] Yes [X] No

(12) WELL LOG: 12" 0 to 435' 8" 435 to 680'
Diameter of well inches.
Depth drilled 680 ft. Depth of completed well 680' ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Sand & Silt	0	121
Rock & Tan Bentonite Clay	121	136
Basalt Rock	136	149
Brown Bentonite	149	184
Drilling Water	164	
"		
Yellow "Cube Clay"	184	191
Basalt Rock	191	262
Grey " State	262	265
Blue Cube Clay"	265	360
Soft Black Rock	360	438
Basalt Rock	438	680
Water Source	670'	

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JAN 15 2016
SALEM, OR

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APR 07 2016
SALEM, OR

Work started June 1 1959 Completed June 8 1960

(13) PUMP:
Manufacturer's Name Western Pump Co
Type: 8 Stage 12N Turbine Pump H.P. 150

Well Driller's Statement:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.
NAME Luther W. Cramer
(Person, firm, or corporation) (Type or print)
Address 406 W. 4th, Hermiston, Ore
Driller's well number
[Signed] Luther W Cramer
(Well Driller)
License No. Date Sept 26, 1960

T 12248

(USE ADDITIONAL SHEETS IF NECESSARY)

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)

Authorized POA For Ext 49RT 1 55316 3N/26E-4aa
State Well No.

RECEIVED
JUN 25 1981
WATER RESOURCES DEPT
SALEM, OREGON

(Do not write above this line) MORR 591

State Permit No. North Well

(1) OWNER:
Name BULOW FARM
Address BOX G
IRRIGON ORE

(2) TYPE OF WORK (check):
New Well ☑ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary ☑ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☑ Test Well ☐ Other ☐

CASING INSTALLED:
Threaded ☐ Welded ☑
12 " Diam. from +2 ft. to 353 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

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 Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a AIR test made? ☑ Yes ☐ No If yes, by whom? DRILLER
Yield: 1000+ gal./min. with 200 ft. drawdown after 1 hrs.
" " "
" " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water 76° Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Well seal—Material used PORTLAND CEMENT
Well sealed from land surface to 18 ft.
Diameter of well bore to bottom of seal 16 in.
Diameter of well bore below seal 12 in.
Number of sacks of cement used in well seal 18 sacks
How was cement grout placed? TREMIE
Was a drive shoe used? ☐ Yes ☑ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☑ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☑ No Size of gravel:
Gravel placed from ft. to ft.

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(10) LOCATION OF WELL:
County MORROW Driller's well number
NE ¼ NE ¼ Section 4 T. 3N R. 26E W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.
Depth at which water was first found 435 ft.
Static level 237 ft. below land surface. Date 4-24-81
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 12¼
Depth drilled 790 ft. Depth of completed well 790 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
SAND + CLAY	0	190	
SAND + CLAY	190	352	
~~CLAY~~ BASALT Black	352	435	
" "	435	450	50 GPM
" "	450	475	
" "	575	589	600 GPM
" Brown	589	611	
" GREY	611	716	
" Black	716	722	
" "	722	742	
" "	742	753	1500 GPM
" "	753	790	
Black Basalt	475	575	

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MAY 28 1981
WATER RESOURCES DEPT
SALEM, OREGON

JAN 15 2016
SALEM, OR

Work started 2-24 1981 Completed 4-24 1981
Date well drilling machine moved off of well 4-24 1981

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] (Drilling Machine Operator) Date 4/24, 1981
Drilling Machine Operator's License No. 1386

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 Larry Bond Well Drilling Inc. (Person, firm or corporation) (Type or print)
Address 5543 SW DOUGLAS PENDLETON
[Signed] Larry Bond (Water Well Contractor)
Contractor's License No. 544 Date 4-24, 1981

(USE ADDITIONAL SHEETS IF NECESSARY)
SP*4565G-119

T 12S R 28E

STATE OF OREGON

COUNTY OF MORROW

CERTIFICATE OF WATER RIGHT

THIS CERTIFICATE ISSUED TO

CONNECTICUT GENERAL LIFE INSURANCE CO.
910 STEMMONS TOWER, NORTH
DALLAS, TX 75207

confirms the right to use the waters of COLUMBIA RIVER, tributary to PACIFIC OCEAN, for IRRIGATION of 2817.3 ACRES and SUPPLEMENTAL IRRIGATION 2461.2 ACRES.

This right was perfected under Permit S-37293. The date of priority is FEBRUARY 7, 1974. The amount of water to which this right is entitled is limited to an amount actually used beneficially, and shall not exceed 85.21 CUBIC FEET PER SECOND, or its equivalent in case of rotation, measured at the point of diversion from the source.

The point of diversion is located as follows:

Twp	Rng	Mer	Sec	Q - Q	GLot	Survey Coordinates
4 N	25 E	WM	2	NE NW	7	150 FEET SOUTH AND 2990 FEET WEST FROM THE NE CORNER OF SECTION 2

The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, is limited to ONE-FORTIETH 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 4½ acre-feet for each acre irrigated during the irrigation season of each year. Although part of this right is supplemental, in the interest of conserving groundwater, it may be exercised when groundwater is available provided the quantity diverted from all sources does not exceed the limitation allowed herein. In the event the primary right from the wells is curtailed or abandoned, the land described as supplemental shall be considered as a primary irrigation right.

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

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	2	NE NW	28.2
2 N	26 E	WM	2	NW NW	39.0
2 N	26 E	WM	2	SW NW	34.1
2 N	26 E	WM	2	SE NW	23.4
2 N	26 E	WM	2	NE SW	40.2
2 N	26 E	WM	2	NW SW	36.9
2 N	26 E	WM	2	SW SW	34.9
2 N	26 E	WM	2	SE SW	29.5
2 N	26 E	WM	3	NE NE	36.2
2 N	26 E	WM	3	NW NE	39.4
2 N	26 E	WM	3	SW NE	36.3
2 N	26 E	WM	3	SE NE	34.8
2 N	26 E	WM	3	NE SE	39.1
2 N	26 E	WM	3	NW SE	37.3
2 N	26 E	WM	3	SW SE	33.6
2 N	26 E	WM	3	SE SE	33.8
2 N	26 E	WM	10	NE NE	34.9
2 N	26 E	WM	10	NW NE	38.1
2 N	26 E	WM	11	NE NW	29.1

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	11	NW NW	37.6
3 N	26 E	WM	19	SE SW	3.2
3 N	26 E	WM	19	SW SE	30.4
3 N	26 E	WM	19	SE SE	17.8
3 N	26 E	WM	20	SE SW	23.2
3 N	26 E	WM	20	SW SE	34.4
3 N	26 E	WM	20	SE SE	2.4
3 N	26 E	WM	23	SW SE	0.7
3 N	26 E	WM	23	SE SE	1.1
3 N	26 E	WM	26	NE NE	34.8
3 N	26 E	WM	26	NW NE	31.5
3 N	26 E	WM	26	SW NE	23.4
3 N	26 E	WM	26	SE NE	25.1
3 N	26 E	WM	26	NE NW	29.4
3 N	26 E	WM	26	NW NW	26.2
3 N	26 E	WM	26	SW NW	33.0
3 N	26 E	WM	26	SE NW	33.3
3 N	26 E	WM	26	NE SW	18.3
3 N	26 E	WM	26*	NW SW	34.8
3 N	26 E	WM	26	SW SW	27.8
3 N	26 E	WM	26	SE SW	12.3
3 N	26 E	WM	27	NE NE*	27.4
3 N	26 E	WM	27	NW NE	31.6
3 N	26 E	WM	27	SW NE	36.0
3 N	26 E	WM	27	SE NE	30.6
3 N	26 E	WM	27	NW SW	0.6
3 N	26 E	WM	27	SW SW	7.0
3 N	26 E	WM	27	SE SW	35.2
3 N	26 E	WM	27	NE SE	29.9
3 N	26 E	WM	27	NW SE	1.8
3 N	26 E	WM	27	SW SE	19.7
3 N	26 E	WM	27	SE SE	30.5
3 N	26 E	WM	28	NW NW	22.5
3 N	26 E	WM	28	SW NW	16.8
3 N	26 E	WM	28	NE SW	39.2
3 N	26 E	WM	28	NW SW	0.5
3 N	26 E	WM	28	NW SW	35.5
3 N	26 E	WM	28	SW SW	33.4
3 N	26 E	WM	28	SE SW	36.6
3 N	26 E	WM	28	NE SE	23.1
3 N	26 E	WM	28	NW SE	27.6
3 N	26 E	WM	28	SW SE	35.1
3 N	26 E	WM	28	SE SE	35.0
3 N	26 E	WM	29	NE NE	32.3
3 N	26 E	WM	29	NW NE	37.2
3 N	26 E	WM	29	SW NE	0.1
3 N	26 E	WM	29	SE NE	17.3
3 N	26 E	WM	29	NE NW	25.6
3 N	26 E	WM	29	SE NW	0.1
3 N	26 E	WM	30	NE NE	25.8
3 N	26 E	WM	30	NW NE	38.8

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	30	SW NE	4.0
3 N	26 E	WM	30	SE NE	0.8
3 N	26 E	WM	30	NE NW	29.6
3 N	26 E	WM	30	NW NW	28.0
3 N	26 E	WM	30	SW NW	34.8
3 N	26 E	WM	30	SE NW	29.6
3 N	26 E	WM	30	NE SW	25.6
3 N	26 E	WM	30	NW SW	30.8
3 N	26 E	WM	30	SW SW	38.4
3 N	26 E	WM	30	SE SW	28.0
3 N	26 E	WM	31	NE NW	25.2
3 N	26 E	WM	31	NW NW	35.6
3 N	26 E	WM	31	SW NW	38.0
3 N	26 E	WM	31	SE NW	24.0
3 N	26 E	WM	31	NE SW	24.8
3 N	26 E	WM	31	NW SW	37.6
3 N	26 E	WM	31	SW SW	36.8
3 N	26 E	WM	31	SE SW	21.2
3 N	26 E	WM	33	NW NE	22.9
3 N	26 E	WM	33	NE NW	33.7
3 N	26 E	WM	33	NW NW	5.2
3 N	26 E	WM	33	NW SE	0.1
3 N	26 E	WM	34	NE NE	39.0
3 N	26 E	WM	34	NW NE	32.3
3 N	26 E	WM	34	SW NE	11.5
3 N	26 E	WM	34	SE NE	36.7
3 N	26 E	WM	34	NE NW	32.6
3 N	26 E	WM	34	NW SW	0.4
3 N	26 E	WM	34	NE SE	39.4
3 N	26 E	WM	34	NW SE	34.0
3 N	26 E	WM	34	SW SE	25.7
3 N	26 E	WM	34	SE SE	32.4
3 N	26 E	WM	35	NW NW	17.1
3 N	26 E	WM	35	SW NW	12.7
3 N	26 E	WM	35	NE SW	1.7
3 N	26 E	WM	35	NW SW	33.3
3 N	26 E	WM	35	SW SW	36.3
3 N	26 E	WM	35	SE SW	5.2

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	3	SW NW*	15.2
2 N	26 E	WM	3	NW SW	31.7
2 N	26 E	WM	3	SW SW	27.5
2 N	26 E	WM	3	SE SW	18.9
2 N	26 E	WM	4	SW NE	0.6
2 N	26 E	WM	4	SE NE	23.1
2 N	26 E	WM	4	NE SW	21.5
2 N	26 E	WM	4	SW SW	0.2
2 N	26 E	WM	4	SE SW	35.5
2 N	26 E	WM	4	NE SE	39.5

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	4	NW SE	29.3
2 N	26 E	WM	4	SW SE	38.5
2 N	26 E	WM	4	SE SE	8.9
2 N	26 E	WM	5	SW NE	0.2
2 N	26 E	WM	5	SE NE	0.2
2 N	26 E	WM	5	SW NW*	0.2
2 N	26 E	WM	5	SE NW	0.2
2 N	26 E	WM	5	NE SW*	32.6
2 N	26 E	WM	5	NW SW	32.7
2 N	26 E	WM	5	SW SW	31.6
2 N	26 E	WM	5	SE SW	31.1
2 N	26 E	WM	5	NE SE	32.7
2 N	26 E	WM	5	NW SE	32.6
2 N	26 E	WM	5	SW SE	31.2
2 N	26 E	WM	5	SE SE	31.1
2 N	26 E	WM	9	NE NE	35.7
2 N	26 E	WM	9	NW NE	36.2
2 N	26 E	WM	9	SW NE	30.5
2 N	26 E	WM	9	SE NE	32.5
2 N	26 E	WM	9	NE NW	37.4
2 N	26 E	WM	9	NW NW	33.0
2 N	26 E	WM	9	SW NW	30.6
2 N	26 E	WM	9	SE NW	31.2
2 N	26 E	WM	9	NE SW	32.4
2 N	26 E	WM	9	NW SW	32.5
2 N	26 E	WM	9	SW SW	32.0
2 N	26 E	WM	9	SE SW	32.1
2 N	26 E	WM	9	NE SE	35.2
2 N	26 E	WM	9	NW SE	31.7
2 N	26 E	WM	9	SW SE	31.5
2 N	26 E	WM	9	SE SE	32.3
2 N	26 E	WM	10	NE NW	34.3
2 N	26 E	WM	10	NW NW	39.3
2 N	26 E	WM	10	SW NW	30.2
2 N	26 E	WM	10	SE NW	21.0
2 N	26 E	WM	10	NE SW	32.0
2 N	26 E	WM	10	NW SW	39.4
2 N	26 E	WM	10	SW SW	23.8
2 N	26 E	WM	10	SE SW	12.9
2 N	26 E	WM	10	NE SE	12.6
2 N	26 E	WM	10	SE SE	14.3
2 N	26 E	WM	11	NE NE	0.1
2 N	26 E	WM	11	NW NE	12.0
2 N	26 E	WM	11	SW NE	40.0
2 N	26 E	WM	11	SE NE	6.4
2 N	26 E	WM	11	NE NW	5.0
2 N	26 E	WM	11	SE NW	29.1
2 N	26 E	WM	11	NE SW	20.9
2 N	26 E	WM	11	NW SW	36.8
2 N	26 E	WM	11	SW SW	38.4
2 N	26 E	WM	11	SE SW	25.2

SUPPLEMENTAL IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
2 N	26 E	WM	11	NE SE	7.8
2 N	26 E	WM	11	NW SE	36.1
2 N	26 E	WM	11	SW SE	40.0
2 N	26 E	WM	11	SE SE	28.7
2 N	26 E	WM	14	NE NE	9.1
2 N	26 E	WM	14	NW NE	20.0
2 N	26 E	WM	14	NE NW	38.7
2 N	26 E	WM	14	NW NW	32.6
2 N	26 E	WM	14	SW NW	32.3
2 N	26 E	WM	14	SE NW	32.2
2 N	26 E	WM	14	NE SW	33.4
2 N	26 E	WM	14	NW SW	31.6
2 N	26 E	WM	14	SW SW	31.6
2 N	26 E	WM	14	SE SW	34.8
2 N	26 E	WM	14	NE SE	2.1
2 N	26 E	WM	14	NW SE	3.3
2 N	26 E	WM	14	SW SE	38.0
2 N	26 E	WM	14	SE SE	31.9
2 N	26 E	WM	23	NE NE	22.6
2 N	26 E	WM	23	NW NE	28.6
2 N	26 E	WM	23	SW NE	33.8
2 N	26 E	WM	23	SE NE	33.9
2 N	26 E	WM	23	NE NW	34.9
2 N	26 E	WM	23	NW NW	32.8
2 N	26 E	WM	23	SW NW	29.7
2 N	26 E	WM	23	SE NW	30.4
2 N	26 E	WM	23	NE SW	33.0
2 N	26 E	WM	23	NW SW	33.8
2 N	26 E	WM	23	SW SW	30.4
2 N	26 E	WM	23	SE SW	29.7
2 N	26 E	WM	23	NE SE	28.3
2 N	26 E	WM	23	NW SE	27.8

* - Denotes corrected location (*correction of scrivener's errors in Certificate 75847*)

This certificate describes that portion of the water right confirmed by Certificate 75847, State Record of Water Right Certificates, NOT modified by the provisions of an order of the Water Resources Director entered January 8, 2003, approving Transfer Application T-7890, and NOT modified by the provisions of an order of the Water Resources Director entered December 22, 2003, approving Transfer Application T- 9290. This certificate also corrects scrivener's errors in the place of use in Certificate 75847. This certificate supersedes previously issued Certificates 79851 (issued upon approval of T-7890) and 80506 (issued upon approval of T-9290).

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.

WITNESS the signature of the Water Resources Director, affixed August 30, 2007.

for Phillip C. Ward, Director

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

Ground Water Review Form:

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

Application: T-12248 Applicant Name: Sage Hollow Ranch LLC

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

Reviewer(s): Jen Woody Date of Review: 3/24/2016, supersedes review dated 2/25/2016

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

☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.

☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.

☐ Other _____

---

1. Basic description of the changes proposed in this transfer: T-12248 proposes to make changes to 4 certificates to use groundwater in the Ordnance Basalt Critical Groundwater Area (CGWA). It proposes to move the 2 relevant points of appropriation (POAs) from T3N/R26E-Section 4 to T3N/R26E- Sections 16 and 22.

   Certificate 49726: authorizes MORR 595/590 for 1.12 cfs (207.3 acres primary irrigation), the transfer proposes to change the POA to 2 new wells.

   Certificate 55317 authorizes MORR 595/590 for 0.07 cfs (12 acres primary irrigation), the transfer proposes to change the POA to 2 new wells.

   Certificate 49727 authorizes one well (MORR 596 was authorized, MORR 591 is used as a replacement well) for 0.84 cfs (38.4 acres primary irrigation), the transfer proposes to change the POA to 2 new wells.

   Certificate 55316 authorizes MORR 595/590 and MORR 591 for 0.35 cfs total (85.2 acres primary irrigation), the transfer proposes to change the POA to 2 new wells.

   The certificates involved in this transfer are affected by the Ordnance Critical Groundwater Area Order (Special Order Volume 27, pp 40-86). Based on excessively declining groundwater levels, that order prohibited new allocation of groundwater from the CRBG aquifers within the Critical Area boundaries starting in 1976. Water use at MORR 595 and MORR 591 is summarized in Figure 1; average total annual use from the two wells is about 1,000 acre-feet.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments:

The existing and proposed wells will produce from one or more water-bearing zones in the Columbia River Basalt Group (CRBG), a series of lava flows with a composite thickness greater than 10,000 feet in the Columbia Plateau (Kahle et al., 2011). Each flow is characterized by a series of internal features, which generally include a thin rubble zone at the contact between flows and a thick, dense, low porosity and low permeability interior zone. In some cases, sedimentary layers were deposited during the time between basalt flow emplacements. A flow top, sedimentary interbed (if present) and flow bottom are collectively referred to as an interflow zone. Unconfined groundwater occurs near the weathered top of the basalts, but most water occurs in interflow zones under confining conditions at the contacts between lava flows. CRBG flow features result in a series of stacked, thin aquifers that are confined by dense flow interiors. The low permeability of the basalt flow interiors usually results in little connection between stacked aquifers, which results in tabular aquifers with unique water level heads (Reidel et al., 2002).

Constructing a well that is open to multiple water-bearing zones with distinct water level heads commingles multiple aquifers. When the pump is off, water migrates through the well bore from an aquifer of higher pressure to an aquifer of lower pressure. Over time, this can depressurize the aquifer and exacerbate water level decline.

Hydrogeologic investigations by Sceva (1966) and McCall (1975) found that the same CRBG aquifers extend through the currently authorized POA location and the proposed POA locations, based on groundwater elevations and trends. Assuming the new POAs are constructed to no greater depth that the existing wells, they should encounter the same aquifer (same source).

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☒ Yes ☐ No There is more than one aquifer developed within the CRBG. MORR 595 and MORR 591 are constructed with 700-800 foot open intervals in the CRBG. There are at least two CRBG aquifers within 800 feet of land surface in this area. Each aquifer has a distinct head, as evidenced by UMAT 1543 and MORR 1720 which were reconstructed with casing and seal depths that allow access to a single CRBG aquifer per well (see Figure 3) . The shallow CRBG aquifer accessed by UMAT 1543, is located above approximately 400 feet below land surface and has a current February groundwater elevation of 490-500 feet above mean sea level (amsl). Between approximately 400 and 800 feet below land surface, the aquifer accessed by MORR 1720 has a current February groundwater elevation of 260-280 feet amsl (see Figure 3). Cascading water has been documented by Department staff when measuring the water level at MORR 595. MORR 591 has 18' of seal reported on the log, leaving the well open to alluvium and multiple aquifers within the CRBG. To access the same aquifers with new wells that meet current well construction standards, it may be necessary to install multiple wells to replace MORR 595, for example.

The existing wells do not meet current well construction standards requiring single aquifer completion, based on the large open intervals and the lack of information regarding surface seals. They will need to be repaired, converted to dedicated observation wells or abandoned. The proposed APOAs are described in the application with total depth of 750-1000 feet and 150 feet of casing and seal. This will not meet current well construction standards requiring wells access a single aquifer.

b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): There is not enough available information to determine what portion of the use is from the various water bearing zones intercepted by MORR 595 and MORR 591.

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: The proposed POAs are about ½ mile closer to nearby basalt wells, which will increase well-to-well interference. A dedicated observation well condition is specified to protect the resource and other existing users. The CGWA order requires that all wells be equipped with water level measuring facilities, which allow monitoring of long term water level trends and the degree of well-to-well interference. Since the proposed POAs will be in use year-round, a dedicated observation well is required to meet that requirement.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: Groundwater elevations in the deep basalt aquifer are very consistent across the CGWA. That suggests that the basalt aquifers in this area are not extensively compartmentalized, which would exacerbate well-to-well interference. Interference is expected to be slightly increased by the change in location but similar in magnitude to current conditions.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☐ Yes ☒ No Comments: There is no significant change in surface water interference likely to result from the transfer.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
Stream: _____ ☐ Minimal ☐ Significant
Stream: _____ ☐ Minimal ☐ Significant
Provide context for minimal/significant impact: _____

6. What conditions or other changes in the application are necessary to address any potential issues identified above:

The condition below is required to meet the CGWA order that all wells are to be equipped with water level measuring facilities subject to the approval of the Department. As the proposed POAs will be in use year-round, a dedicated observation well is necessary to meet that requirement.

Conditions:

A minimum of one observation well shall be constructed to a similar bottom elevation as the pumping wells, and with a similar open interval. The observation well shall be at least 500 feet from all production wells, and shall be constructed by the applicant and maintained as a dedicated observation well for the duration of groundwater use under this authorization.

References

McCall, William B., 1975, Ground-Water Conditions and Declining Water Levels in the Ordnance Area, Morrow and Umatilla Counties Oregon, State of Oregon Water Resources Department Groundwater Report No. 23, 134 p.

Oregon Water Resources Department, 1976, Special Order Volume 27, On the Determination of the Critical Ground Water Area in the Ordnance Area, Morrow and Umatilla Counties, Oregon, pp. 40-86.

Sceva, Jack E., 1966, A Brief Description of the Ground-water Conditions in the Ordnance Area Morrow and Umatilla Counties, Oregon, State of Oregon Ground Water Report No. 11, 43 p.

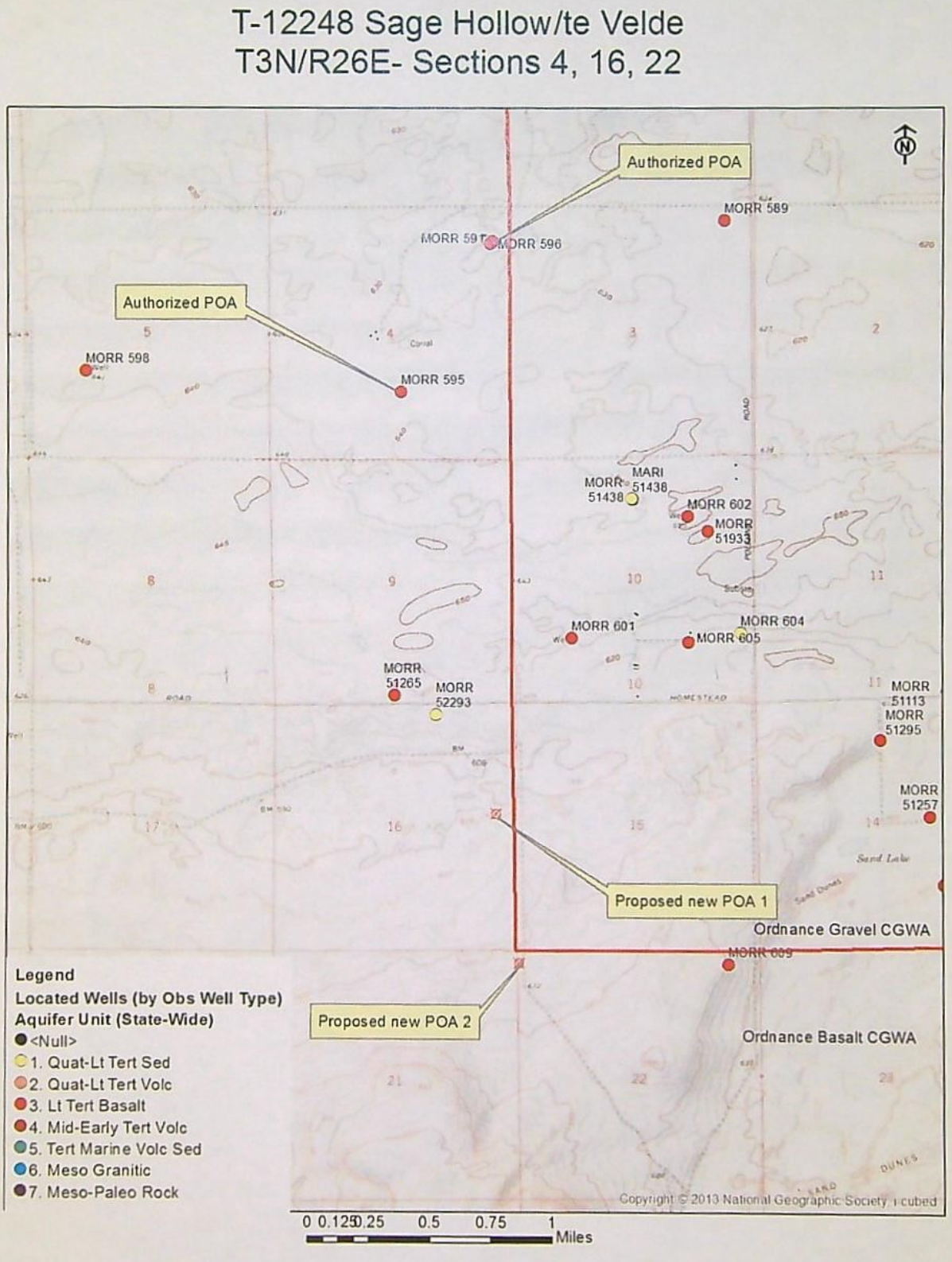
OWRD water level database, accessed 2/24/2016.

Logid	WaterUseYear	PumpageFinalAF	PumpageFinalSource
MORR 591	1978	109.97	FM
MORR 591	1979	409.08	FM
MORR 591	1980	43.79	FM
MORR 591	1981	402.40	FM
MORR 591	1982	270.44	FM
MORR 595	1983		
MORR 591	1983	809.72	FM
MORR 595	1984	256.07	FM
MORR 591	1984	174.23	FM
MORR 591	1985	869.93	FM
MORR 591	1986	299.20	PM
MORR 591	1987	979.64	PM
MORR 595	1988	680.20	FM
MORR 591	1988	722.94	FM
MORR 595	1989	697.63	FM
MORR 591	1989	696.67	FM
MORR 595	1990	692.87	FM
MORR 591	1990	868.61	FM
MORR 595	1991	819.06	FM
MORR 591	1991	839.19	FM
MORR 595	1992	772.40	FM
MORR 591	1992	701.20	FM
MORR 595	1993	790.99	FM
MORR 591	1993	471.38	FM
MORR 595	1994	677.58	FM
MORR 591	1994	928.05	FM
MORR 595	1995	751.85	FM
MORR 591	1995	811.78	FM
MORR 595	1996	570.49	FM
MORR 591	1996	780.91	FM
MORR 595	1997	596.27	FM
MORR 591	1997	716.69	FM
MORR 595	1998	616.15	FM
MORR 591	1998	235.09	FM
MORR 595	1999	746.05	FM
MORR 591	1999	345.39	FM
MORR 595	2000	587.55	FM / 2yrs
MORR 591	2000	377.46	PM
MORR 595	2001	587.55	FM / 2yrs
MORR 591	2001	666.50	FM
MORR 595	2002	852.73	FM
MORR 591	2002	768.73	FM
MORR 595	2003	771.19	FM
MORR 591	2003	910.53	FM
MORR 595	2004	703.95	FM
MORR 591	2004	640.39	FM
MORR 595	2005	699.21	FM
MORR 591	2005	773.16	FM
MORR 595	2006	631.84	FM
MORR 591	2006	555.13	FM
MORR 595	2007	517.75	FM
MORR 591	2007	572.02	FM
MORR 595	2008	517.97	FM
MORR 591	2008	426.11	FM
MORR 595	2009	549.32	FM
MORR 591	2009	458.93	FM
MORR 595	2010	532.92	FM
MORR 591	2010	338.52	FM
MORR 595	2011	491.96	FM
MORR 591	2011	449.25	FM
MORR 595	2012	711.34	FM
MORR 591	2012	472.58	FM
MORR 595	2013	538.28	FM / 2yrs
MORR 591	2013	578.13	FM
MORR 595	2014	538.28	FM / 2yrs
MORR 591	2014	552.02	FM

FM = flowmeter

Figure 1. Water use records from flowmeters at MORR 595 and MORR 591.

Figure 2. Well locations.



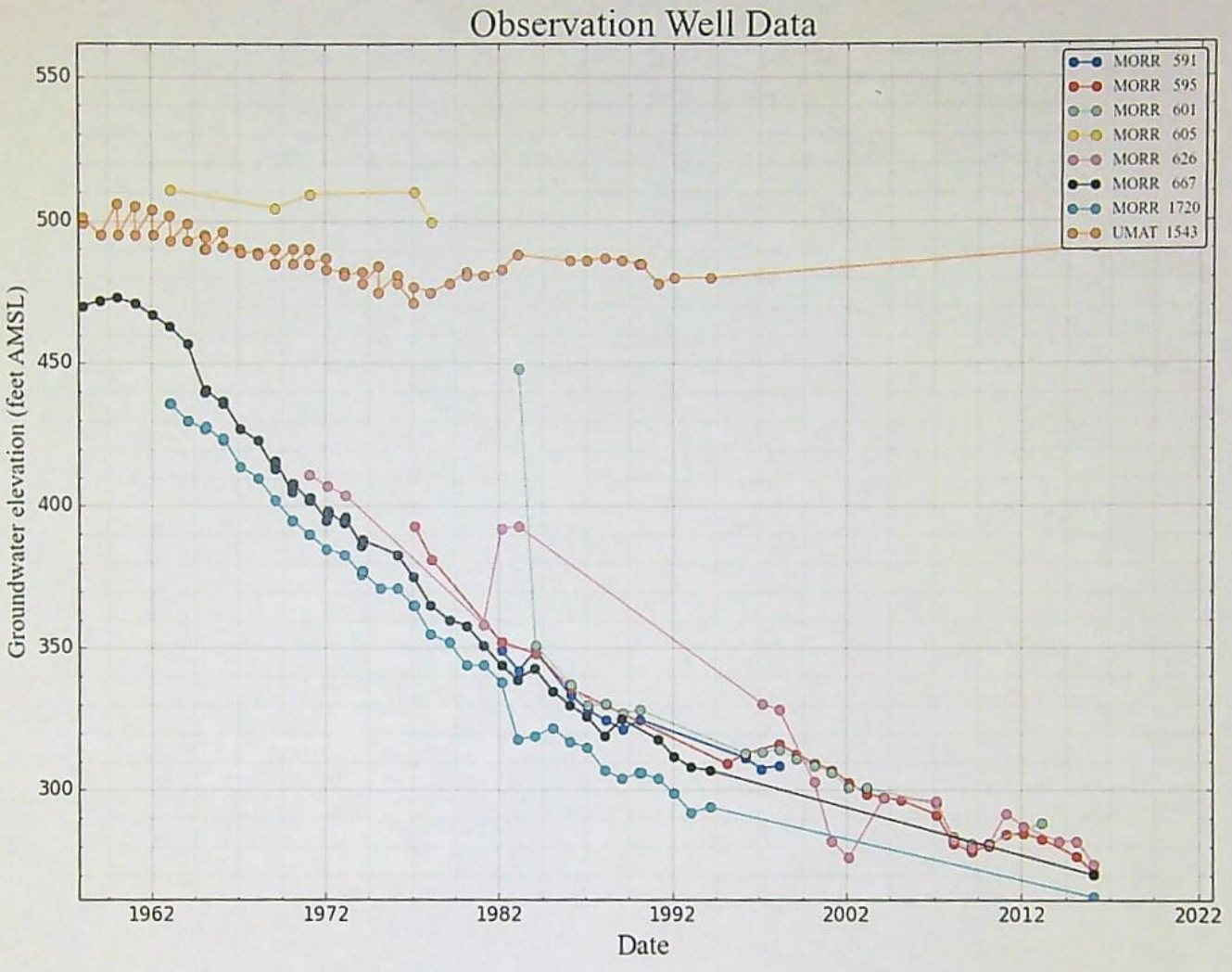


Figure 3. Water levels in wells in the Ordnance Basalt Critical Groundwater Area show two water bearing zones with distinct heads, and falling head with depth. See Figure 4 for well locations.

T-12248 te Velde
Location of wells in hydrograph (Figure 3)

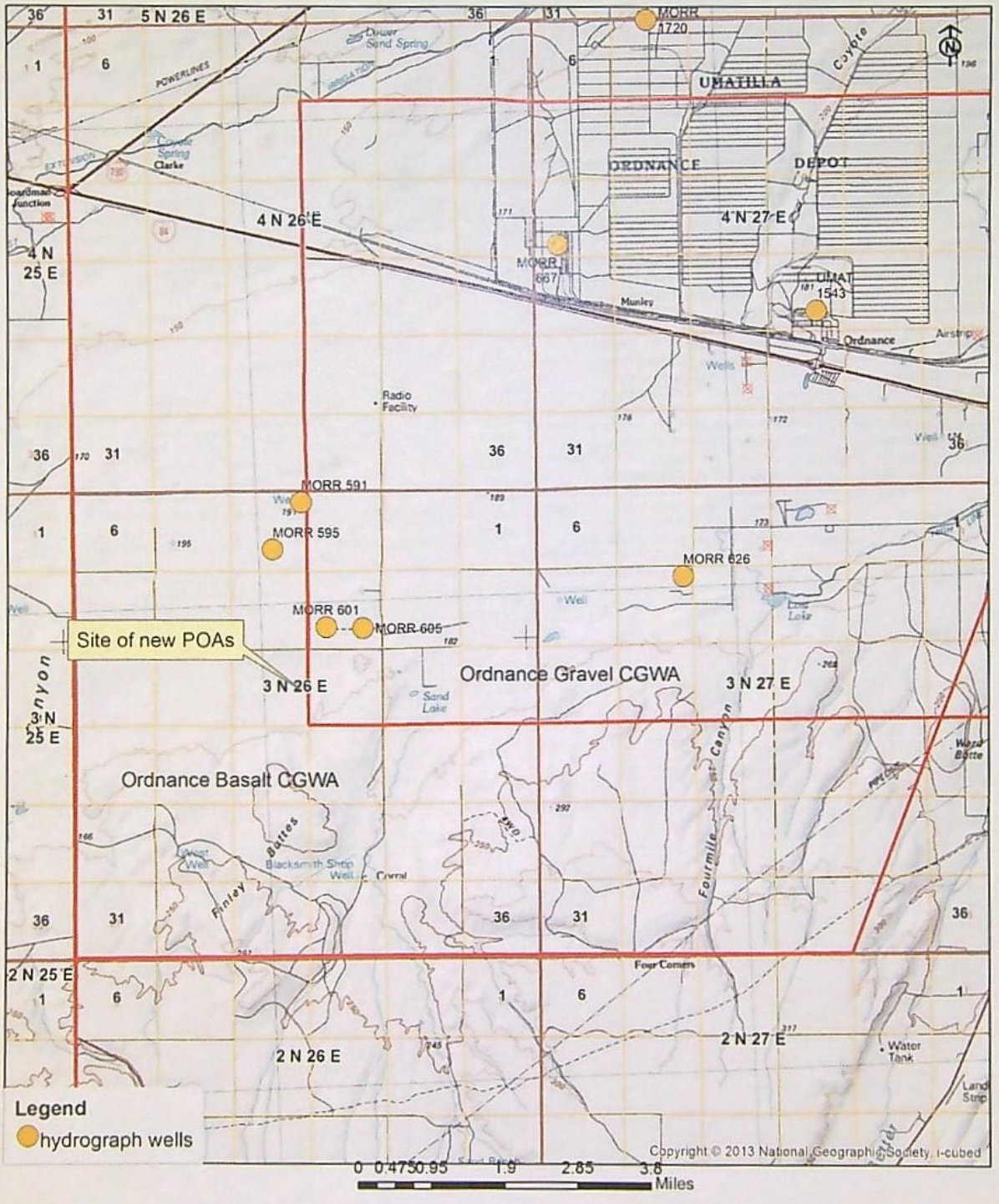
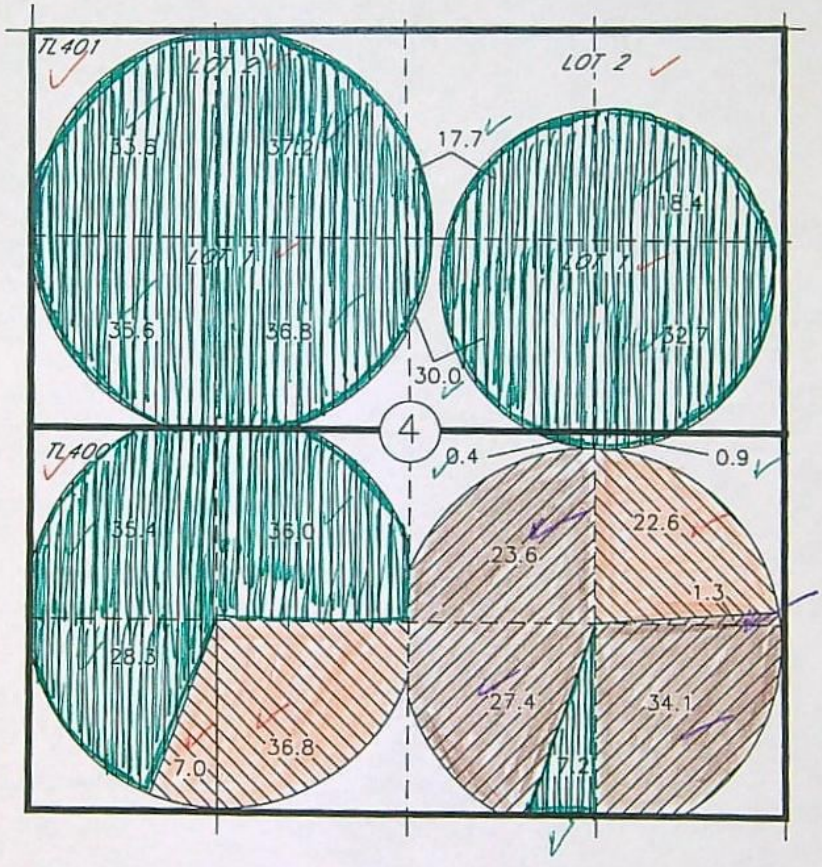


Figure 4. Location of wells with water level data depicted in Figure 3.

TRANSFER APPLICATION MAP
WILLOW CREEK DAIRY TO SAGE HOLLOW RANCH, LLC
FOR PORTIONS OF CERTIFICATES 86992, 86993, AND 80062

T3N, R26E, W.M., MORROW COUNTY

SHEET 2 OF 2 " TO MAP "



RECEIVED BY OWRD
APR 07 2016
SALEM, OR

LEGEND

- 350.2 AC CERT 80062
- 86.4 AC CERT 86992
- 66.4 AC CERT 86993

N

0 660 1320
SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanSchenck
May 19, 1992
12/21/15
STATE OF OREGON
Renews 6/30/16

P.O.D. COLUMBIA RIVER
LOCATED IN LOT 7, NE1/4 NW1/4,
SEC 2, T4N, R25E, W.M.; 150 FT
SOUTH AND 2990 FT WEST FROM
THE NE COR OF SEC 2.

RECEIVED BY OWRD
JAN 15 2016
SALEM, OR

T 12247

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES. PIPE LOCATIONS AND SIZES WHERE SHOWN WERE PROVIDED BY FARM OPERATIONAL PERSONNEL AND ARE APPROXIMATE LOCATIONS AND SIZES.

BEFORE THE WATER RESOURCES DEPARTMENT
OF THE
STATE OF OREGON

In the Matter of Transfer Application T-12248, Morrow County

D R A F T

PRELIMINARY DETERMINATION PROPOSING APPROVAL OF A CHANGE IN POINTS OF APPROPRIATION, PLACE OF USE AND CHARACTER OF USE

Authority

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

Applicant

SAGE HOLLOW RANCH LLC
3620 INDEPENDENCE RD
SUNNYSIDE, WA 98944

Receiving Landowner

WILLOW CREEK DAIRY
PO BOX 1210
BOARDMAN, OR 97818

Findings of Fact

1. On January 15, 2016, SAGE HOLLOW RANCH, LLC filed an application to change the points of appropriation and to change the place of use and to change the character of use under Certificates 49726, 55317, 49727, and 55316. The Department assigned the application number T-12248.

2. WILLOW CREEK DAIRY is the receiving landowner who will be responsible for completion of the changes.

3. Notice of the application for transfer was published on January 26, 2016, pursuant to OAR 690-380-4000. No comments were filed in response to the notice.

4. On February 22, 2016, the applicant's agent clarified that the proposed change in character of use was intended to be Year Round Agricultural Use for construction and operation of a diary.

5. On February 25, 2016, the Department received timely comments concerning injury to nearby water rights.

6. On March 16, 2016, the applicant's agent provided an amended transfer application, and four amended "To Maps", indicating revised locations for the two proposed Points of Appropriation.

7. The first right to be transferred is as follows:

Certificate: 49726 in the name of GEORGE S BULOW (perfected under Permit G-1319)
Use: IRRIGATION of 207.3 ACRES
Priority Date: MARCH 2, 1959
Rate: 1.12 CUBIC FEET PER SECOND
Limit/Duty: The amount of water used for irrigation, together with the amount secured under any other right existing for the same lands, shall be limited 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 acre-feet per acre for each acre irrigated during the irrigation season of each year.
Source: A WELL within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	SW NW	1.3
3 N	26 E	WM	4	SE NW	1.7
3 N	26 E	WM	4	NE SW	36.0
3 N	26 E	WM	4	NW SW	35.4
3 N	26 E	WM	4	SW SW	30.4
3 N	26 E	WM	4	SE SW	35.0
3 N	26 E	WM	4	NE SE	0.2
3 N	26 E	WM	4	NW SE	2.9
3 N	26 E	WM	4	SW SE	33.6
3 N	26 E	WM	4	SE SE	30.8
				Total	207.3

8. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2 miles from the existing point of appropriation to:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1/NORTH WELL	3 N	26 E	WM	16	SE NE	2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
2/SOUTH WELL	3 N	26 E	WM	22	NW NW	290 FEET SOUTH AND 10 FEET EAST FROM THE NE CORNER OF SECTION 22

9. Transfer Application T-12248 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

10. The second right to be transferred is as follows:

Certificate: 55317 in the name of GEORGE AND JERRY BULOW (perfected under Permit G-1319)
Use: IRRIGATION of 12.2 ACRES
Priority Date: MARCH 2, 1959
Rate: 0.07 CUBIC FOOT PER SECOND
Limit/Duty: 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.
Source: WELL #1 within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE SE	7.9
3 N	26 E	WM	4	SW SE	1.0
3 N	26 E	WM	4	SE SE	3.3
				Total	12.2

11. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2 miles from the existing point of appropriation to:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1/NORTH WELL	3 N	26 E	WM	16	SE NE	2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
2/SOUTH WELL	3 N	26 E	WM	22	NW NW	290 FEET SOUTH AND 10 FEET EAST FROM THE NE CORNER OF SECTION 22

12. Transfer Application T-12248 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

13. The third right to be transferred is as follows:

Certificate: 49727 in the name of GEORGE S BULOW (perfected under Permit G-1284)
Use: IRRIGATION of 198.3 ACRES
Priority Date: MARCH 6, 1959
Rate: 0.84 CUBIC FOOT PER SECOND
Limit/Duty: 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 acre-feet per acre for each acre irrigated during the irrigation season of each year; provided further that the right allowed herein shall be limited to any deficiency in the available supply of any prior right existing for the same land and shall not exceed the limitation allowed herein.
Source: A WELL within the COLUMBIA RIVER BASIN

Authorized Point of Appropriation:

Twp	Rng	Mer	Sec	Q-Q	Measured Distances
3 N	26 E	WM	4	NE NE	840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4

Authorized Place of Use:

PRIMARY IRRIGATION					
Twp	Rng	Mer	Sec	Q-Q	Acres
3 N	26 E	WM	4	NE NE	0.3
3 N	26 E	WM	4	NW NE	4.4
3 N	26 E	WM	4	SW NE	30.3
3 N	26 E	WM	4	SE NE	26.0
3 N	26 E	WM	4	NE NW	37.2
3 N	26 E	WM	4	NW NW	33.6
3 N	26 E	WM	4	SW NW	30.8
3 N	26 E	WM	4	SE NW	34.4
3 N	26 E	WM	4	NE SE	0.9
3 N	26 E	WM	4	NW SE	0.4
				Total	198.3

14. Transfer Application T-12248 proposes to move the authorized point of appropriation approximately 2 ½ miles from the existing point of appropriation to:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1/NORTH WELL	3 N	26 E	WM	16	SE NE	2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
2/SOUTH WELL	3 N	26 E	WM	22	NW NW	290 FEET SOUTH AND 10 FEET EAST FROM THE NE CORNER OF SECTION 22

15. Transfer Application T-12248 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

16. The fourth right to be transferred is as follows:

Certificate: 55316 in the name of GEORGE AND JERRY BULOW (perfected under Permit G-1284)
Use: IRRIGATION of 85.2 ACRES
Priority Date: MARCH 6, 1959
Rate: 0.35 CUBIC FOOT PER SECOND, BEING 0.19 CFS FROM WELL #1 AND 0.16 CFS FROM WELL #2
Limit/Duty: 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.
Source: WELL #1 and #2 within the COLUMBIA RIVER BASIN

Authorized Points of Appropriation:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
#2/NORTH WELL	3 N	26 E	WM	4	NE NE	840 FEET SOUTH AND 430 FEET WEST FROM THE NE CORNER OF SECTION 4
#1/SOUTH WELL	3 N	26 E	WM	4	NW SE	1390 FEET NORTH AND 2390 FEET WEST FROM THE SE CORNER OF SECTION 4

Authorized Place of Use:

POA #	Twp	Rng	Mer	Sec	Q-Q	Acres
#2	3 N	26 E	WM	4	NE NE	18.4
#2	3 N	26 E	WM	4	NW NE	13.4
#2	3 N	26 E	WM	4	SE NE	7.3
#1	3 N	26 E	WM	4	NE SE	23.0
#1	3 N	26 E	WM	4	NW SE	23.1
					Total	85.2

17. Transfer Application T-12248 proposes to move the authorized points of appropriation approximately 2 ¼ miles from the existing points of appropriation to:

POA #/NAME	Twp	Rng	Mer	Sec	Q-Q	Measured Distances
1/NORTH WELL	3 N	26 E	WM	16	SE NE	2390 FEET SOUTH AND 360 FEET WEST FROM THE NE CORNER OF SECTION 16
2/SOUTH WELL	3 N	26 E	WM	22	NW NW	290 FEET SOUTH AND 10 FEET EAST FROM THE NE CORNER OF SECTION 22

18. Transfer Application T-12248 also proposes to change the place of use of the right to:

Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	15	SW NW
3 N	26 E	WM	15	NW SW
3 N	26 E	WM	15	SW SW
3 N	26 E	WM	16	SW NE

Twp	Rng	Mer	Sec	Q-Q
3 N	26 E	WM	16	SE NE
3 N	26 E	WM	16	SW NW
3 N	26 E	WM	16	SE NW
3 N	26 E	WM	16	NE SW
3 N	26 E	WM	16	NW SW
3 N	26 E	WM	16	SE SW
3 N	26 E	WM	16	NE SE
3 N	26 E	WM	16	NW SE
3 N	26 E	WM	16	SW SE
3 N	26 E	WM	16	SE SE

19. Transfer Application T-12248 proposes to change the character of use to year round agricultural use for construction and operation of a dairy.

Transfer Review Criteria (OAR 690-380-4010)

20. Water has been used within the last five years according to the terms and conditions of the rights. There is no information in the record that would demonstrate that the rights are subject to forfeiture under ORS 540.610.

21. A pump, pipeline, and sprinkler system sufficient to use the full amount of water allowed under the existing rights were present within the five-year period prior to submittal of Transfer Application T-12248.

22. T-12248 proposes to change the type of use from Irrigation Use during the irrigation season to year-around Agricultural Use for the construction and operation of a dairy. The proposed change could result in enlargement if not conditioned so as to prevent use of more water than could have been beneficially used without waste for the existing authorized use. Water use records from 1978 to 2014 indicate that the average total annual use from the two authorized Points of Appropriation is 1,184 acre-feet.

23. On April 19, 2016, Sage Hollow Ranch, LLC requested to limit the use under the rights evidenced by Certificates 49726, 55317, 49727, and 55316 to no more than 1,000 acre-feet per year. Therefore, the proposed use, if conditioned to limit the total annual volume to 1,184 acre feet per year under Certificates 49726, 55317, 49727, and 55316, would not result in enlargement of the rights.

24. The proposed change would not result in injury to other water rights.

25. All other application requirements are met.

Determination and Proposed Action

The change in point of appropriation and change in place of use and change in character of use proposed in Transfer Application T-12248 appears to be consistent with the requirements of ORS 537.705 and 540.505 to 540.580 and OAR 690-380-5000. If protests are not filed pursuant to OAR 690-380-4030, the application will be approved.

If Transfer Application T-12248 is approved, the final order will include the following:

1. *The change in point of appropriation and change in place of use and change in character of use proposed in Transfer Application T-12248 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 Certificates 49726, 55317, 49727, and 55316, and any related decree.*

3. *Water right Certificates 49726, 55317, 49727, and 55316 are cancelled.*

4. *The quantity of water diverted at the new points of appropriation shall not exceed the quantity of water lawfully available at the original points of appropriation.*

5. *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 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.

6. *Water shall be acquired from the same aquifer (water source) as the original point of appropriation.*

7. *The former place of use of the transferred right shall no longer receive water under the right.*

8. *A minimum of one observation well shall be constructed to a similar bottom elevation as the pumping wells, and with a similar open interval. The observation well shall be at least 500 feet from all production wells, and shall be constructed by the applicant and maintained as a dedicated observation well for the duration of groundwater use under this authorization.*

9. *The use of water under the rights evidenced by Certificates 49726, 55317, 49727, and 55316 shall be limited to a total annual volume of 1,000 acre-feet.*

10. *Full beneficial use of the water shall be made, consistent with the terms of this order, on or before* ***October 1, 2031****. 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.*

11. *After satisfactory proof of beneficial use is received, new certificates confirming the rights transferred will be issued.*

Dated at Salem, Oregon this ____ day of _____ 2016.

D R A F T

_____

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

This draft Preliminary Determination was prepared by Reimbursement Authority Contractor and reviewed by Department Staff if you have any questions or comments with regard to this draft please contact me at joan.m.smith@wrd.state.or.us

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

T-12248

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

Amended 3-16-16 to Indicate the Correct Locations of the 2 Proposed P.O.A.s

Amended 8-02-16 to add Well Number 3 as a Proposed P.O.A.

☒ Part 1 – Completed Minimum Requirements Checklist.

☒ Part 2 – Completed Transfer Application Map Checklist.

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

☒ Part 4 – Completed Applicant Information and Signature.

☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 4 List them here: Certificates 49726, 55317, 49727, & 55316.** Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

☒ Completed Transfer Application Map.

☒ Completed Evidence of Use Affidavit and supporting documentation.

☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)

☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.

☒ ☐ N/A 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 Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

___ Application fee not enclosed/insufficient ___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete
___ Additional signature(s) required ___ Part ____ is incomplete
Other/Explanation _____
Staff: _____ 503-986-0___ Date: ____/____/____

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

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

☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.

☒ ☐ N/A If **more than three** water rights are involved, separate maps are needed for each water right.

☒ Permanent quality printed with dark ink on good quality paper.

☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.

☒ A north arrow, a legend, and scale.

☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.

☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.

☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.

☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.

☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.

☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.

☒ ☐ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.

☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.

☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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FEE WORKSHEET for PERMANENT TRANSFER		**Part 3 of 5 – Fee Worksheet**	
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	*1*	**$1,000**
2	Types of change proposed: ☒ Place of Use ☒ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = 3 (2a) Subtract 1 from the number in line 2a = 2 (2b) *If only one change, this will be 0* Multiply line 2b by $800 and enter » » » » » » » » » » » » » »	*2*	**$1,600**
3	Number of water rights included in transfer **4** (3a) Subtract 1 from the number in 3a above: **3** (3b) *If only one water right this will be 0* Multiply line 3b by $450 and enter » » » » » » » » » » » » » »	*3*	**$1,350**
4	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 » ☒ Yes: enter $350 »	*4*	**$350**
5	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 » ☒ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): **2.38** (5a) Subtract 1.0 from the number in 5a above: **1.38** (5b) If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: **2** (5c) and multiply 5c by $300, then enter on line 5 » » » » » » » » »	*5*	**$600**
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	*6*	**$4900**
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » »	*7*	**0**
8	Subtract line 7 from line 6 » » » » » » » » » » » » **Transfer Fee:**	*8*	**$5,250**

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

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

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	*1*	$725.00
2	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) *If only one well this will be 0* Multiply line 2b by $350 and enter » » » » » » » » » » » » » »	*2*	
3	Add entries on lines 1 through 2 above » » » » » **Fee for Substitution**:	*3*	

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Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Sage Hollow Ranch, LLC (Bosma)			**(509) 391-1100**	**(509) 391-1111**
ADDRESS				FAX NO.
3620 Independence Rd.				
CITY	STATE	ZIP	E-MAIL	
Sunnyside	**WA.**	**98944**		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
William I. Porfily			**(541) 449-1327**	**(541) 561-7259 cell.**
ADDRESS				FAX NO.
P.O. Box 643				**(541) 449-1327**
CITY	STATE	ZIP	E-MAIL	
Stanfield	**OR.**		**wporfily@gmail.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.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
We request the Order approving this transfer application be contingent upon and issued at the same time as the Order approving the affiliated Willow Creek Dairy (te Velde) application. We request 15 years to complete the Agricultural Use of water under this transfer after it is issued.

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

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

Check One Box

☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**

☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**

☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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

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

Applicant signature	Print Name (and Title if applicable)	Date
	Sage Hollow Ranch, LLC by: An Owner	
Applicant signature	Print Name (and Title if applicable)	Date

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

Check the following boxes that apply:

☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.

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

☒ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
WILLOW CREEK DAIRY (TE VELDE)			**(559) 799-9111**	
ADDRESS				FAX NO.
P.O. Box 1210				
CITY	STATE	ZIP	E-MAIL	
Boardman	**OR.**	**97818**	**gjtevelde@aol.com**	

Describe any special ownership circumstances here: _____

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

IRRIGATION DISTRICT NAME	ADDRESS	
Columbia Irrigation District	**P.O. Box 47**	
CITY	STATE	ZIP
Boardman	**OR.**	**97818**

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
Morrow County	**Courthouse**	
CITY	STATE	ZIP
Heppner	**OR.**	**97836**

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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Part 5 of 5 – Water Right Information

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

CERTIFICATE # 49726

Description of Water Delivery System

System capacity: **1.12** cubic feet per second (cfs) **OR**

_____ 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. **200 h.p turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	**MORR 590**	**3 N**	**26 E**	**4**	**NW SE**	**400**	**1390' N & 2390' W from SE Corner of Sec. 4**
1 (North Well)	☐ Authorized ☒ Proposed		3 N	26 E	16	SE NE	500	2390'S & 360'W from the NE Cor. Sec. 16
2 (South Well)	☐ Authorized ☒ Proposed		3 N	26 E	22	NW NW	500	290'S & 10'E from the NW Cor. Sec. 22
3	☐ Authorized ☒ Proposed		3 N	26 E	16	SW SW	500	130'N & 950'E from the SW Cor. Sec. 16

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 49726

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
TOTAL ACRES:									207.3					TOTAL ACRES:												

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: **N/A.**

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 # **N/A**;
Surface water primary Certificate # **N/A.**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 3	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 55317

Description of Water Delivery System

System capacity: **0.07** cubic feet per second (cfs) **OR**

_____ 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. **200 h.p turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	**MORR 590**	**3 N**	**26 E**	**4**	**NW SE**		**1390' N & 2390' W from SE Corner of Sec. 4**
1 (North Well)	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**16**	**SE NE**	**500**	**2390'S & 360'W from the NE Cor. Sec. 16**
2 (South Well)	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**22**	**NW NW**	**500**	**290'S & 10'E from the NW Cor. Sec. 22**
3	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**16**	**SW SW**	**500**	**130'N & 950'E from the SW Cor. Sec. 16**

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 55317

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
TOTAL ACRES:									12.2					TOTAL ACRES:												

Certificate # 55317

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: **N/A.**

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 # **N/A**;
Surface water primary Certificate # **N/A.**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 3	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 49727

Description of Water Delivery System

System capacity: **0.84** cubic feet per second (cfs) **OR**

_____ 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. **150 h.p. turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
2 (North Well)	☒ Authorized ☐ Proposed	**MORR 591**	**3 N**	**26 E**	**4**	**NE NE**		**840' S & 430' W from the NE Corner of Sec. 4**
1 (North Well)	☐ Authorized ☒ Proposed		3 N	26 E	16	SE NE	500	2390'S & 360'W from the NE Cor. Sec. 16
2 (South Well)	☐ Authorized ☒ Proposed		3 N	26 E	22	NW NW	500	290'S & 10'E from the NW Cor. Sec. 22
3	☐ Authorized ☒ Proposed		3 N	26 E	16	SW SW	500	130'N & 950'E from the SW Cor. Sec. 16

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 49727.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
TOTAL ACRES:									198.3					TOTAL ACRES:													

Certificate # 49727

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA *Name* or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 3	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 55316

Description of Water Delivery System

System capacity: **0.35** (cfs) **(being 0.19 cfs from Well # 1 & 0.16 cfs from Well # 2) OR**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at sometime 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. **POA # 1: 200 h.p turbine pump and a 50 h.p. turbine booster pump. POA # 2: 150 h.p. turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	**MORR 590**	**3 N**	**26 E**	**4**	**NW SE**		**1390' N & 2390' W from SE Corner of Sec. 4**
2 (North Well)	☒ Authorized ☐ Proposed	**MORR 591**	**3 N**	**26 E**	**4**	**NE NE**		**840' S & 430' W from the NE Corner of Sec. 4**
1 (North Well)	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**16**	**SE NE**	**500**	**2390'S & 360'W from the NE Cor. Sec. 16**
2 (South Well)	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**22**	**NW NW**	**500**	**290'S & 10'E from the NW Cor. Sec. 22**
3	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**16**	**SW SW**	**500**	**130'N & 950'E from the SW Cor. Sec. 16**

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 55316

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
									85.2				POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
GRAND TOTAL ACRES for this Transfer :									503.0					GRAND TOTAL ACRES:												

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

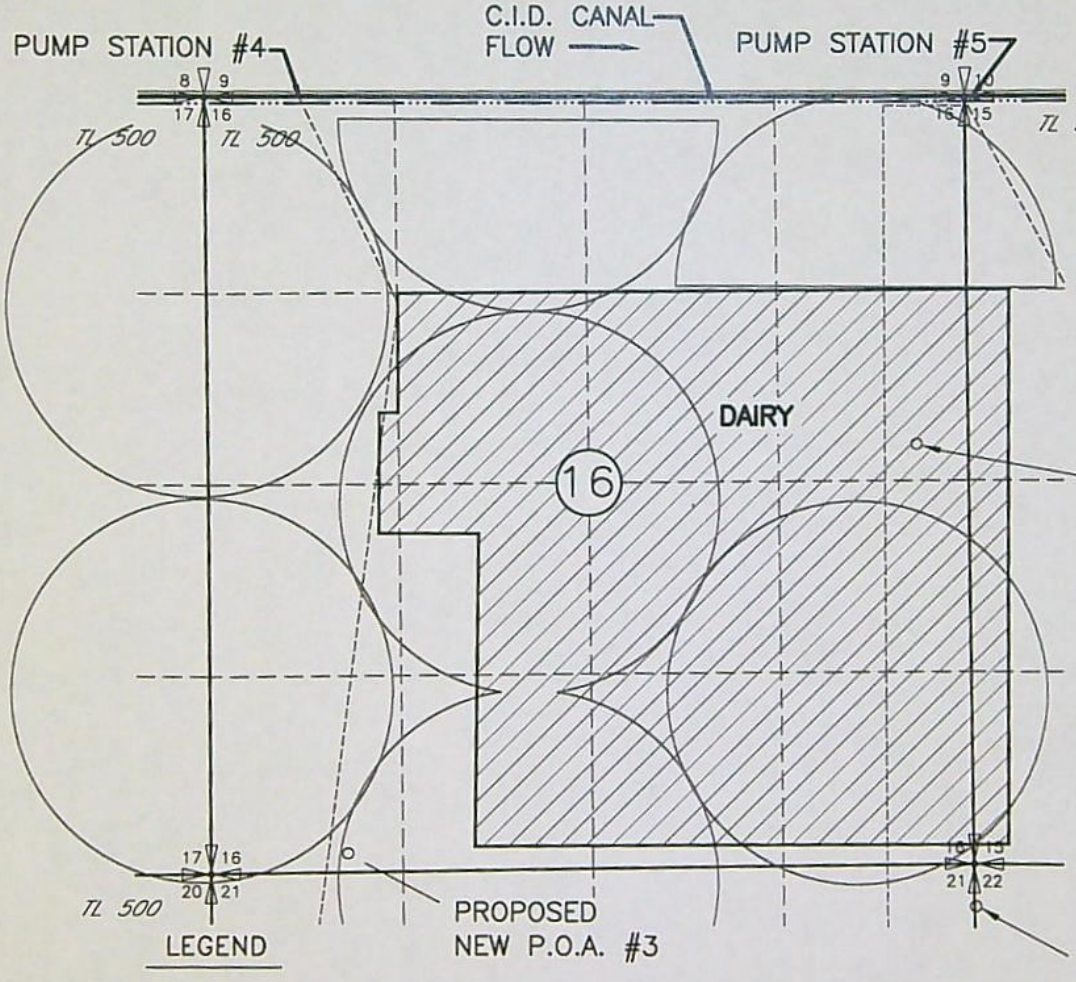
☒ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA *Name or* Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 3	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

AMENDED (8/02/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY
T-12248
SHEET 2 OF 8
CERTIFICATE 49726 "TO MAP"



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AUG 08 2016

SALEM, OR

LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- PROPOSED P.O.A. #1
  WELL LOCATED 2390' S AND 360' W FROM THE NE COR SEC 16
- PROPOSED P.O.A. #2
  WELL LOCATED 290' S AND 10' E FROM THE NW COR SEC 22
- PROPOSED P.O.A. #3
  WELL LOCATED 130' N AND 950' E FROM THE SW COR SEC 16

N

0 660 1320

SCALE IN FEET

Certified Water Rights Examiner
57194WRE
Paul L. Wattenburger
July 16, 2003
STATE OF OREGON

EXPIRES: 6/30/18

NOTE:
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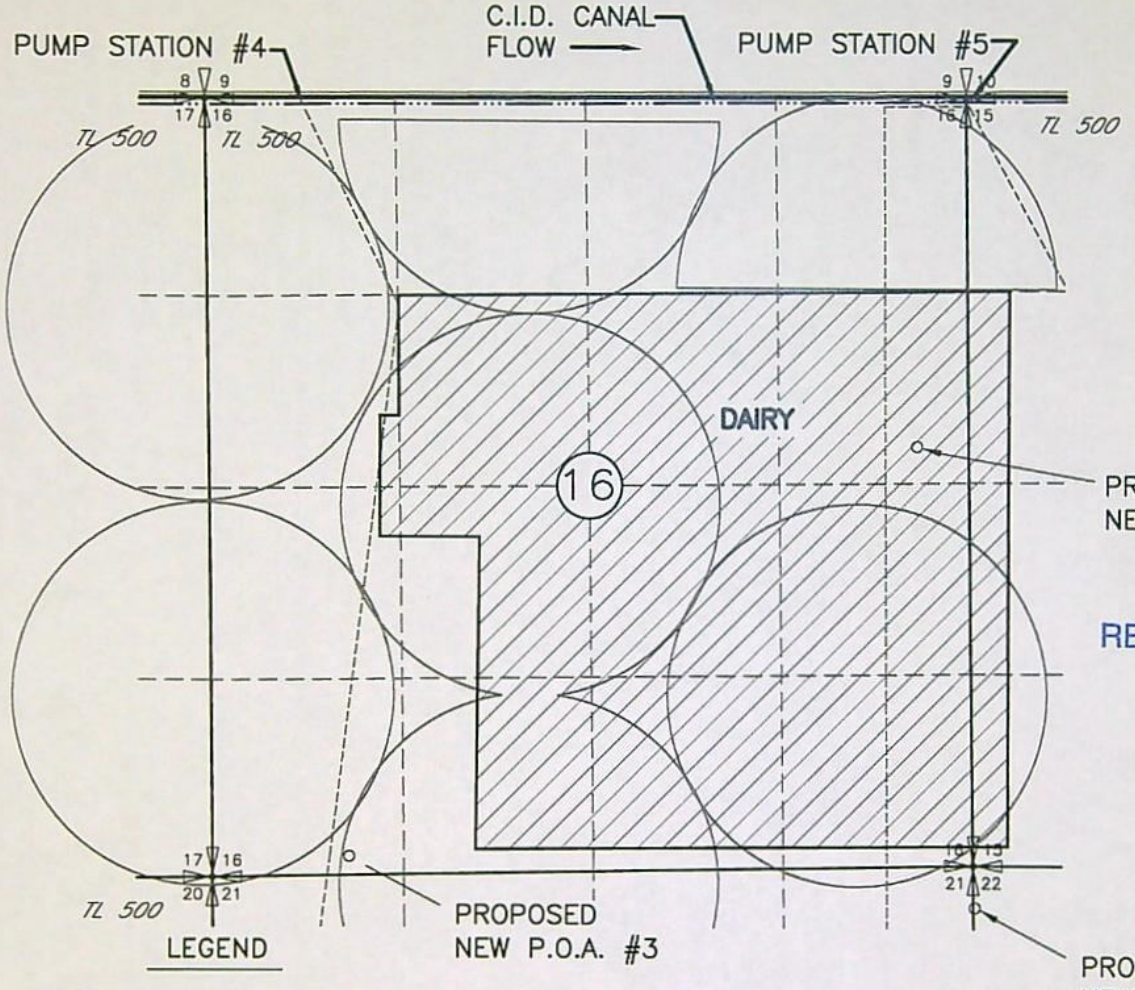
DRAWING: \\wsfiles\public\Project\30-08-016 - Partly Water Rights Consulting\--00 Misc Engineering\Dwf\to VELDE\30-08-016 to Velde cert 49726 TR 1 REV3-8-16.dwg
PRINTED BY: rollard on 08/02/16 12:27 PM

AMENDED (8/02/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY
T-12248
SHEET 4 OF 8
CERTIFICATE 49727 "TO MAP"



RECEIVED BY OWRD

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SALEM, OR

LEGEND

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N

0 660 1320

SCALE IN FEET

Certified Water Rights Examiner
57194WRE
Paul Wattenburger
Paul L. Wattenburger
July 16, 2003
STATE OF OREGON

EXPIRES: 6/30/18

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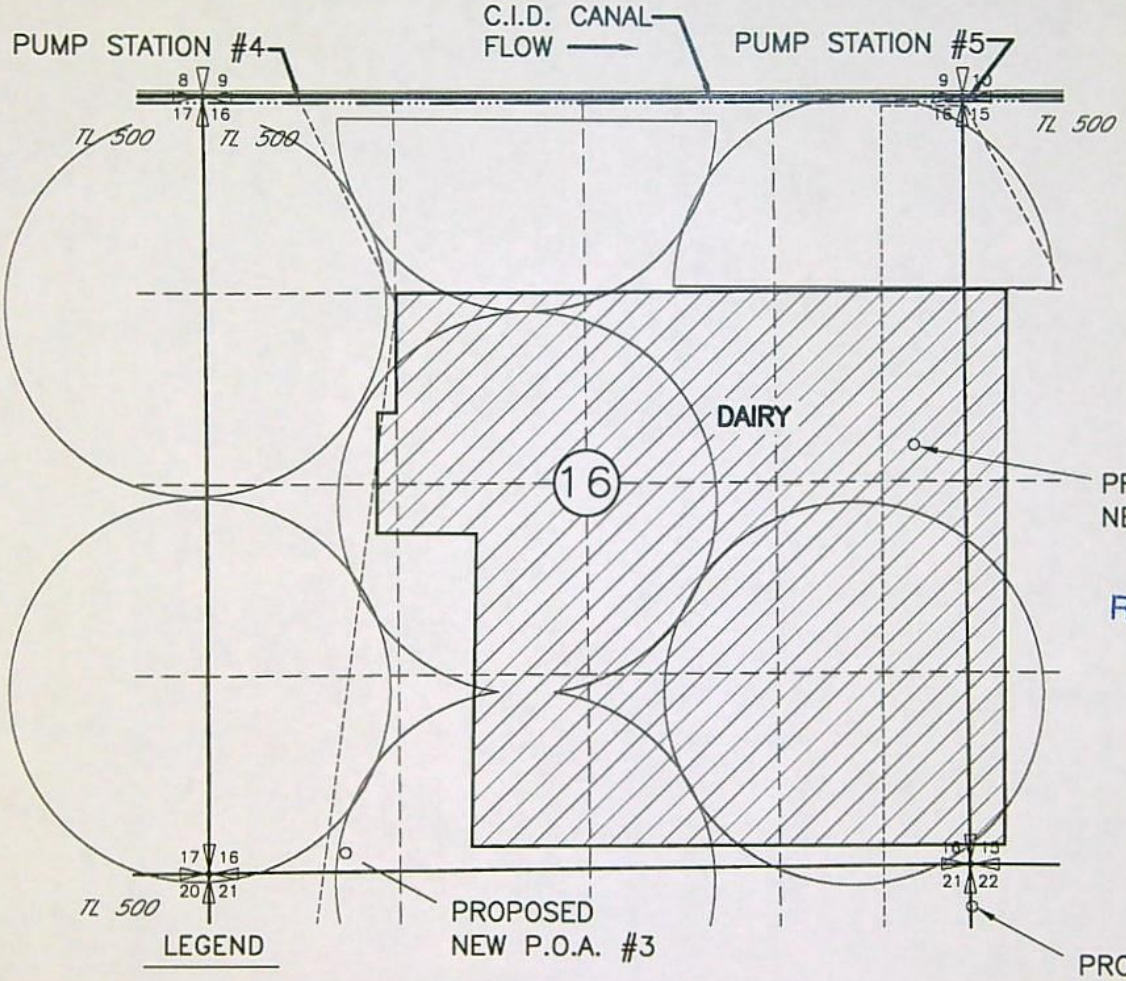
DWG#: \\wfiles\public\Project\30-08-016 - Perfly Water Rights Consulting\--00 Misc Engineering\Cad\to VELDE\30-08-016 to Velde cert 49727 TR 2 REV 3-8-16.dwg
PRINTED BY: rallard on 08/02/16 12:39 PM

AMENDED (8/02/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY
T-12248
SHEET 6 OF 8
CERTIFICATE 55316 "TO MAP"



RECEIVED BY OWRD

AUG 0 8 2016

SALEM, OR

LEGEND

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N

0 660 1320

SCALE IN FEET

Certified Water Rights Examiner
57194WRE
Paul L. Wattenburger
July 16, 2003
STATE OF OREGON

EXPIRES: 6/30/18

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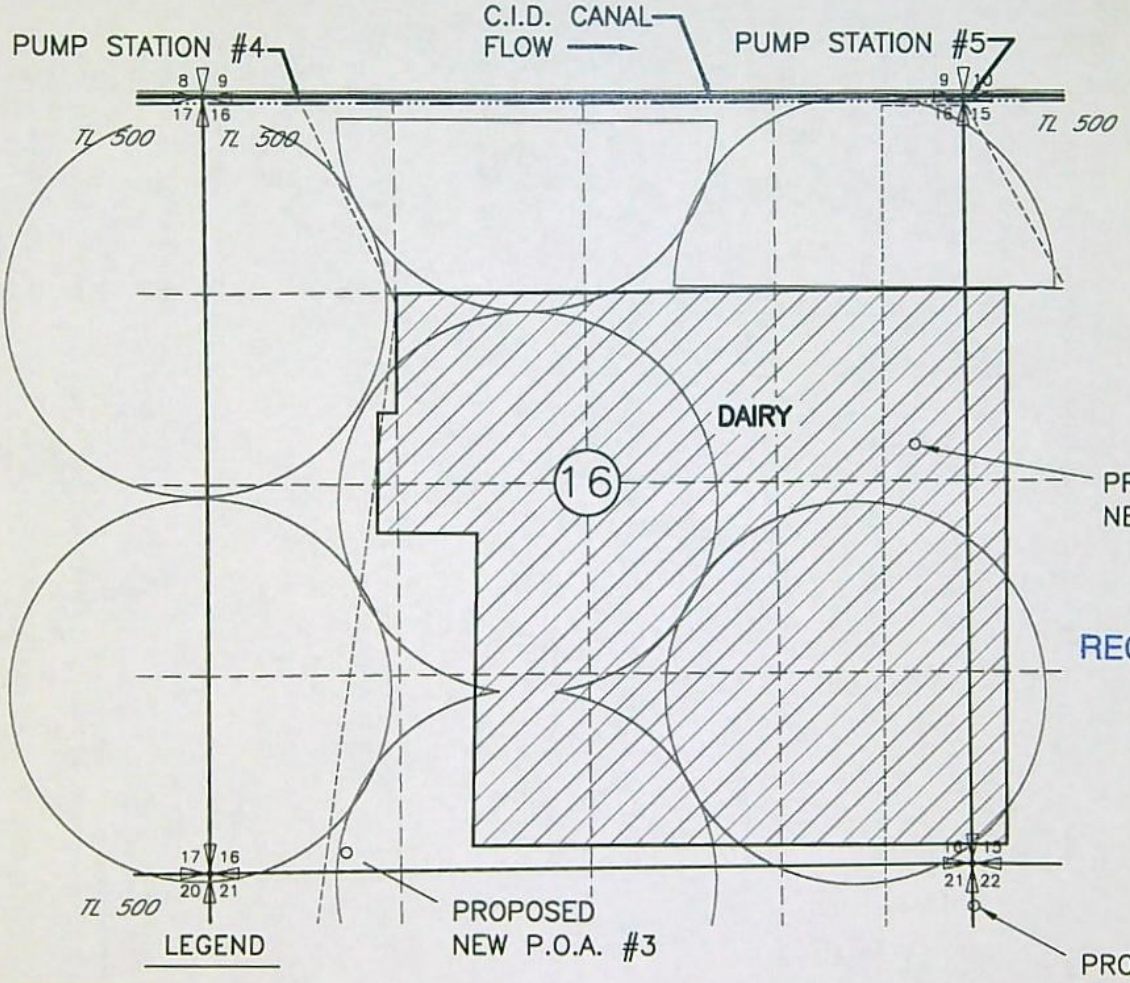
DRAWING: \\autodesk\public\Project\30-08-016 - Partly Water Rights Consulting\--00 Misc Engineering\Cad\to WILDE\30-08-016 to Valde cert 55316 TR 3 REV 3-8-16.dwg
PRINTED BY: rallard on 08/02/16 12:35 PM

AMENDED (8/02/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY
T-12248
SHEET 8 OF 8
CERTIFICATE 55317 "TO MAP"



RECEIVED BY OWRD

AUG 0 8 2016

SALEM, OR

LEGEND

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N

0 660 1320

SCALE IN FEET

Certified Water Rights Examiner
57194WRE
Paul Wattenburger
Paul L. Wattenburger
July 16, 2003
STATE OF OREGON

EXPIRES: 6/30/18

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DRAWING: \\mobiliser\public\Project\30-08-016 - Perfly Water Rights Consulting\-00 Misc Engineering\Corl\to WILDE\30-08-016 to Valde cert 55317 TR 4 REV 3-8-16.dwg
PRINTED BY: rolland on 08/02/16 12:32 PM

Oregon
Kate Brown, 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

August 31, 2016

SAGE HOLLOW RANCH LLC
3620 INDEPENDENCE RD
SUNNYSIDE, WA 98944

Reference: Application T- 12248

On January 15, 2016, we received your water right Transfer application. The application was accompanied by $5250.00. Our receipt number 118628 is enclosed.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.

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 for the new use, in the new place of use or from the new point of appropriation until a final order approving the transfer application has been issued by the Department.

In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

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

If you have any questions, please contact the Transfer Section at (503) 986-0807.

Cc: Watermaster Dist. #5 *(via email)*
William I. Porfily, Agent
Enclosure

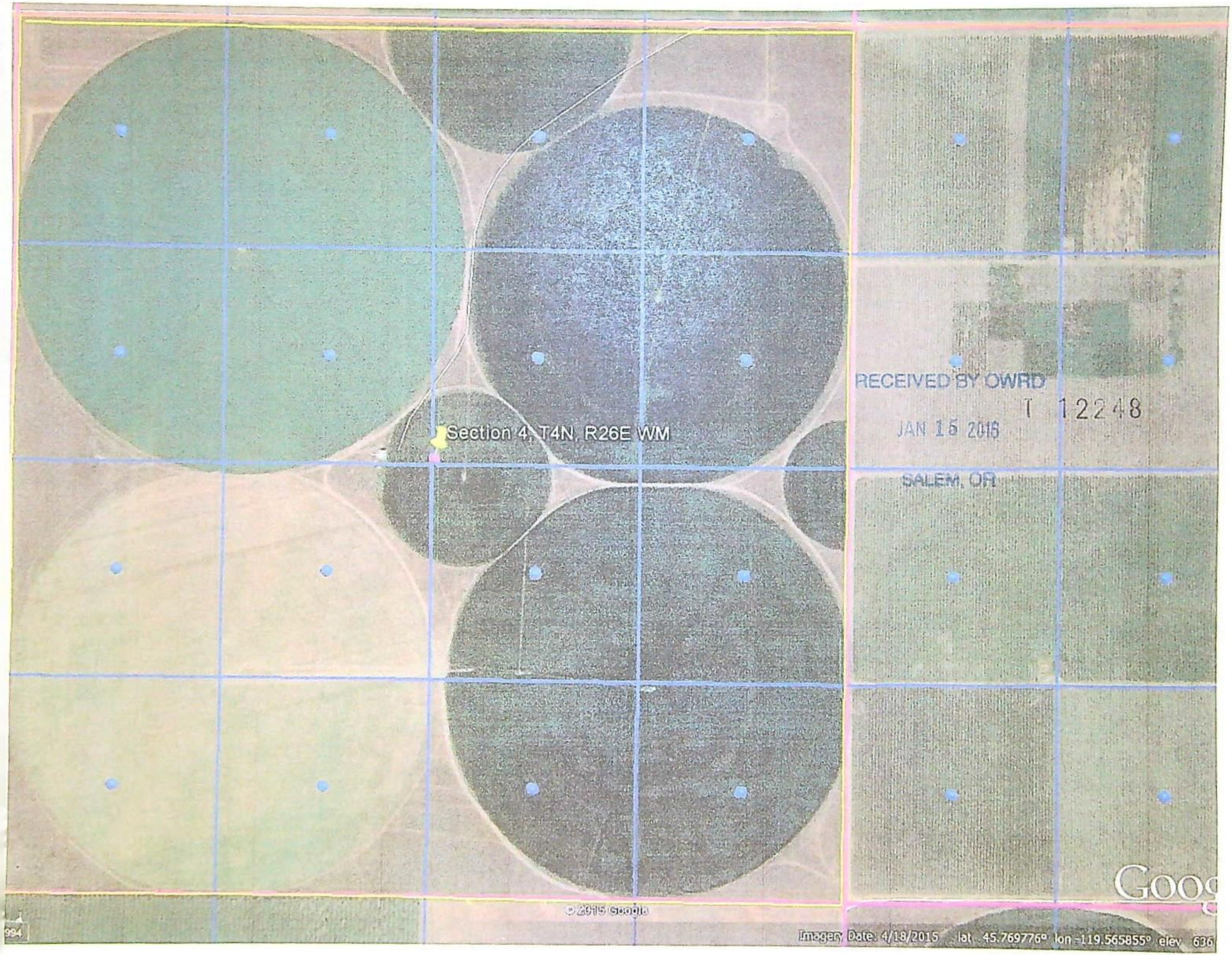
Transfer Applications: Regular

The holder of a water right may apply to permanently change an existing water use subject to transfer as defined in ORS 540.505(4). An application may involve any of the following changes: Point of diversion or appropriation; Additional point of diversion or appropriation; Historic POD; Place of use; Character of use; Instream; Substitution; or Exchange.

The Department seeks public comment on the recently-filed transfer applications listed below. Any person may comment on a transfer application. Comments must be received by the Department on or before October 06, 2016. 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.

Transfer	T-12248
Water Right	Cert:49726 , Cert:55317 , Cert:49727 , Cert:55316
County/Basin	Morrow / Umatilla(7)
Applicant Name	SAGE HOLLOW RANCH LLC 3620 INDEPENDENCE RD SUNNYSIDE, WA 98944
Proposed Change	POINT OF APPROPRIATION,ADDITIONAL POINT OF APPROPRIATION,PLACE OF USE,USE
Sources/TRSQ40Q160	A WELL > COLUMBIA RIVER / 3.00N 26.00E 4 NWSE A WELL > COLUMBIA RIVER / 3.00N 26.00E 4 NENE WELL #1 > COLUMBIA RIVER / 3.00N 26.00E 4 NWSE WELL #1 > COLUMBIA RIVER / 3.00N 26.00E 4 NWSE WELL #2 > COLUMBIA RIVER / 3.00N 26.00E 4 NENE
Use/Quantity	IRRIGATION / 1.120 CFS IRRIGATION / 0.840 CFS IRRIGATION / 0.190 CFS IRRIGATION / 0.070 CFS IRRIGATION / 0.160 CFS
Priority Date	03/02/1959, 03/02/1959, 03/06/1959, 03/06/1959

Homestead Ln
Dairy Well #1
Section 16, T4N, R26E WM
Dairy Well #2
OR T3N R26E
RECEIVED BY OWRD
JAN 15 2016
T 12247
SALEM, OR
© 2015 Google
Imagery Date: 4/18/2015 lat 45.737270° lon -119.564135° elev 676
1994



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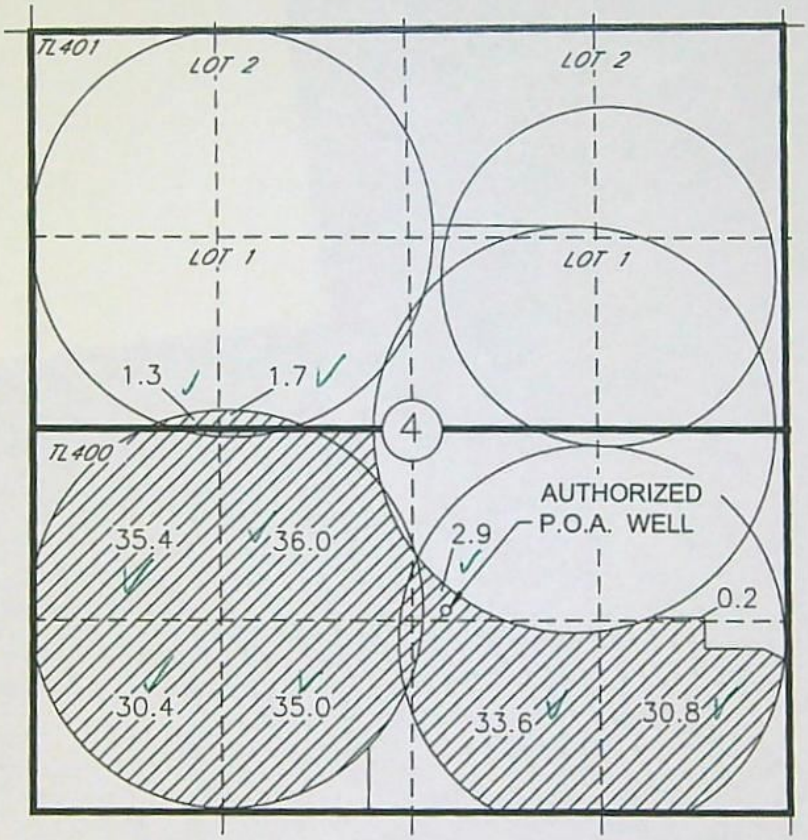
JAN 15 2016
SALEM, OR

T 12248

TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 1 OF 8
CERTIFICATE 49726 "FROM MAP"



RECEIVED BY OWRD
APR 07 2016
SALEM, OR

LEGEND

207.3 AC

o AUTHORIZED P.O.A. WELL
LOCATED 1390' N AND 2390' W
FROM THE SE COR SEC 4

N

0 660 1320
SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanSoberack
May 19,1992
12/7/15
STATE OF OREGON

Renews 6/30/16

RECEIVED BY OWRD
JAN 15 2016
SALEM, OR

NOTE:
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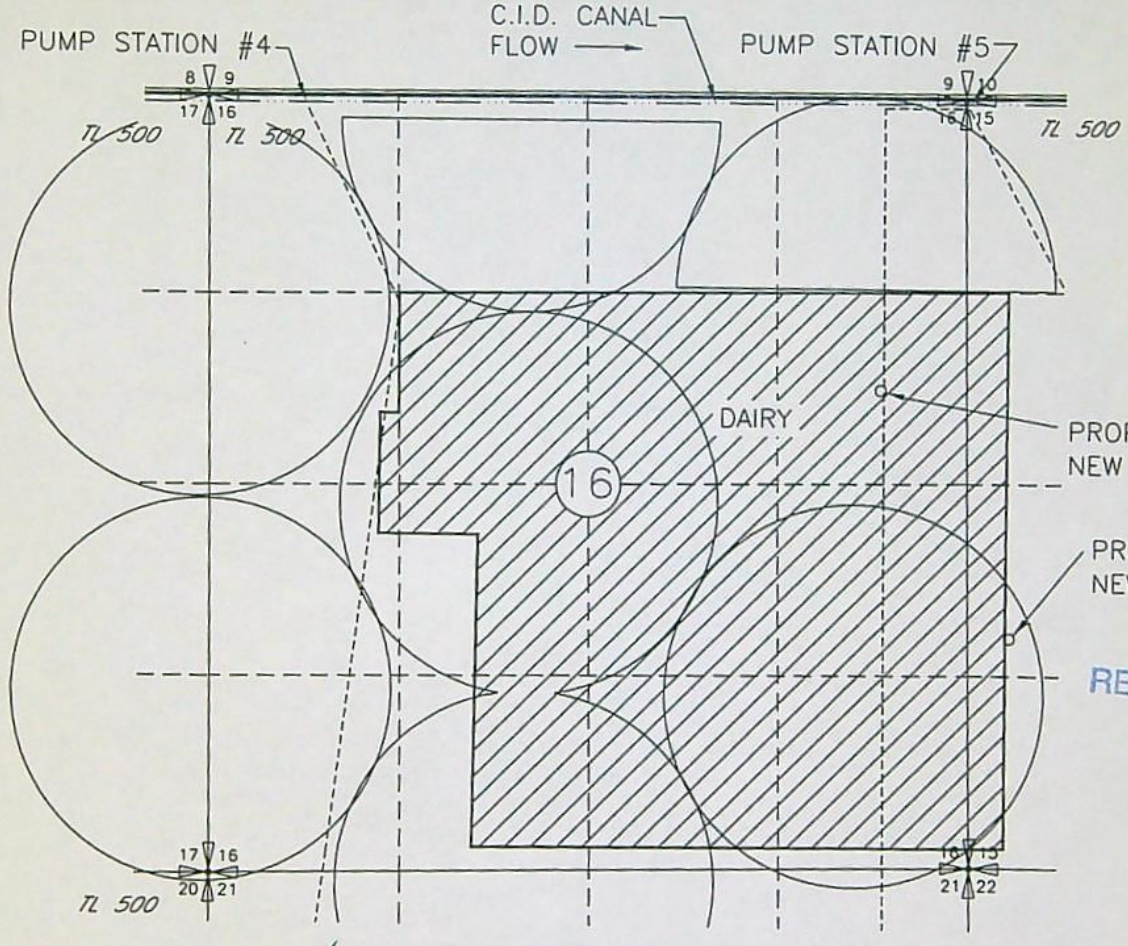
T 12248

TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 2 OF 8
CERTIFICATE 49726 "TO MAP"



RECEIVED BY OWRD
APR 07 2016
SALEM, OR

LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

o PROPOZED P.O.A. #1
WELL LOCATED 1970' S AND 600' W FROM THE NE COR SEC 16

o PROPOZED P.O.A. #2
WELL LOCATED 1580' N AND 290' E FROM THE SE COR SEC 16

N

0 660 1320
SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanScheack
May 19,1992
12/7/15
STATE OF OREGON
Renews 6/30/16

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T 12248

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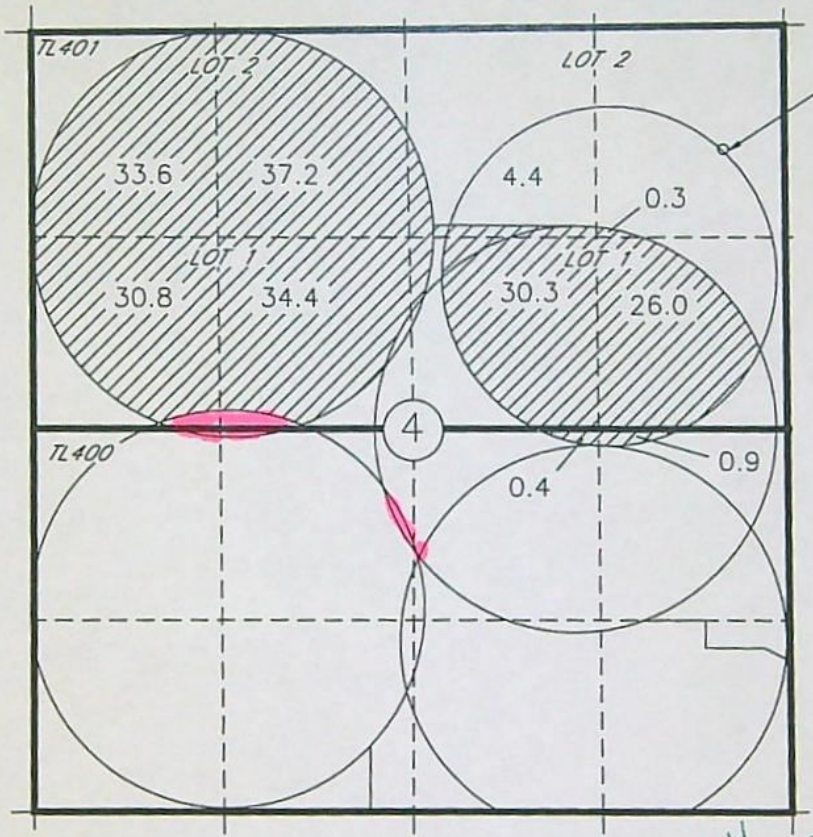
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 3 OF 8
CERTIFICATE 49727 "FROM MAP"



RECEIVED BY OWRD
APR 07 2016
SALEM, OR

LEGEND ✓ — Supplemental from 1974 final proof map, 9.7A not accounted for in NW¼ of SW¼

198.3 AC primary irrigation

AUTHORIZED P.O.A.
WELL LOCATED 840' S AND 430' W FROM THE NE COR SEC 4

N

0 660 1320
SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanSchoiack
May 19, 1992
12/7/15
STATE OF OREGON

Renews 6/30/16

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T 12248

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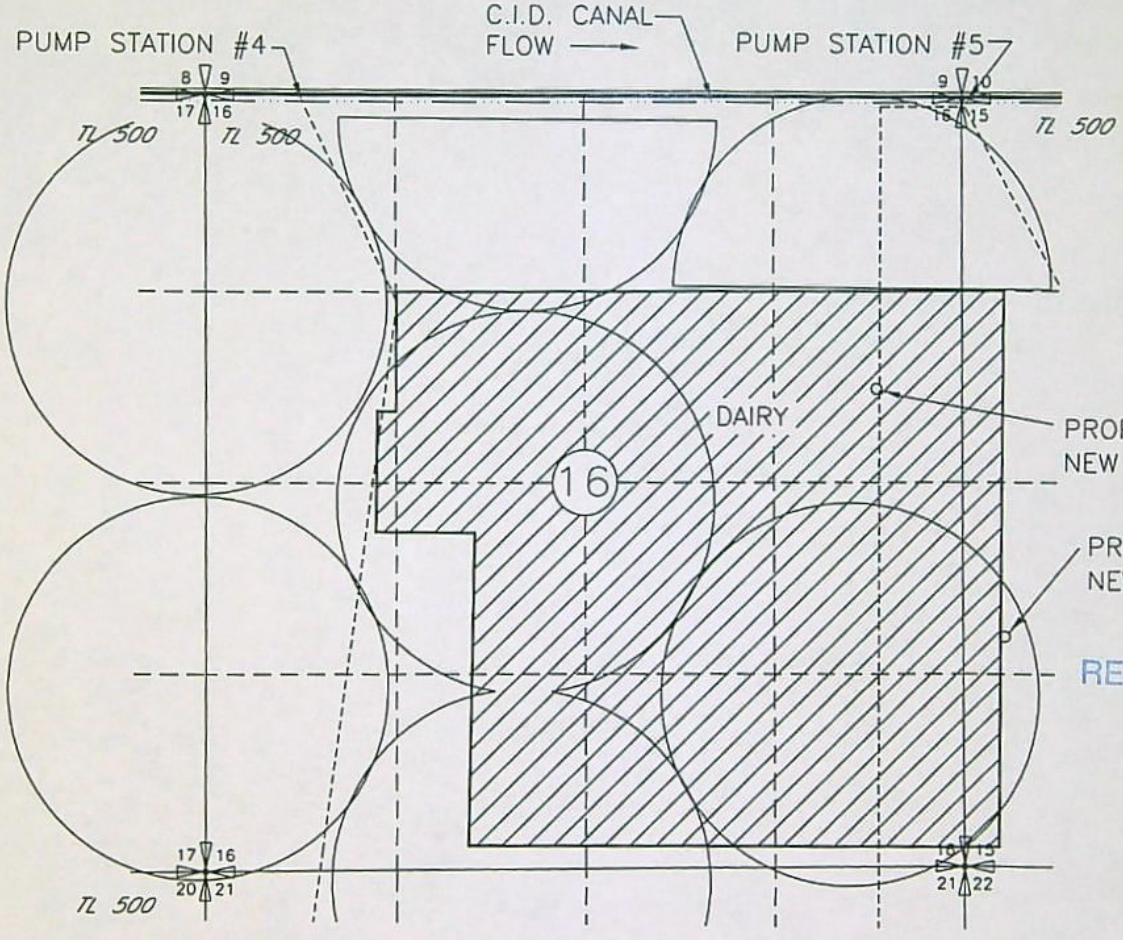
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 4 OF 8
CERTIFICATE 49727 "TO MAP"



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o PROPOZED P.O.A. #1
WELL LOCATED 1970' S AND 600' W FROM THE NE COR SEC 16

o PROPOZED P.O.A. #2
WELL LOCATED 1580' N AND 290' E FROM THE SE COR SEC 16

N

0 660 1320
SCALE IN FEET

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Dale G. VanSchoiack
May 19,1992
12/7/15
STATE OF OREGON
Renews 6/30/16

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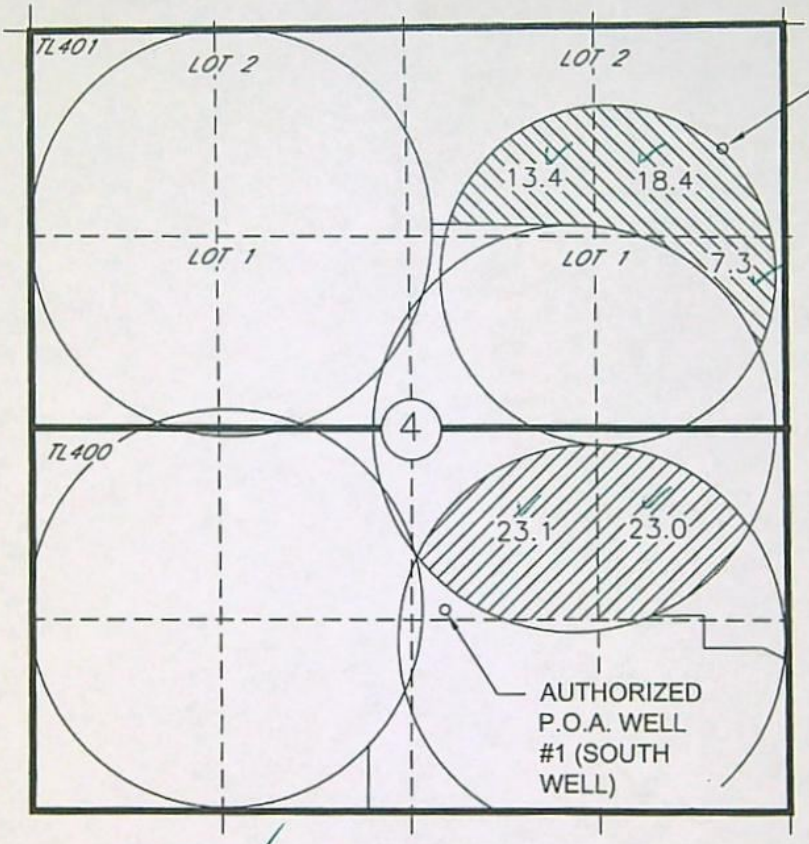
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 5 OF 8
CERTIFICATE 55316 "FROM MAP"



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APR 07 2016
SALEM, OR

LEGEND

46.1 AC WELL #1 (SOUTH WELL)

39.1 AC WELL #2 (NORTH WELL)

N

0 660 1320
SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanScheack
May 19, 1992
12/7/15
STATE OF OREGON
Renews 6/30/16

- AUTHORIZED P.O.A. WELL #1 (SOUTH WELL) 1390' N AND 2390' W FROM THE SE COR OF SEC 4
- AUTHORIZED P.O.A. WELL #2 (NORTH WELL) 840' S AND 430' W FROM THE NE COR OF SEC 4

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T 12248 SALEM, OR

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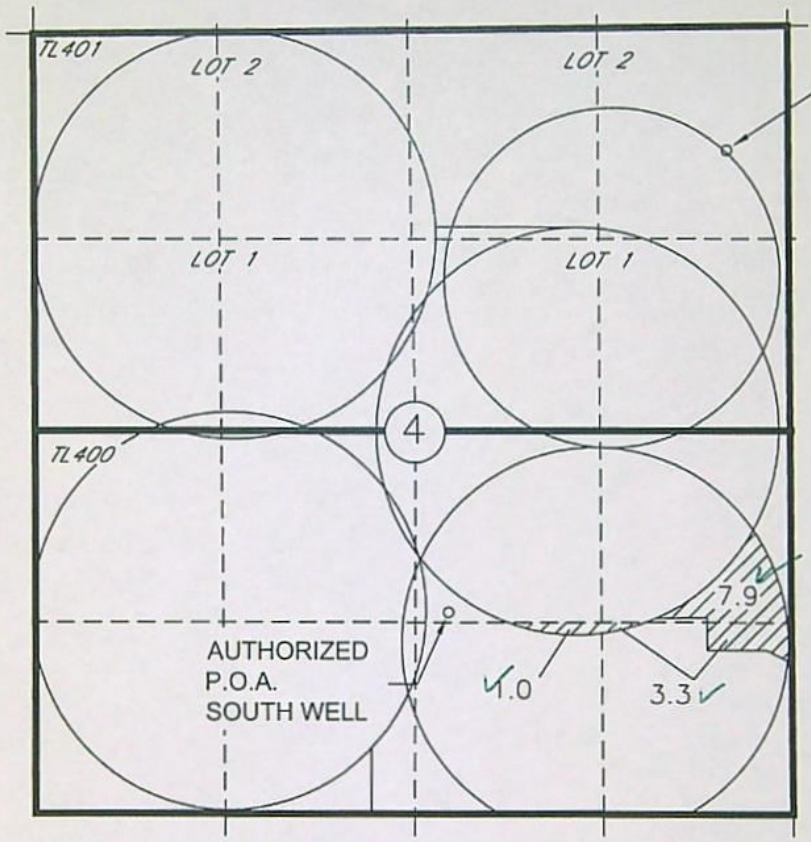
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 7 OF 8
CERTIFICATE 55317 "FROM MAP"



RECEIVED BY OWRD

APR 07 2016

SALEM, OR

LEGEND ✓

12.2 AC

○ AUTHORIZED P.O.A. WELL
1390' N AND 2390' W FROM THE
SE COR OF SEC 4 ✓

N

0 660 1320

SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanSchenck
May 19, 1992
12/7/15
STATE OF OREGON

Renews 6/30/16

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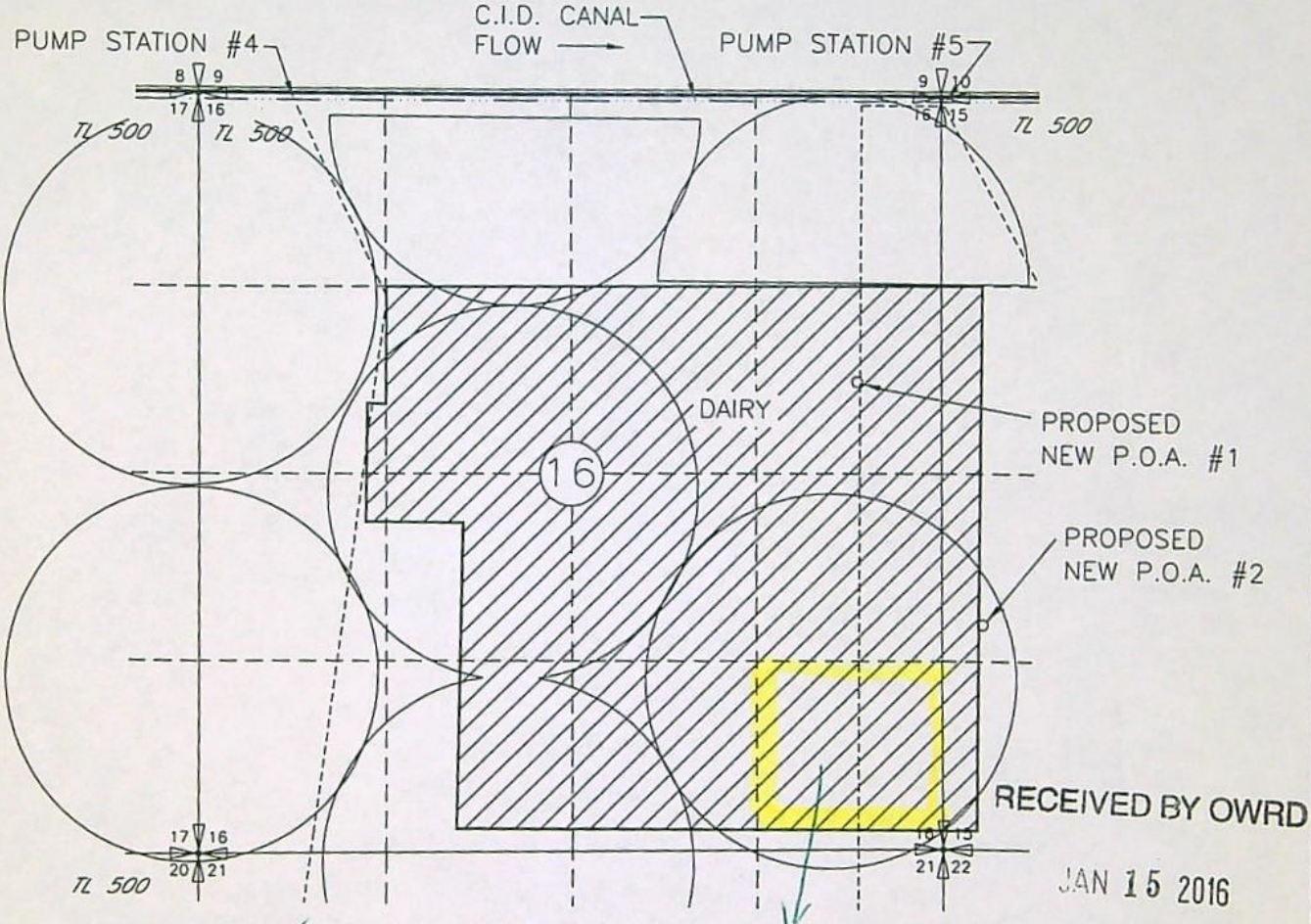
SHEET 8 OF 8
CERTIFICATE 55317 "TO MAP"



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PROPOZED P.O.A. #2
WELL LOCATED 1580' N AND 290' E FROM THE SE COR SEC 16

missing from Table 2, P. 11

N

0 660 1320
SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanSchenack
May 19, 1992
12/7/15
STATE OF OREGON

Renew 6/30/16

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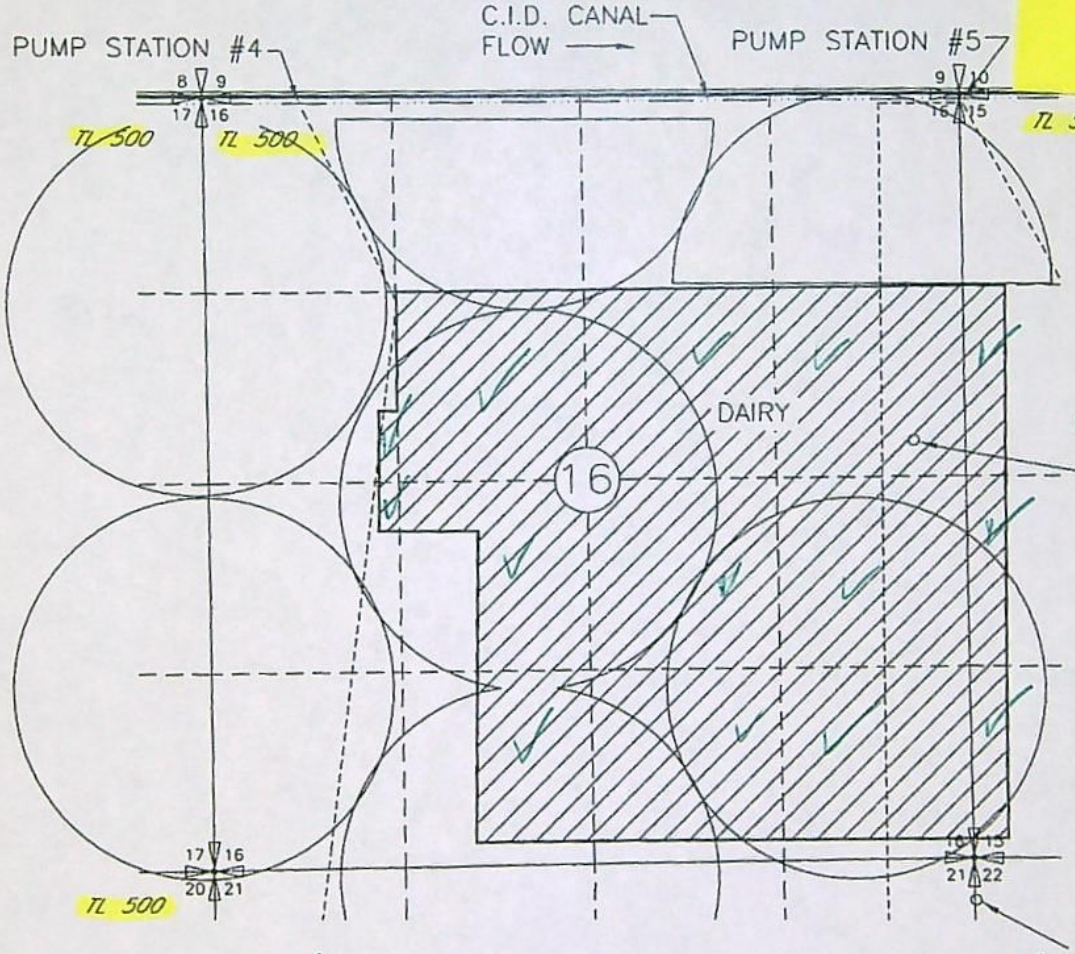
T3N, R26E, W.M., MORROW COUNTY

SHEET 2 OF 8
CERTIFICATE 49726 "TO MAP"

Amended T maps - "To" only 2, 4, 6, 8



PROPOSED NEW P.O.A. #1

PROPOSED NEW P.O.A. #2

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SALEM, OR

LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

o PROPOSED P.O.A. #1
WELL LOCATED 2390' S AND 360' W FROM THE NE COR SEC 16

o PROPOSED P.O.A. #2
WELL LOCATED 290' S AND 10' E FROM THE NW COR SEC 22

N

0 660 1320
SCALE IN FEET

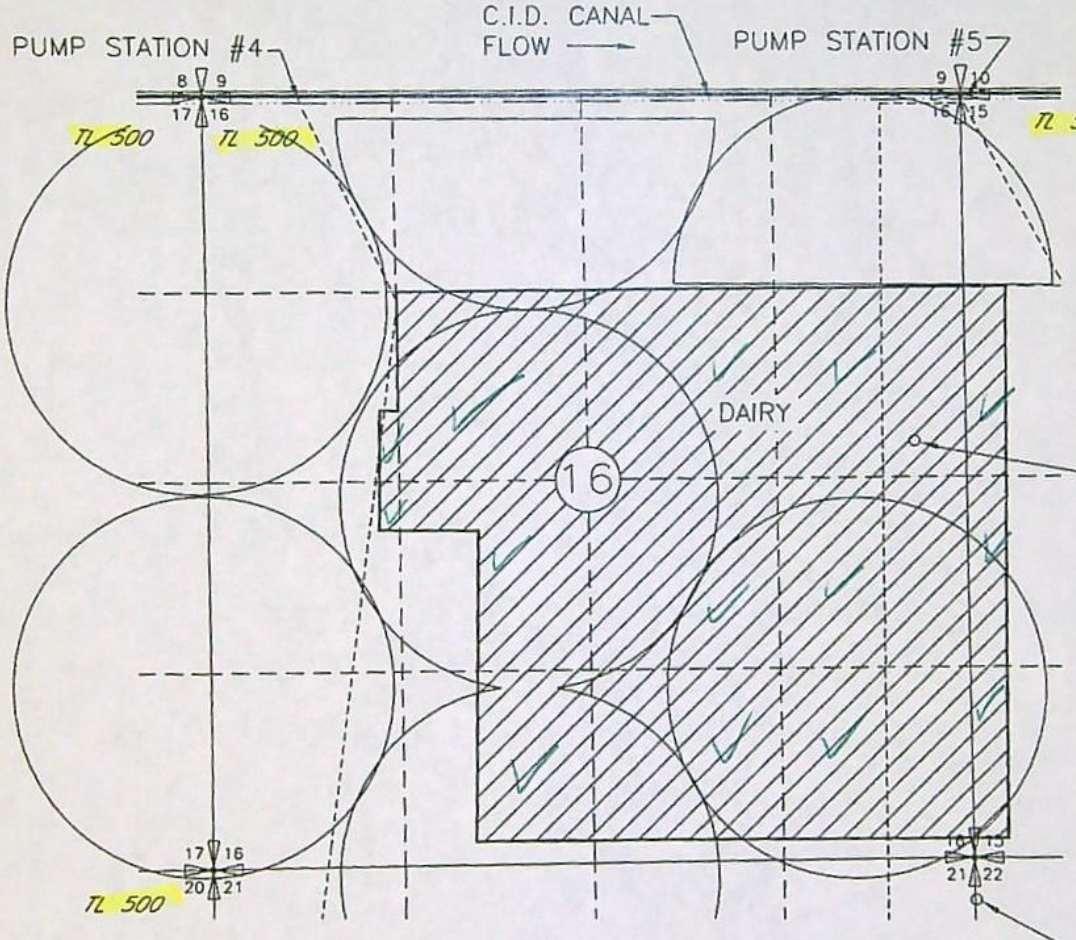
Certified Water Right Examiner
#333 WRE
Dale G. VanSchoiack
May 19, 1992
3/8/16
STATE OF OREGON

Reviewed 6/30/16

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES. PIPE LOCATIONS AND SIZES WHERE SHOWN WERE PROVIDED BY FARM OPERATIONAL PERSONNEL AND ARE APPROXIMATE LOCATIONS AND SIZES.

AMENDED (3/8/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 4 OF 8
CERTIFICATE 49727 "TO MAP"



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APR 07 2016

SALEM, OR

LEGEND

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Dale G. VanSchoiack
Dale G. VanSchoiack
May 19,1992
3/8/16
STATE OF OREGON

Renews 6/30/16

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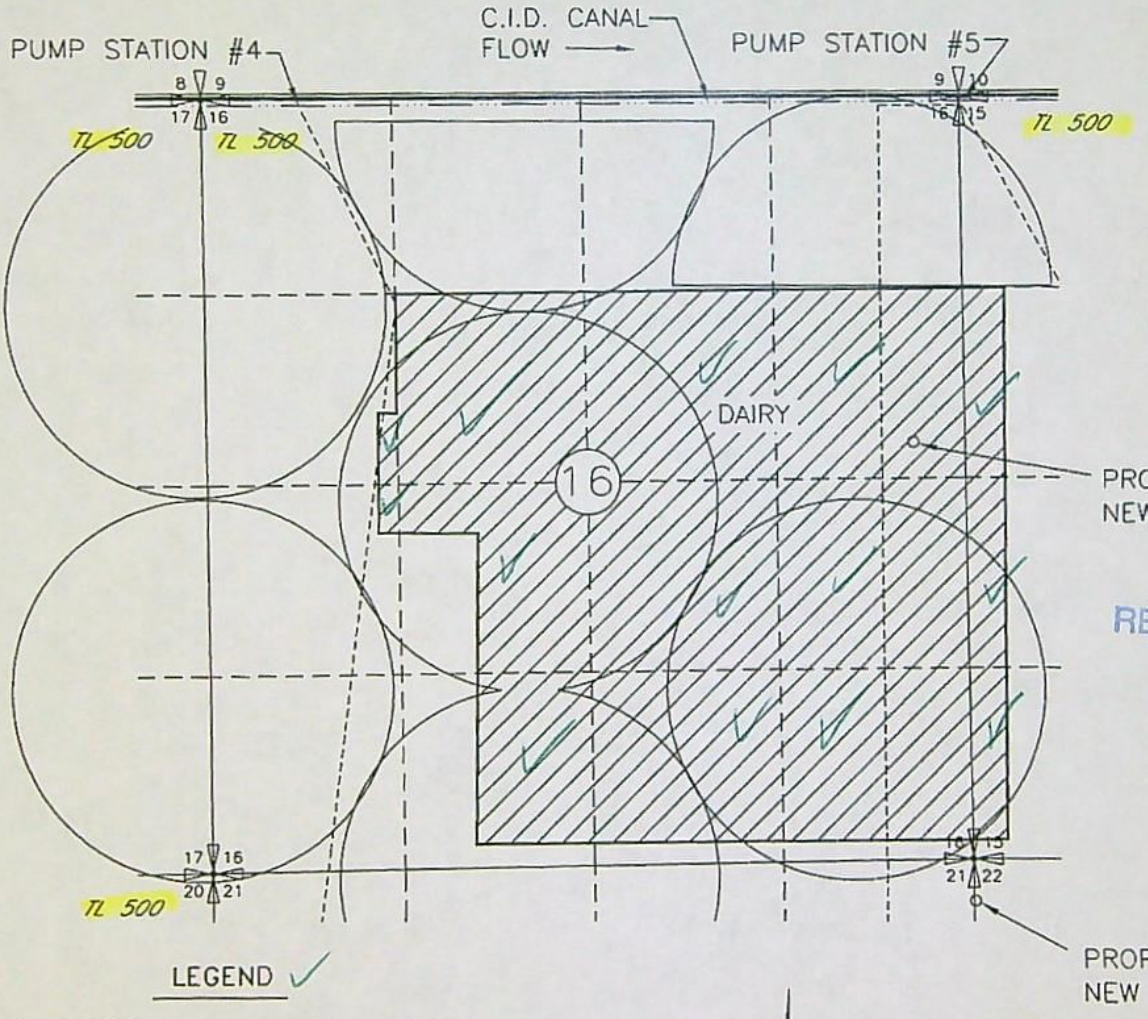
AMENDED (3/8/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 6 OF 8
CERTIFICATE 55316 "TO MAP"



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LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

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Certified Water Right Examiner
#333 WRE
Dale G. VanSchoorack
May 19,1992
3/8/16
STATE OF OREGON

Remains 6/30/16

NOTE:
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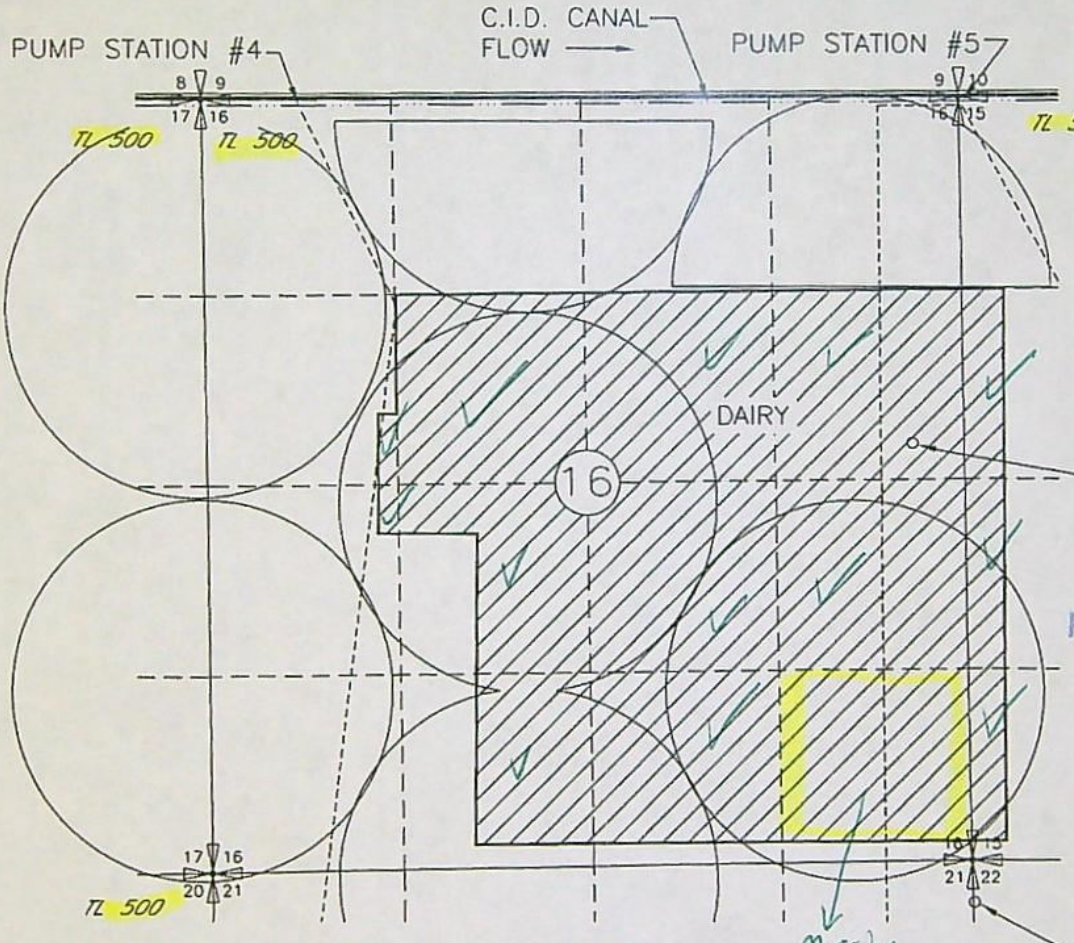
AMENDED (3/8/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 8 OF 8
CERTIFICATE 55317 "TO MAP"



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Missing from Table 2, P. 11

LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- o PROPOSED P.O.A. #1
  WELL LOCATED 2390' S AND 360' W FROM THE NE COR SEC 16
- o PROPOSED P.O.A. #2
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Dale G. VanSchoiack
Dale G. VanSchoiack
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STATE OF OREGON

Renews 6/30/16

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Terry Sprecher

From: Terry Sprecher <terry.sprecher@sprechergroup.com>
Sent: Wednesday, April 06, 2016 1:07 PM
To: FITZGERALD Kate M (kate.m.fitzgerald@state.or.us); HOLMES Codi N
Subject: T-12248, Sage Hollow Ranch LLC - Initial Deliverables
Attachments: 1.12248-dpd-cov-approve.docm; 2.12248-DRFT.DPD.docm; 3.12248-DRFT.pd-notic.docm; 4.12248-DRFT.PD-cov-favorable.docm

Hi Kate/Codi,

Initial Deliverables for T-12248, Sage Hollow Ranch, LLC. Linked transfer T-12247, Willow Creek Dairy, was sent by separate email.

Housekeeping issues:

- The amended application copy that I have is not signed; the original application was properly signed. Not sure if the amended hard copy mailed to WRD was signed or not.
- Looks like the applicant has overpaid $350, they doubled the charge for adding a well.

Other issues:

- Certificate 55317, Table 2, P. 11, is missing the SE of the SE – likely a clerical error. The Draft DPD cover letter asks for confirmation that this ¼ ¼ is included in T 12248 for Certificate 55317.
- Certificate 49727, the Supplemental Irrigation Right is not shown on the From Map, Sheet 3, nor included in Table 2, P. 14. However, the entire right is proposed for transfer, per Page 13 of the application. The Draft DPD Cover Letter asks for clarification regarding the applicant's intent to transfer the supplemental right, or to cancel it.
- The use is proposed to change from Irrigation during the irrigation season to Year-Around Agricultural use. The Draft DPD cover letter and draft DPD include verbiage limiting the annual volume to 1,000 acre-feet (as suggested by the GW section) – these sections will likely need some polishing by the transfer specialist.

Attached please find:

- Draft DPD
- Draft DPD Cover Letter
- Draft PD Notice
- Draft PD Cover Letter

Hard copy initial deliverables, and the RA Deliverables Cover Sheet, are being mailed to WRD, to Kate's attention. Scans of these documents are too large to easily email. They are posted on Microsoft's One Drive, at this link, https://onedrive.live.com/redir?resid=FF2E4F369B77EFDF!326&authkey=!ANrpnYl82BTfXy8&ithint=folder%2cdocm **for WRD to download**.

If the transfer specialist has any questions while reviewing this information, please call, I should be in my office most of this week. Thank you.

RECEIVED BY OWRD
APR 07 2016
SALEM, OR

Terry Sprecher RG, CWRE
Licensed Geologist - OR, WA, ID, AK/ Certified Water Rights Examiner – OR

Sprecher group
DBE/WBE/ESB #5687
2445 NE Division Street, Suite 300
Bend, Oregon 97703

Phone: 541/306-3709 Cell: 541/419-0883

Reimbursement Authority
~~Final~~ Deliverables Cover Sheet
for
Transfers

Initial

Transfer # T-12248 RA # R11 130 17 Applicant: Sage Hollow Ranch LLC

The following items have been submitted electronically*:

- [x] Draft Preliminary Determination (DPD)
- [x] DPD Cover Letter
- [x] PD Notice
- [x] PD Cover Letter
- [ ] ~~Remaining Right Certificates (one for each right that is not entirely affected by the transfer)~~ N/A
- [ ] ~~Instream Water Right Certificate (if needed)~~ N/A

*NOTE: Transfer documents should be submitted in MS Word format preferably, or "rich text" format.

The following items are enclosed:

- [x] Review checklist
- [x] Marked copy of transfer application, + amended transfer application
- [x] (for POU changes) Plat Card Report marked to indicate any other rights on the "From" lands
- [ ] (for POU changes) Plat Card Report marked to indicate rights overlapping proposed POU
- [x] Notes or sketches, maps, etc. from evaluation of changes, injury evaluation, etc. that will help document what was considered in reaching the findings and determination in the Preliminary Determination.
- [ ] ~~Copies of each certificate that is only partially included in the transfer, marked as needed to show what portion of the right is being affected, and what remains unchanged.~~ N/A, but sent anyway
- [x] **Signature of Contractor:** _____ **Date:** April 6, 2016

For WRD use only:

WRD approval by: _____ **Date:** _____

RECEIVED BY OWRD

APR 07 2016

SALEM, OR

Revised 5/06/11

Terry Sprecher

From: Terry Sprecher <terry.sprecher@sprechergroup.com>
Sent: Wednesday, April 06, 2016 1:04 PM
To: FITZGERALD Kate M (kate.m.fitzgerald@state.or.us); HOLMES Codi N
Subject: T-12247 Willow Creek Dairy -Initial Deliverables
Attachments: 1.12247-DRFTdpd.docm; 2.12247-drftdpd-cov-approve.docm; 3.12247-Drft.PD-notice.docm; 4.12247-Drft.PD-cov-approve.docm; 12247-rr-80062.docm; 12247-rr-86992.docm; 12247-rr-86993.docm

Hi Kate/Codi,

It's always a pleasure working on a complicated application that has been as well put together as this one has! Initial Deliverables for T-12247, Willow Creek Dairy. Linked transfer T-12248, Sage Hollow Ranch, LLC., follows by separate email.

Minor issues:

- The Delivery System Map is not at an approved scale, and there is no map waiver with the application. But, this is an overview map, showing the distribution system and the POD, so there likely is not a problem with the un-approved scale. The POD is not very clearly mapped, but since it is not proposed to be changed, I don't see an issue here either.
- Looks like the applicant overpaid by $350, they checked the 'change from surface water POD to a well' box, but no POD changes are requested.
- The Land Use Form box is checked NA, and a Land Use Form was not included in the T application. All the conditions for not needing a Land Use Form apply, except potentially the "no structural changes". The application does not explain how water will be transported to the "to" lands, or whether existing piping is already in place. The sister application, T 12248, does have a signed Land Use Form. The Draft DPD cover does not ask for a Land Use Form – if one is indeed required, that will need to be added to the Draft DPD Cover.

Other Issues:

- Certificate 80062 and 86992:
  - On the from map, the acreage of lands not involved in T12247 in SW of SW of S16 has an error. Mapped as 28.3 acres for Cert 80062. Looks like it should be mapped as 25.2 acres for Cert 80062 and 3.1 acres for Cert 86992. The Draft DPD cover letter asks for a revised transfer map.
- Certificate 86993:
  - Table 2, P 12, has an apparent math error for the total "from" acres involved in the transfer. Acres by ¼ ¼ section in Table 2, and on the "From" map match, and the correct total balances with the requested "to" acres. The Draft dpd cover letter asks for a revised Table 2, Page 12.
  - NW of SW and SW of SW of S 15 (colored pink on from map) – acreage shown is correct, but the hatch pattern in each ¼ ¼ shows one portion is part of T 12247 and one portion is not – both portions need to be part of T 12247 to be consistent with the application. The Draft DPD cover letter asks for a revised transfer map.

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Attached please find:

- Draft DPD
- Draft DPD Cover Letter
- Draft PD Notice
- Draft PD Cover Letter
- RR Certificates 80062, 86992, and 86993

Hard copy initial deliverables, and the RA Deliverables Cover Sheet, are being mailed to WRD, to Kate's attention. Scans of these documents are too large to easily email. They are posted on Microsoft's One Drive, at this link,

https://onedrive.live.com/redir?resid=FF2E4F369B77EFDF!312&authkey=!ALZoxOOop9Fv3Lo&ithint=folder%2cdocm **for WRD to download**.

If the transfer specialist has any questions while reviewing this information, please call, I should be in my office most of this week. Thank you.

Terry Sprecher RG, CWRE
Licensed Geologist - OR, WA, ID, AK/ Certified Water Rights Examiner – OR

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Phone: 541/306-3709 Cell: 541/419-0883
terry.sprecher@sprechergroup.com www.sprechergroup.com

Reimbursement Authority
Initial ~~Final~~ Deliverables Cover Sheet
for
Transfers

Transfer # T-12247 RA # R11 129 17 Applicant: Willow Creek Dairy

The following items have been submitted electronically*:

- [x] Draft Preliminary Determination (DPD)
- [x] DPD Cover Letter
- [x] PD Notice
- [x] PD Cover Letter
- [x] Remaining Right Certificates (one for each right that is not entirely affected by the transfer) 80062, 86992, & 86993
- [ ] Instream Water Right Certificate (if needed) N/A

*NOTE: Transfer documents should be submitted in MS Word format preferably, or "rich text" format.

The following items are enclosed:

- [x] Review checklist
- [x] Marked copy of transfer application
- [x] (for POU changes) Plat Card Report marked to indicate any other rights on the "From" lands
- [x] (for POU changes) Plat Card Report marked to indicate rights overlapping proposed POU
- [x] Notes or sketches, maps, etc. from evaluation of changes, injury evaluation, etc. that will help document what was considered in reaching the findings and determination in the Preliminary Determination.
- [x] Copies of each certificate that is only partially included in the transfer, marked as needed to show what portion of the right is being affected, and what remains unchanged.

- [x] **Signature of Contractor:** _____ **Date:** 4/6/16

For WRD use only:

WRD approval by: _____ **Date:** _____

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SALEM, OR

Revised 5/06/11

Water Right Transfer Supplemental Form D

WATER RIGHTS ISSUED IN THE NAME OF AN IRRIGATION 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 an irrigation district or involving the transfer of water rights located within the boundaries of an irrigation district.

This form must be included with your transfer application if the transfer involves rights issued in the name of an irrigation district.

1. APPLICANT INFORMATION

Name: **Sage Hollow Ranch, LLC**

Address: **3630 Independence Rd.**

City: **Sunnyside,** State: **WA.** Zip: **98944**

Home Phone: Work Phone: **(509)-391-1100** Other Phone: **(509)-391-1111**

Fax: E-Mail address:

2. DISTRICT INFORMATION

District Name: **Columbia Improvement District**

Address: **P.O. Box 47**

City: **Boardman** State: **OR** Zip: **97818**

Home Phone: _____ Work Phone: **(541) 481-9454** Other Phone: _____

Fax:_____ E-Mail address: _____

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3. WATER RIGHT(S) ISSUED IN THE NAME OF AN IRRIGATION DISTRICT(S)

Water right(s) issued in the name of a district proposed for transfer:

	Application / Decree	Permit / Previous Transfer	Certificate
1.			49726
2.		-	55317
3.		-	49727
4.		-	55316
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.

Robert G Mueller
~~District Manager~~ Signature

Robert G Mueller
Name (print)

Date 12/1/15

CHAIRMAN

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SALEM, OR

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: **Sage Hollow Ranch, LLC**

Address: **3630 Independence Rd.**

City: **Sunnyside** State: **WA.** Zip: **98944** Day Phone: **(509) 391-1100**

- 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 I.D.	Plan Designated (e.g. Rural Residential/RR-5)	Water to be: (Check all that apply)	Proposed Land Use
500	EFU	☒ Diverted ☒ Conveyed ☒ Used	**Agricultural**
~~400~~	EFU	☐ Diverted ☒ Conveyed ☒ Used	**Irrigation**
~~401~~	EFU	☐ Diverted ☒ Conveyed ☒ Used	**Irrigation**
		☐ Diverted ☐ Conveyed ☐ Used	
		☐ Diverted ☐ Conveyed ☐ Used	
		☐ Diverted ☐ Conveyed ☐ Used	

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

- 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.

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

Briefly describe: **We are trading ground water for Columbia River water.**

Indicate the source of the water to be used.

☐ Reservoir/Pond ☒ Ground Water ~~☒ Surface Water~~ ~~Columbia River~~ (Source)

Indicate the estimated quantity of water the use will require: ~~12.58~~ 2.38 ☒ CFS ☐ GPM ☐ Acre-Feet

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SALEM, OR

Last Revised: 04/06/04

T 12248

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): MCZO Article 3 Section 3.010. 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.

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.

Type of Land Use Approval Needed (3.g. plan amendments, rezones, conditional use permits, etc.)	City Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursed
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursed
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursed
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursed
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursed
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursed

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: Carla McLane Date: 12/3/2015

Title: Planning Director Phone: 541 922 4624

Signature: Carla McLane

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- 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.

Morrow County has concerns that this transfer is being done in an area with water limitations for both quantity and quality. Necessary conditions to protect both quantity and quality are requested.

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.*

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T 12248

APR 07 2016

SALEM, OR

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

Ground Water Review Form:

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

Application: T-12248 Applicant Name: Sage Hollow Ranch LLC

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

Reviewer(s): Jen Woody Date of Review: 3/24/2016, supersedes review dated 2/25/2016

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

☐ The water well reports provided with the application do not correspond to the water rights affected by the transfer.

☐ The application does not include water well reports or a description of the well construction details sufficient to establish the ground water body developed or proposed to be developed.

☐ Other _____

---

1. Basic description of the changes proposed in this transfer: T-12248 proposes to make changes to 4 certificates to use groundwater in the Ordnance Basalt Critical Groundwater Area (CGWA). It proposes to move the 2 relevant points of appropriation (POAs) from T3N/R26E-Section 4 to T3N/R26E- Sections 16 and 22.

   original log / Deepening log

   Certificate 49726: authorizes MORR 595/590 for 1.12 cfs (207.3 acres primary irrigation), the transfer proposes to change the POA to 2 new wells.

   Certificate 55317 authorizes MORR 595/590 for 0.07 cfs (12 acres primary irrigation), the transfer proposes to change the POA to 2 new wells.

   note - GW has plotted these 2 wells in a the same location in Fig 2

   Certificate 49727 authorizes one well (MORR 596 was authorized, MORR 591 is used as a replacement well) for 0.84 cfs (~~38.4~~ 198.3 acres primary irrigation), the transfer proposes to change the POA to 2 new wells. check w/ applicant re 40SA of supplemental

   Certificate 55316 authorizes MORR 595/590 and MORR 591 for 0.35 cfs total (85.2 acres primary irrigation), the transfer proposes to change the POA to 2 new wells.

   The certificates involved in this transfer are affected by the Ordnance Critical Groundwater Area Order (Special Order Volume 27, pp 40-86). Based on excessively declining groundwater levels, that order prohibited new allocation of groundwater from the CRBG aquifers within the Critical Area boundaries starting in 1976. Water use at MORR 595 and MORR 591 is summarized in Figure 1; average total annual use from the two wells is about 1,000 acre-feet.

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2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments:

The existing and proposed wells will produce from one or more water-bearing zones in the Columbia River Basalt Group (CRBG), a series of lava flows with a composite thickness greater than 10,000 feet in the Columbia Plateau (Kahle et al., 2011). Each flow is characterized by a series of internal features, which generally include a thin rubble zone at the contact between flows and a thick, dense, low porosity and low permeability interior zone. In some cases, sedimentary layers were deposited during the time between basalt flow emplacements. A flow top, sedimentary interbed (if present) and flow bottom are collectively referred to as an interflow zone. Unconfined groundwater occurs near the weathered top of the basalts, but most water occurs in interflow zones under confining conditions at the contacts between lava flows. CRBG flow features result in a series of stacked, thin aquifers that are confined by dense flow interiors. The low permeability of the basalt flow interiors usually results in little connection between stacked aquifers, which results in tabular aquifers with unique water level heads (Reidel et al., 2002).

Constructing a well that is open to multiple water-bearing zones with distinct water level heads commingles multiple aquifers. When the pump is off, water migrates through the well bore from an aquifer of higher pressure to an aquifer of lower pressure. Over time, this can depressurize the aquifer and exacerbate water level decline.

Hydrogeologic investigations by Sceva (1966) and McCall (1975) found that the same CRBG aquifers extend through the currently authorized POA location and the proposed POA locations, based on groundwater elevations and trends. Assuming the new POAs are constructed to no greater depth that the existing wells, they should encounter the same aquifer (same source).

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☒ Yes ☐ No There is more than one aquifer developed within the CRBG. MORR 595 and MORR 591 are constructed with 700-800 foot open intervals in the CRBG. There are at least two CRBG aquifers within 800 feet of land surface in this area. Each aquifer has a distinct head, as evidenced by UMAT 1543 and MORR 1720 which were reconstructed with casing and seal depths that allow access to a single CRBG aquifer per well (see Figure 3) . The shallow CRBG aquifer accessed by UMAT 1543, is located above approximately 400 feet below land surface and has a current February groundwater elevation of 490-500 feet above mean sea level (amsl). Between approximately 400 and 800 feet below land surface, the aquifer accessed by MORR 1720 has a current February groundwater elevation of 260-280 feet amsl (see Figure 3). Cascading water has been documented by Department staff when measuring the water level at MORR 595. MORR 591 has 18' of seal reported on the log, leaving the well open to alluvium and multiple aquifers within the CRBG. To access the same aquifers with new wells that meet current well construction standards, it may be necessary to install multiple wells to replace MORR 595, for example.

The existing wells do not meet current well construction standards requiring single aquifer completion, based on the large open intervals and the lack of information regarding surface seals. They will need to be repaired, converted to dedicated observation wells or abandoned. The proposed APOAs are described in the application with total depth of 750-1000 feet and 150 feet of casing and seal. This will not meet current well construction standards requiring wells access a single aquifer.

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b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): There is not enough available information to determine what portion of the use is from the various water bearing zones intercepted by MORR 595 and MORR 591.

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: The proposed POAs are about ½ mile closer to nearby basalt wells, which will increase well-to-well interference. A dedicated observation well condition is specified to protect the resource and other existing users. The CGWA order requires that all wells be equipped with water level measuring facilities, which allow monitoring of long term water level trends and the degree of well-to-well interference. Since the proposed POAs will be in use year-round, a dedicated observation well is required to meet that requirement.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: Groundwater elevations in the deep basalt aquifer are very consistent across the CGWA. That suggests that the basalt aquifers in this area are not extensively compartmentalized, which would exacerbate well-to-well interference. Interference is expected to be slightly increased by the change in location but similar in magnitude to current conditions.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☐ Yes ☒ No Comments: There is no significant change in surface water interference likely to result from the transfer.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
Stream: _____ ☐ Minimal ☐ Significant
Stream: _____ ☐ Minimal ☐ Significant
Provide context for minimal/significant impact: _____

6. What conditions or other changes in the application are necessary to address any potential issues identified above:

The condition below is required to meet the CGWA order that all wells are to be equipped with water level measuring facilities subject to the approval of the Department. As the proposed POAs will be in use year-round, a dedicated observation well is necessary to meet that requirement.

Conditions:

A minimum of one observation well shall be constructed to a similar bottom elevation as the pumping wells, and with a similar open interval. The observation well shall be at least 500 feet from all production wells, and shall be constructed by the applicant and maintained as a dedicated observation well for the duration of groundwater use under this authorization.

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References

McCall, William B., 1975, Ground-Water Conditions and Declining Water Levels in the Ordnance Area, Morrow and Umatilla Counties Oregon, State of Oregon Water Resources Department Groundwater Report No. 23, 134 p.

Oregon Water Resources Department, 1976, Special Order Volume 27, On the Determination of the Critical Ground Water Area in the Ordnance Area, Morrow and Umatilla Counties, Oregon, pp. 40-86.

Sceva, Jack E., 1966, A Brief Description of the Ground-water Conditions in the Ordnance Area Morrow and Umatilla Counties, Oregon, State of Oregon Ground Water Report No. 11, 43 p.

OWRD water level database, accessed 2/24/2016.

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Logid	WaterUseYear	PumpageFinalAF	PumpageFinalSource
MORR 591	1978	109.97	FM
MORR 591	1979	409.08	FM
MORR 591	1980	43.79	FM
MORR 591	1981	402.40	FM
MORR 591	1982	270.44	FM
MORR 595	1983		
MORR 591	1983	809.72	FM
MORR 595	1984	256.07	FM
MORR 591	1984	174.23	FM
MORR 591	1985	869.93	FM
MORR 591	1986	299.20	PM
MORR 591	1987	979.64	PM
MORR 595	1988	680.20	FM
MORR 591	1988	722.94	FM
MORR 595	1989	697.63	FM
MORR 591	1989	696.67	FM
MORR 595	1990	692.87	FM
MORR 591	1990	868.61	FM
MORR 595	1991	819.06	FM
MORR 591	1991	839.19	FM
MORR 595	1992	772.40	FM
MORR 591	1992	701.20	FM
MORR 595	1993	790.99	FM
MORR 591	1993	471.38	FM
MORR 595	1994	677.58	FM
MORR 591	1994	928.05	FM
MORR 595	1995	751.85	FM
MORR 591	1995	811.78	FM
MORR 595	1996	570.49	FM
MORR 591	1996	780.91	FM
MORR 595	1997	596.27	FM
MORR 591	1997	716.69	FM
MORR 595	1998	616.15	FM
MORR 591	1998	235.09	FM
MORR 595	1999	746.05	FM
MORR 591	1999	345.39	FM
MORR 595	2000	587.55	FM / 2yrs
MORR 591	2000	377.46	PM
MORR 595	2001	587.55	FM / 2yrs
MORR 591	2001	666.50	FM
MORR 595	2002	852.73	FM
MORR 591	2002	768.73	FM
MORR 595	2003	771.19	FM
MORR 591	2003	910.53	FM
MORR 595	2004	703.95	FM
MORR 591	2004	640.39	FM
MORR 595	2005	699.21	FM
MORR 591	2005	773.16	FM
MORR 595	2006	631.84	FM
MORR 591	2006	555.13	FM
MORR 595	2007	517.75	FM
MORR 591	2007	572.02	FM
MORR 595	2008	517.97	FM
MORR 591	2008	426.11	FM
MORR 595	2009	549.32	FM
MORR 591	2009	458.93	FM
MORR 595	2010	532.92	FM
MORR 591	2010	338.52	FM
MORR 595	2011	491.96	FM
MORR 591	2011	449.25	FM
MORR 595	2012	711.34	FM
MORR 591	2012	472.58	FM
MORR 595	2013	538.28	FM / 2yrs
MORR 591	2013	578.13	FM
MORR 595	2014	538.28	FM / 2yrs
MORR 591	2014	552.02	FM

FM = flowmeter

Figure 1. Water use records from flowmeters at MORR 595 and MORR 591.

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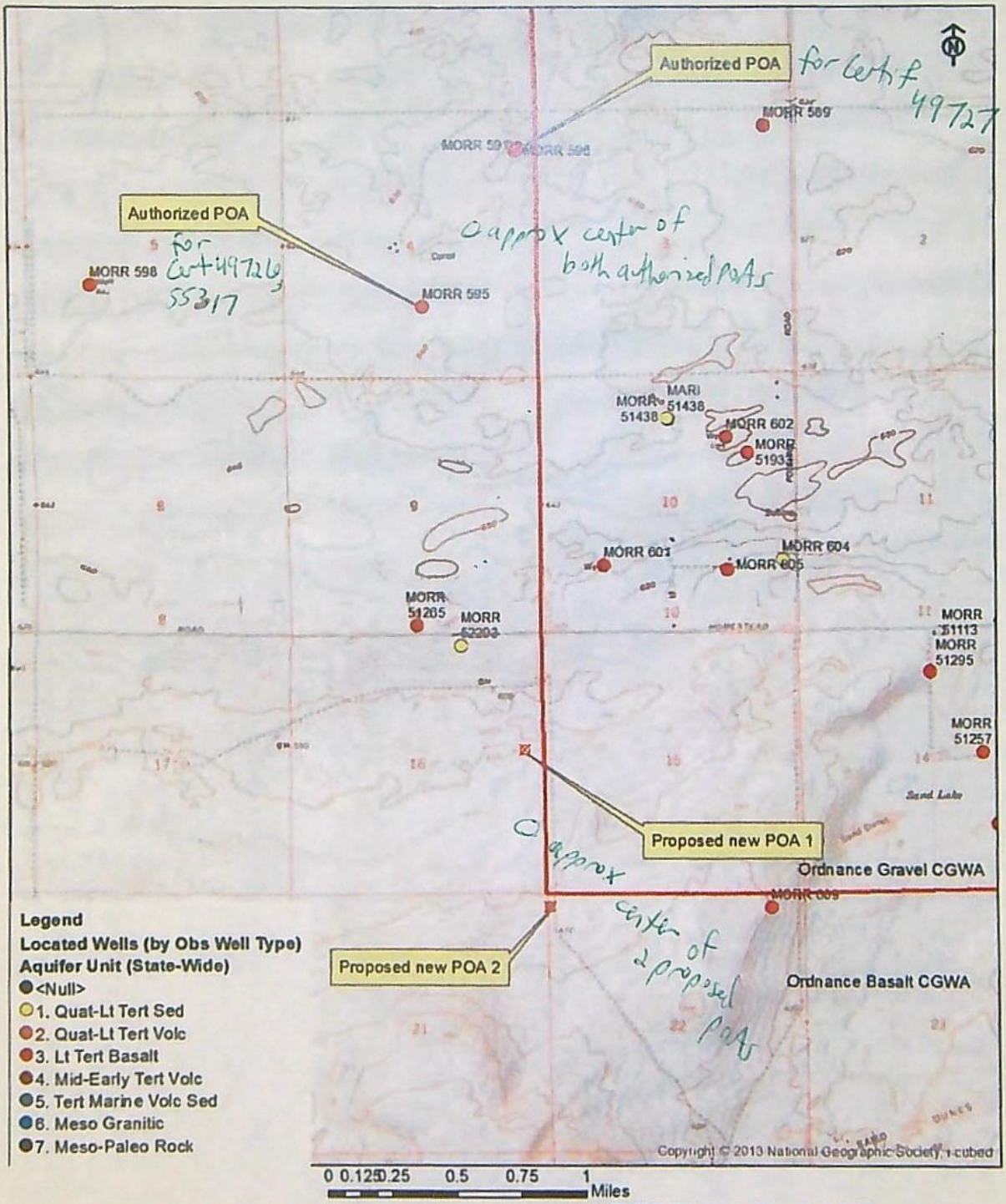
Figure 2. Well locations.

T-12248 Sage Hollow/te Velde
T3N/R26E- Sections 4, 16, 22



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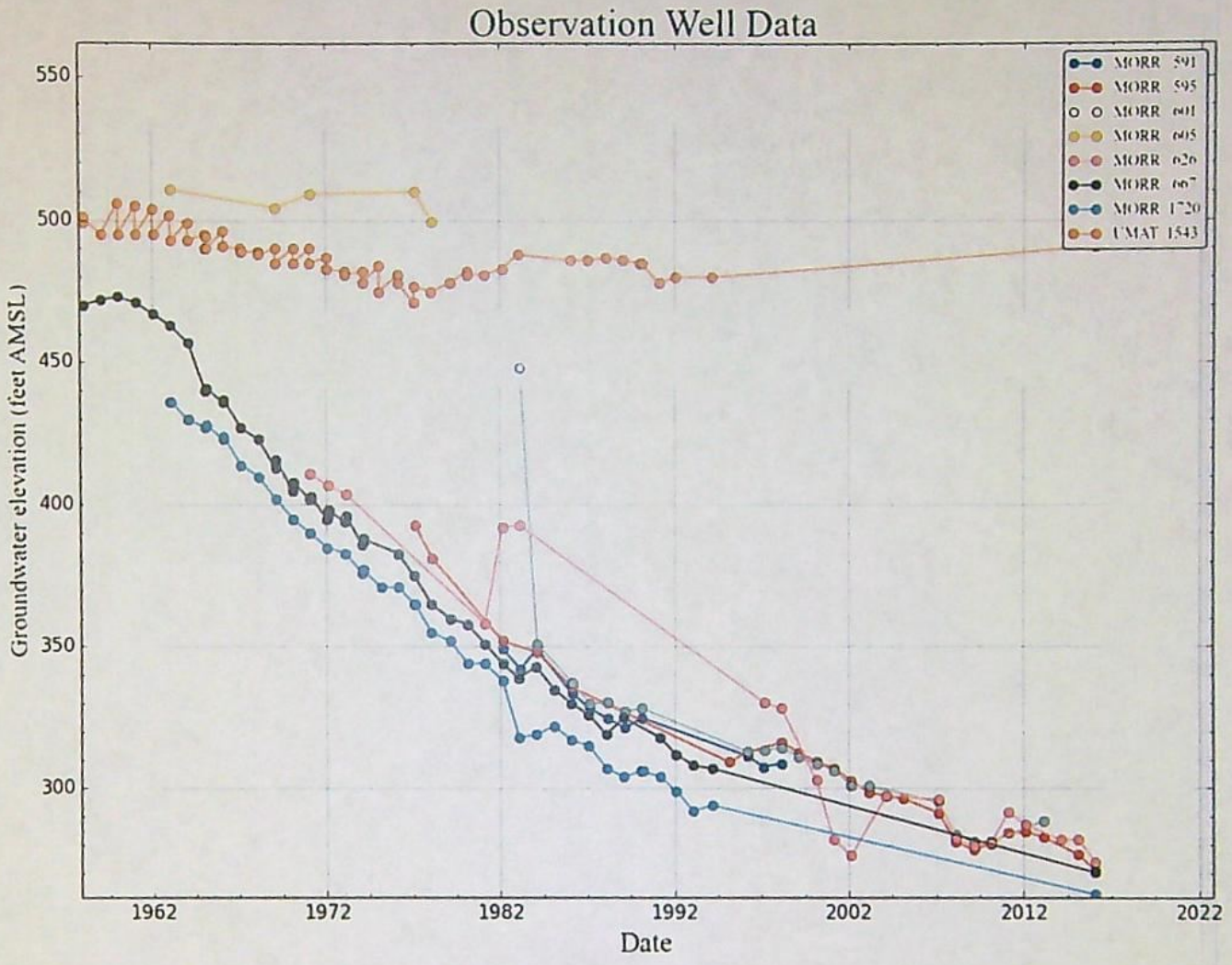

Figure 3. Water levels in wells in the Ordnance Basalt Critical Groundwater Area show two water bearing zones with distinct heads, and falling head with depth. See Figure 4 for well locations.

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T-12248 te Velde
Location of wells in hydrograph (Figure 3)

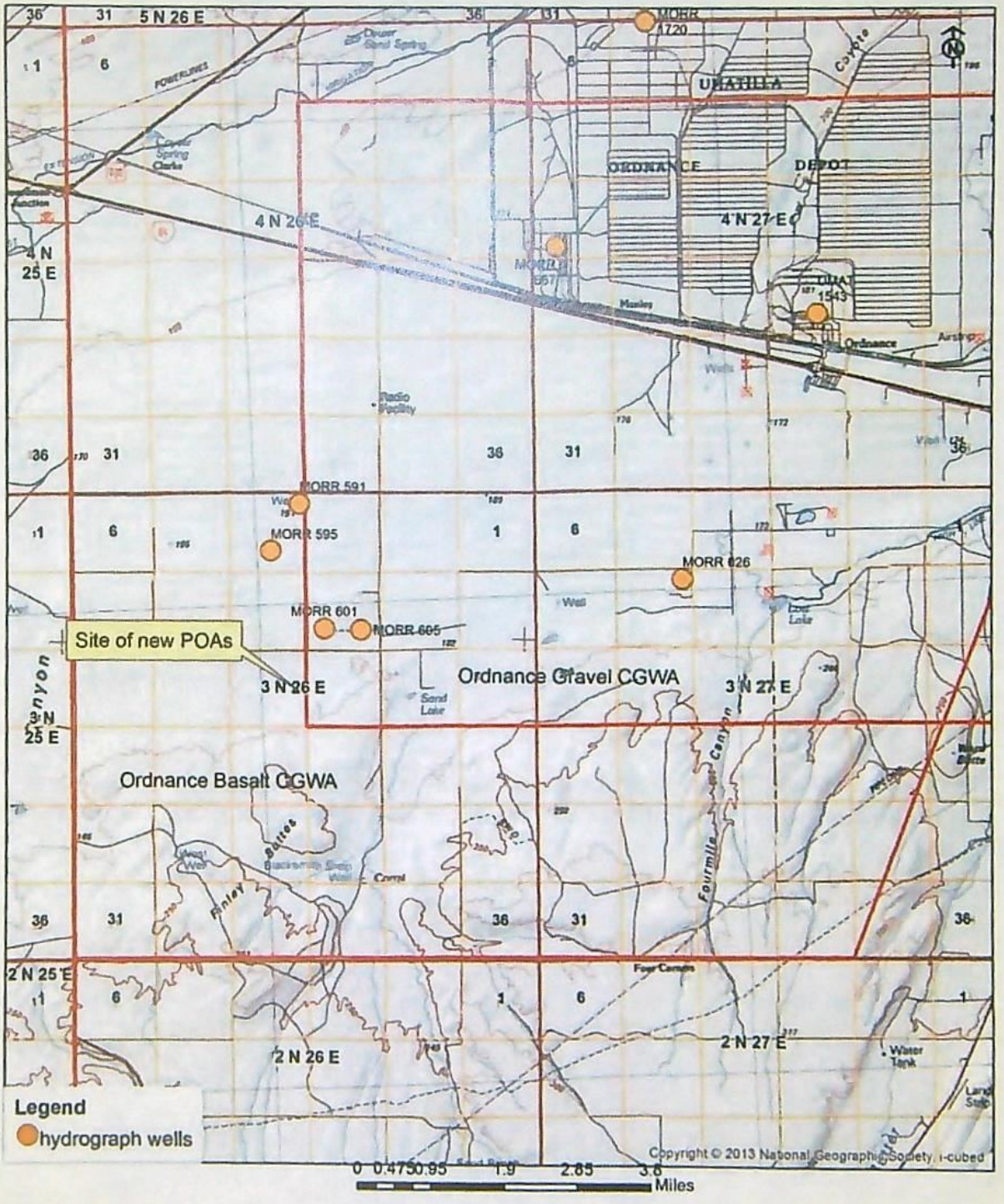

Figure 4. Location of wells with water level data depicted in Figure 3.

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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-12248 Review Due Date: _____

Applicant Name: Sage Hollow Ranch, LLC (Bosma to Te Velde)

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

Reviewer(s): Greg Silbernagel Date of Review: Mar. 10, 2016

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: This is within the Ordnance Basalt Critical GWA. No further appropriation is allowed under the CGW area rules. (i.e. new allocation)

3. Have headgate notices been issued for the source that serves the transferred right(s)?
☐ Yes ☒ No ☐ Records not available.
GW rights

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: Defer to Groundwater Section. No says GW, # 46, p. 3

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: This is a Groundwater Transfer.

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: _____

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Last revised 7-24-2012

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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: Defer to Groundwater Section.

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: 1) The "to" grounds identifed in the application and on the map do not have acreages identified with them. However, the maps have a place of use identified on them which needs to be clarified. 2) There is an irrigation season within the Ordnance Critical GWA of March 10th - October 15th of each year. The applicant has not expressed a desire to use water year round, however, I suspect that a dairy operation is year round. 3) The application portion related to Certificate 49727 is attempting to transfer the entire rate but has not identified the supplemental portion of the certificate. The "South" well identified on the application map for supplemental use does not appear to be identifed on the certificate.

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.

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*** The following alternative device(s) should be substituted for the bold, underlined device in the above selected condition:**

- ☐ Weir
- ☐ Parshall Flume
- ☐ Other: _____
- ☐ Submerged Orifice
- ☐ Flow Restrictor

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SALEM, OR

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T-12248

WM left this blank

☒ In order to avoid enlargement of the right or injury to other rights, a _____ 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: Greg Silbernagel

District: 5

Address: 116 SE Dorion Avenue

City/State/Zip: Pendleton, Oregon 97801

Phone: (541)278-5456

Email: Greg.M.Silbernagel@wrd.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

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APR 07 2016

SALEM, OR

Last revised 7-24-2012

William Porfily

From: William Porfily <wporfily@gmail.com>
Sent: Wednesday, July 27, 2016 11:03 AM
To: SMITH Joan M (joan.m.smith@state.or.us)
Cc: Gibb Evans (Gibb.Evans@irz.com); gjtevelde@aol.com
Subject: Transfer T-12248
Attachments: permanent_wr_transfer Bosma to teVelde 7-20-16 Amended.doc; 07-20-2016 Amended Transfer Application Maps.pdf

Mornin Joan

Attached is Amended Transfer Application and Application Maps for Transfer T-12248 adding and additional Well #3 to the Application. Hard copies with CWRE Seal on Application Map with be forth coming in mail.

William Porfily
P.O. Box 643
Stanfield, OR 97875
Cel: (541)561-7259
Off-Home (541)449-1327
E-mail: wporfily@gmail.com

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AUG 08 2016

SALEM, OR

SMITH Joan M

From: SILBERNAGEL Greg M
Sent: Wednesday, July 06, 2016 8:10 AM
To: SMITH Joan M
Subject: RE: T-47/48

Hi Joan,

We would like to add some language regarding the Ordnance Critical Groundwater Area rules requiring reporting. A suggestion would be (12248) – "Butter Creek Critical Order requires water use reporting prior to December 1st of each calendar year. The receiving party shall assume all reporting requirements of the Critical Order."

This is only a suggestion. Our goal is to ensure that the "to" lands are under the same reporting conditions as the others within the CGWA.

Please let me know if you have any questions.

Thank you, Greg

From: SMITH Joan M
Sent: Friday, June 24, 2016 4:40 PM
To: SILBERNAGEL Greg M; LADD Mike F
Subject: T-47/48

Greg, I actually already started revising the Drafts to include the reference to the comment we received. Please let me know if you find anything amiss.
Thank you

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

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HOLMES Codi N

From: William Porfily <wporfily@gmail.com>
Sent: Thursday, February 11, 2016 9:46 AM
To: HOLMES Codi N
Cc: wayned@irz.com; LADD Mike F; gjtevelde@aol.com; maplegrove@bentonrea.com; 1brianbosma@gmail.com; mike@pendletonlaw.net
Subject: Transfer T-12248 for Ag Use-Year Around Use

Mornin Cody

We intended the transfer from Irrigation Use to Agricultural Use in Transfer T-2248 be for the **Year Around Use** for construction and operating of a Dairy. It was pointed out that our application was not clear on the year around use.

Please initiate this information where needed in the processing of the Transfer.

William Porfily
P.O. Box 643
Stanfield, OR 97875
Cel: (541)561-7259
Off-Home (541)449-1327
E-mail: wporfily@gmail.com

SMITH Joan M

From: Willaim Porfily <bporfily@my180.net>
Sent: Tuesday, April 19, 2016 2:16 PM
To: 'SMITH Joan M'
Subject: RE: questions with regard to T-12248

Afternoon Joan

Replying to question number 1 below.

The supplemental right described in Certificate 49727 are supplemental from the same source of water that the primary right is authorized from thus no reason to transfer them.

William Porfily
P.O. Box 643
Stanfield, OR 97875
Cel: (541)561-7259
Off-Home (541)449-1327
E-mail: **wporfily@gmail.com**

From: SMITH Joan M [mailto:joan.m.smith@state.or.us]
Sent: Tuesday, April 19, 2016 9:17 AM
To: bporfily@my180.net
Subject: questions with regard to T-12248

Good Morning Bill, a couple questions for T-12248; before I can issue the dpd.

1) With regard to Certificate 49727 was it your intention to include the Supplemental Irrigation?
2) Is the applicant requesting to limit the total water use per year to 1000 acre feet to avoid potential enlargement of the rights?

The dpd is ready as soon as I hear back from you, and or the applicant.

Thanks

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.

SMITH Joan M

From: Willaim Porfily <bporfily@my180.net>
Sent: Tuesday, April 19, 2016 2:04 PM
To: 'SMITH Joan M'
Cc: gjtevelde@aol.com; wayned@irz.com
Subject: RE: questions with regard to T-12248

Afternoon Again Joan

Responding to you question #2 below. In looking at the last five years usage from Page 5 of 8 of the OWRD Ground Waters Review, in 2012 the usage from the two wells was 1184 acre-ft thus I believe that is the amount that we can legally claim and would request that amount.

William Porfily
P.O. Box 643
Stanfield, OR 97875
Cel: (541)561-7259
Off-Home (541)449-1327
E-mail: wporfily@gmail.com

From: SMITH Joan M [mailto:joan.m.smith@state.or.us]
Sent: Tuesday, April 19, 2016 9:17 AM
To: bporfily@my180.net
Subject: questions with regard to T-12248

Good Morning Bill, a couple questions for T-12248; before I can issue the dpd.

1) With regard to Certificate 49727 was it your intention to include the Supplemental Irrigation?
2) Is the applicant requesting to limit the total water use per year to 1000 acre feet to avoid potential enlargement of the rights?

The dpd is ready as soon as I hear back from you, and or the applicant.

Thanks

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

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Terry Sprecher

From: HOLMES Codi N <codi.n.holmes@state.or.us>
Sent: Thursday, February 25, 2016 9:19 AM
To: Terry Sprecher (terry.sprecher@sprechergroup.com)
Subject: FW: Transfer T-12248 for Ag Use-Year Around Use

Codi Holmes
Natural Resource Specialist
Oregon Water Resources
503-986-0898

From: William Porfily [mailto:wporfily@gmail.com]
Sent: Thursday, February 11, 2016 9:46 AM
To: HOLMES Codi N
Cc: wayned@irz.com; LADD Mike F; gjtevelde@aol.com; maplegrove@bentonrea.com; 1brianbosma@gmail.com; mike@pendletonlaw.net
Subject: Transfer T-12248 for Ag Use-Year Around Use

Mornin Cody

We intended the transfer from Irrigation Use to Agricultural Use in Transfer T-2248 be for the **Year Around Use** for construction and operating of a Dairy. It was pointed out that our application was not clear on the year around use.

Please initiate this information where needed in the processing of the Transfer.

William Porfily
P.O. Box 643
Stanfield, OR 97875
Cel: (541)561-7259
Off-Home (541)449-1327
E-mail: **wporfily@gmail.com**

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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-12248 Review Due Date: _____

Applicant Name: Sage Hollow Ranch, LLC (Bosma to Te Velde)

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

Reviewer(s): Greg Silbernagel Date of Review: Mar. 10, 2016

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: This is within the Ordnance Basalt Critical GWA. No further appropriation is allowed under the CGW area rules.

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: Defer to Groundwater Section.

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: This is a Groundwater Transfer.

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: Defer to Groundwater Section.

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: 1) The "to" grounds identifed in the application and on the map do not have acreages identified with them. However, the maps have a place of use identified on them which needs to be clarified. 2) There is an irrigation season within the Ordnance Critical GWA of March 10th - October 15th of each year. The applicant has not expressed a desire to use water year round, however, I suspect that a dairy operation is year round. 3) The application portion related to Certificate 49727 is attempting to transfer the entire rate but has not identified the supplemental portion of the certificate. The "South" well identified on the application map for supplemental use does not appear to be identifed on the certificate.

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:**

- ☐ Weir
- ☐ Parshall Flume
- ☐ Other: _____
- ☐ Submerged Orifice
- ☐ Flow Restrictor

Oregon Water Resources Department

Measurement Condition Information for the Applicant

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

Transfer #: T-12248

☒ In order to avoid enlargement of the right or injury to other rights, a _____ 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: Greg Silbernagel

District: 5

Address: 116 SE Dorion Avenue

City/State/Zip: Pendleton, Oregon 97801

Phone: (541)278-5456

Email: Greg.M.Silbernagel@wrd.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

Water Right Conditions Tracking Slip

*Groundwater/Hydrology Section

FILE # # T-12248

ROUTED TO: Codi Holmes

TOWNSHIP/ RANGE-SECTION: T3N/R26E-4,15,16

CONDITIONS ATTACHED?: [X] yes [ ] no

REMARKS OR FURTHER INSTRUCTIONS:

SUPERSEDED

Reviewer: Jen Woody

SUPERSEDED

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

Ground Water Review Form:

- [X] **Water Right Transfer**
- [ ] **Permit Amendment**
- [ ] **GR Modification**
- [ ] **Other**

Application: T-12248

Applicant Name: Sage Hollow Ranch LLC

Proposed Changes: [X] POA [X] USE [ ] APOA [X] POU [ ] SW→GW [ ] OTHER [ ] RA

Reviewer(s): Jen Woody

Date of Review: 2/25/2016

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

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

---

1. Basic description of the changes proposed in this transfer: T-12248 proposes to make changes to 4 certificates to use groundwater in the Ordnance Basalt Critical Groundwater Area (CGWA). It proposes to move the 2 relevant points of appropriation (POAs) from T3N/R26E-Section 4 to T3N/R26E- Sections 15 and 16.

   Certificate 49726: authorizes MORR 595/590 for 1.12 cfs (207.3 acres primary irrigation), the transfer proposes to change the POA to 2 new wells.

   Certificate 55317 authorizes MORR 595/590 for 0.07 cfs (12 acres primary irrigation), the transfer proposes to change the POA to 2 new wells.

   Certificate 49727 authorizes one well (MORR 596 was authorized, MORR 591 is used as a replacement well) for 0.84 cfs (38.4 acres primary irrigation), the transfer proposes to change the POA to 2 new wells.

   Certificate 55316 authorizes MORR 595/590 and MORR 591 for 0.35 cfs total (85.2 acres primary irrigation), the transfer proposes to change the POA to 2 new wells.

   The certificates involved in this transfer are affected by the Ordnance Critical Groundwater Area Order (Special Order Volume 27, pp 40-86). Based on excessively declining groundwater levels, that order prohibited new allocation of groundwater from the CRBG aquifers within the Critical Area boundaries starting in 1976. Water use at MORR 595 and MORR 591 is summarized in Figure 1; average total annual use from the two wells is about 1,000 acre-feet.

2. Will the proposed POA develop the same aquifer (source) as the existing authorized POA?
☒ Yes ☐ No Comments:

The existing and proposed wells will produce from one or more water-bearing zones in the Columbia River Basalt Group (CRBG), a series of lava flows with a composite thickness greater than 10,000 feet in the Columbia Plateau (Kahle et al., 2011). Each flow is characterized by a series of internal features, which generally include a thin rubble zone at the contact between flows and a thick, dense, low porosity and low permeability interior zone. In some cases, sedimentary layers were deposited during the time between basalt flow emplacements. A flow top, sedimentary interbed (if present) and flow bottom are collectively referred to as an interflow zone. Unconfined groundwater occurs near the weathered top of the basalts, but most water occurs in interflow zones under confining conditions at the contacts between lava flows. CRBG flow features result in a series of stacked, thin aquifers that are confined by dense flow interiors. The low permeability of the basalt flow interiors usually results in little connection between stacked aquifers, which results in tabular aquifers with unique water level heads (Reidel et al., 2002).

Constructing a well that is open to multiple water-bearing zones with distinct water level heads commingles multiple aquifers. When the pump is off, water migrates through the well bore from an aquifer of higher pressure to an aquifer of lower pressure. Over time, this can depressurize the aquifer and exacerbate water level decline.

Hydrogeologic investigations by Sceva (1966) and McCall (1975) found that the same CRBG aquifers extend through the currently authorized POA location and the proposed POA locations, based on groundwater elevations and trends. Assuming the new POAs are constructed to no greater depth that the existing wells, they should encounter the same aquifer (same source).

3. a) Is there more than one source developed under the right (e.g., basalt and alluvium)?
☒ Yes ☐ No There is more than one aquifer developed within the CRBG. MORR 595 and MORR 591 are constructed with 700-800 foot open intervals in the CRBG. There are at least two CRBG aquifers within 800 feet of land surface in this area. Each aquifer has a distinct head, as evidenced by UMAT 1543 and MORR 1720 which were reconstructed with casing and seal depths that allow access to a single CRBG aquifer per well (see Figure 3) . The shallow CRBG aquifer accessed by UMAT 1543, is located above approximately 400 feet below land surface and has a current February groundwater elevation of 490-500 feet above mean sea level (amsl). Between approximately 400 and 800 feet below land surface, the aquifer accessed by MORR 1720 has a current February groundwater elevation of 260-280 feet amsl (see Figure 3). Cascading water has been documented by Department staff when measuring the water level at MORR 595. MORR 591 has 18' of seal reported on the log, leaving the well open to alluvium and multiple aquifers within the CRBG. To access the same aquifers with new wells that meet current well construction standards, it may be necessary to install multiple wells to replace MORR 595, for example.

The existing wells do not meet current well construction standards requiring single aquifer completion, based on the large open intervals and the lack of information regarding surface seals. They will need to be repaired, converted to dedicated observation wells or abandoned. The proposed APOAs are described in the application with total depth of 750-1000 feet and 150 feet of casing and seal. This will not meet current well construction standards requiring wells access a single aquifer.

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b) If yes, estimate the portion of the right supplied by each of the sources and describe any limitations that will need to be placed on the proposed change (rate, duty, etc.): There is not enough available information to determine what portion of the use is from the various water bearing zones intercepted by MORR 595 and MORR 591.

4. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another ground water right**?
☒ Yes ☐ No Comments: The proposed POAs are about ½ mile closer to nearby basalt wells, which will increase well-to-well interference. A dedicated observation well condition is specified to protect the resource and other existing users. The CGWA order requires that all wells be equipped with water level measuring facilities, which allow monitoring of long term water level trends and the degree of well-to-well interference. Since the proposed POAs will be in use year-round, a dedicated observation well is required to meet that requirement.

b) If yes, would this proposed change, at its maximum allowed rate of use, likely result in another groundwater right not receiving the water to which it is legally entitled?
☐ Yes ☒ No If yes, explain: Groundwater elevations in the deep basalt aquifer are very consistent across the CGWA. That suggests that the basalt aquifers in this area are not extensively compartmentalized, which would exacerbate well-to-well interference. Interference is expected to be slightly increased by the change in location but similar in magnitude to current conditions.

5. a) Will this proposed change, at its maximum allowed rate of use, likely result in an increase in interference with **another surface water source**?
☐ Yes ☒ No Comments: There is no significant change in surface water interference likely to result from the transfer.

b) If yes, at its maximum allowed rate of use, what is the expected change in degree of interference with any **surface water sources** resulting from the proposed change?
Stream: _____ ☐ Minimal ☐ Significant
Stream: _____ ☐ Minimal ☐ Significant
Provide context for minimal/significant impact: _____

6. What conditions or other changes in the application are necessary to address any potential issues identified above:

The condition below is required to meet the CGWA order that all wells are to be equipped with water level measuring facilities subject to the approval of the Department. As the proposed POAs will be in use year-round, a dedicated observation well is necessary to meet that requirement.

Conditions:

A minimum of one observation well shall be constructed to a similar bottom elevation as the pumping wells, and with a similar open interval. The observation well shall be at least 500 feet from all production wells, and shall be constructed by the applicant and maintained as a dedicated observation well for the duration of groundwater use under this authorization.

SUPERSEDED

References

McCall, William B., 1975, Ground-Water Conditions and Declining Water Levels in the Ordnance Area, Morrow and Umatilla Counties Oregon, State of Oregon Water Resources Department Groundwater Report No. 23, 134 p.

Oregon Water Resources Department, 1976, Special Order Volume 27, On the Determination of the Critical Ground Water Area in the Ordnance Area, Morrow and Umatilla Counties, Oregon, pp. 40-86.

Sceva, Jack E., 1966, A Brief Description of the Ground-water Conditions in the Ordnance Area Morrow and Umatilla Counties, Oregon, State of Oregon Ground Water Report No. 11, 43 p.

OWRD water level database, accessed 2/24/2016.

SUPERSEDED

Logid	WaterUseYear	PumpageFinalAF	PumpageFinalSource
MORR 591	1978	109.97	FM
MORR 591	1979	409.08	FM
MORR 591	1980	43.79	FM
MORR 591	1981	402.40	FM
MORR 591	1982	270.44	FM
MORR 595	1983		
MORR 591	1983	809.72	FM
MORR 595	1984	256.07	FM
MORR 591	1984	174.23	FM
MORR 591	1985	869.93	FM
MORR 591	1986	299.20	PM
MORR 591	1987	979.64	PM
MORR 595	1988	680.20	FM
MORR 591	1988	722.94	FM
MORR 595	1989	697.63	FM
MORR 591	1989	696.67	FM
MORR 595	1990	692.87	FM
MORR 591	1990	868.61	FM
MORR 595	1991	819.06	FM
MORR 591	1991	839.19	FM
MORR 595	1992	772.40	FM
MORR 591	1992	701.20	FM
MORR 595	1993	790.99	FM
MORR 591	1993	471.38	FM
MORR 595	1994	677.58	FM
MORR 591	1994	928.05	FM
MORR 595	1995	751.85	FM
MORR 591	1995	811.78	FM
MORR 595	1996	570.49	FM
MORR 591	1996	780.91	FM
MORR 595	1997	596.27	FM
MORR 591	1997	716.69	FM
MORR 595	1998	616.15	FM
MORR 591	1998	235.09	FM
MORR 595	1999	746.05	FM
MORR 591	1999	345.39	FM
MORR 595	2000	587.55	FM / 2yrs
MORR 591	2000	377.46	PM
MORR 595	2001	587.55	FM / 2yrs
MORR 591	2001	666.50	FM
MORR 595	2002	852.73	FM
MORR 591	2002	768.73	FM
MORR 595	2003	771.19	FM
MORR 591	2003	910.53	FM
MORR 595	2004	703.95	FM
MORR 591	2004	640.39	FM
MORR 595	2005	699.21	FM
MORR 591	2005	773.16	FM
MORR 595	2006	631.84	FM
MORR 591	2006	555.13	FM
MORR 595	2007	517.75	FM
MORR 591	2007	572.02	FM
MORR 595	2008	517.97	FM
MORR 591	2008	426.11	FM
MORR 595	2009	549.32	FM
MORR 591	2009	458.93	FM
MORR 595	2010	532.92	FM
MORR 591	2010	338.52	FM
MORR 595	2011	491.96	FM
MORR 591	2011	449.25	FM
MORR 595	2012	711.34	FM
MORR 591	2012	472.58	FM
MORR 595	2013	538.28	FM / 2yrs
MORR 591	2013	578.13	FM
MORR 595	2014	538.28	FM / 2yrs
MORR 591	2014	552.02	FM

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FM = flowmeter

Figure 1. Water use records from flowmeters at MORR 595 and MORR 591.

T-12248 te Velde
T3N/R26E- Sections 4,16,15

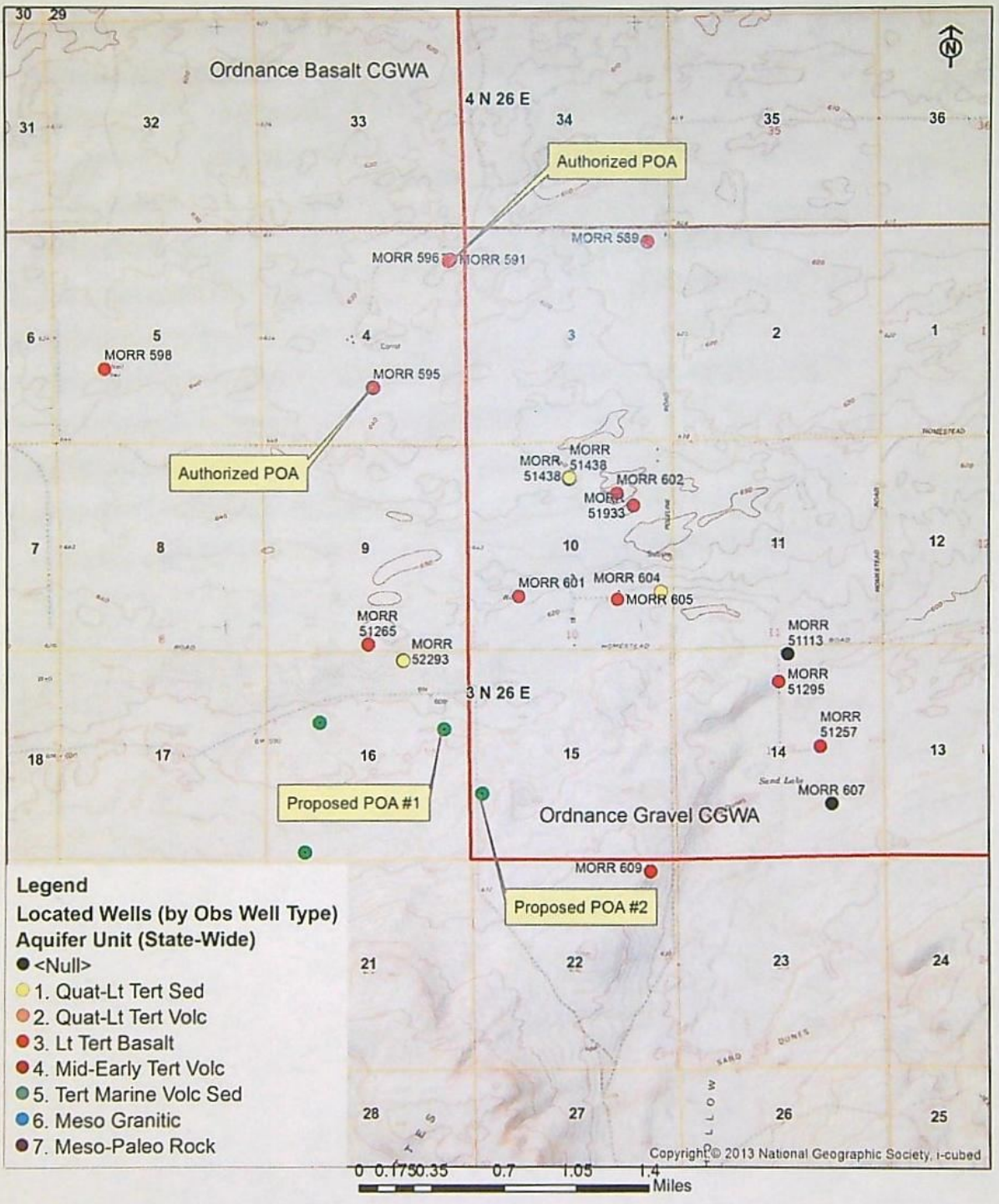

Figure 2. Well locations.

SUPERSEDED

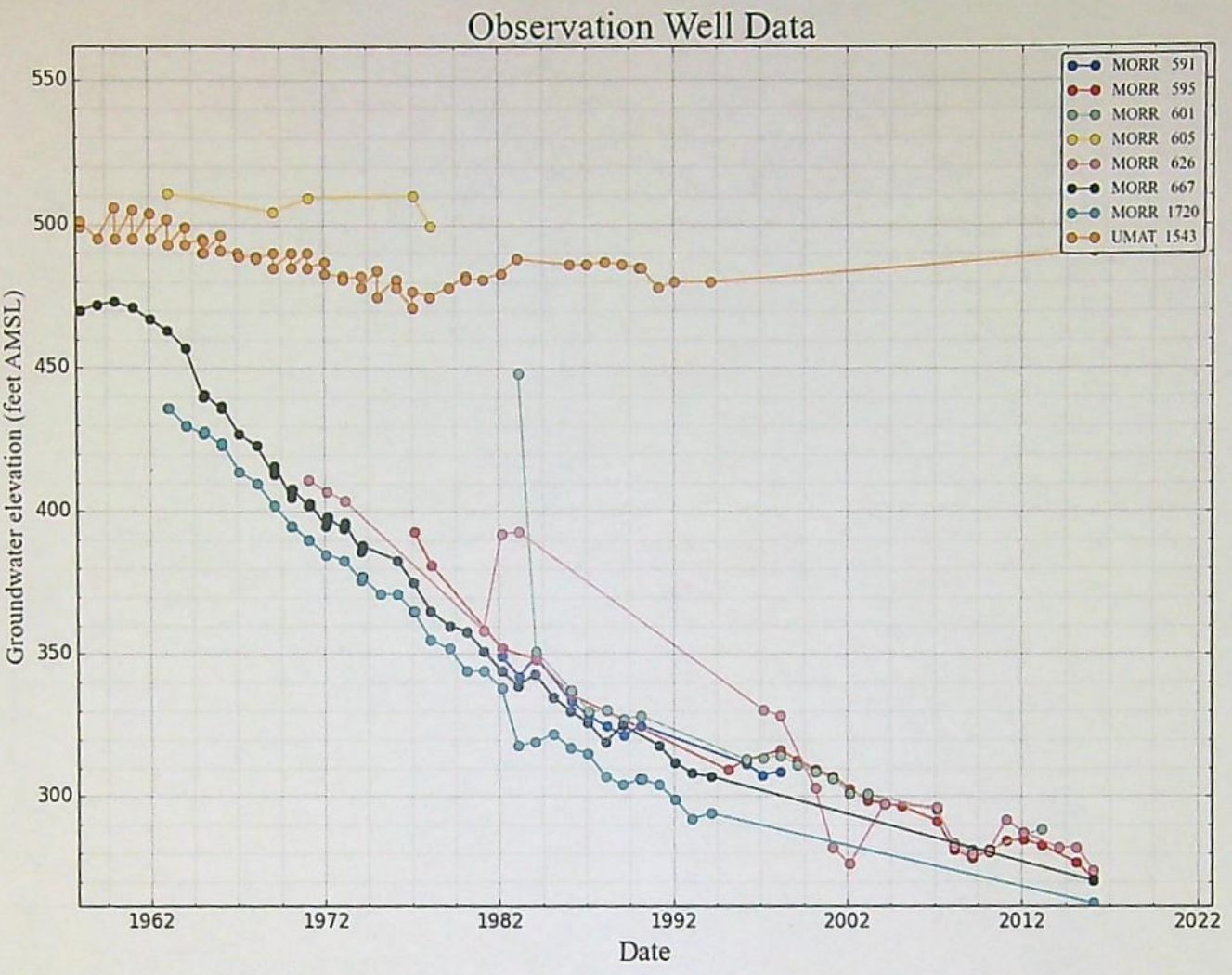

Figure 3. Water levels in wells in the Ordnance Basalt Critical Groundwater Area show two water bearing zones with distinct heads, and falling head with depth. See Figure 4 for well locations.

SUPERSEDED

T-12248 te Velde
Location of wells in hydrograph (Figure 3)

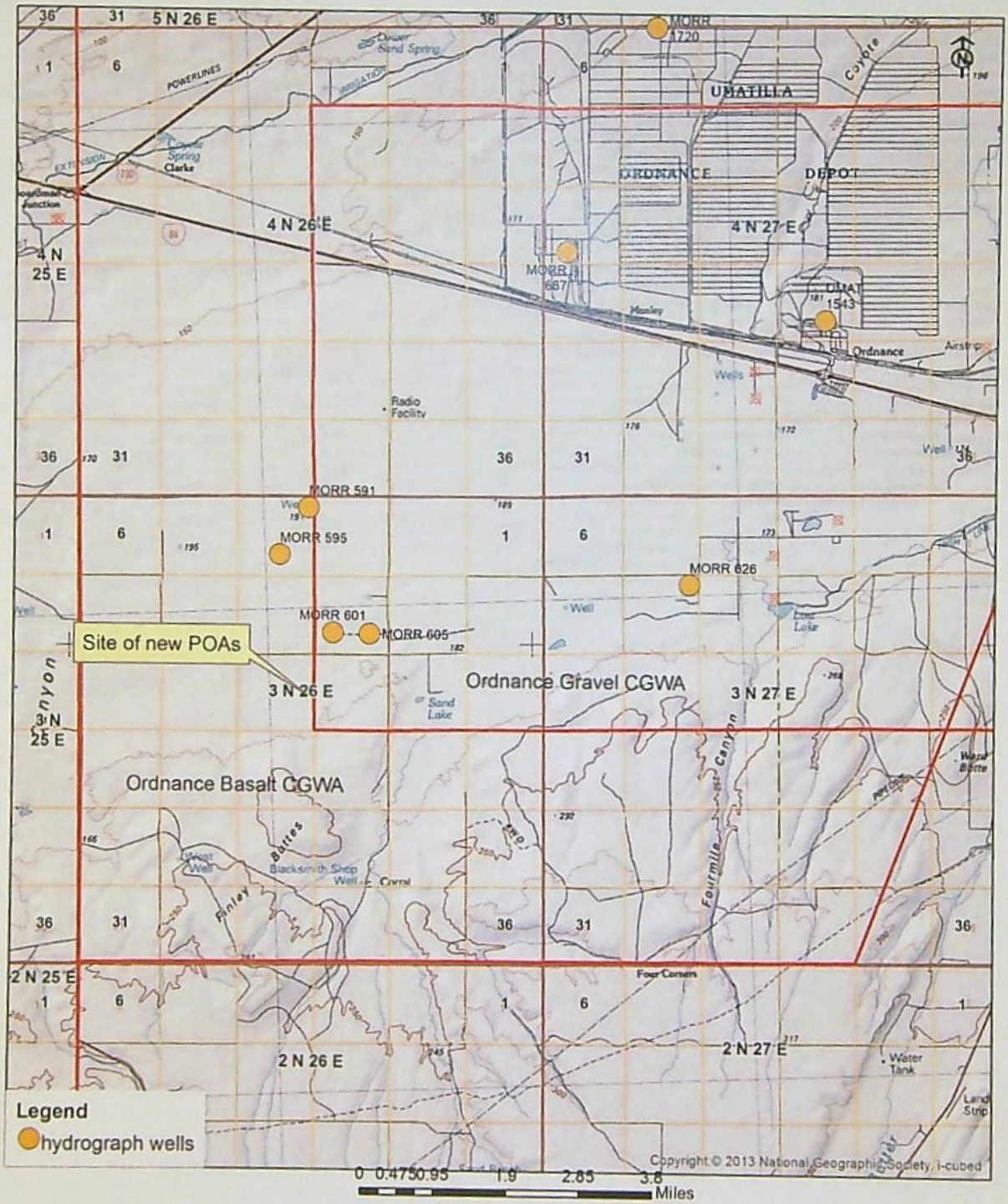

Figure 4. Location of wells with water level data depicted in Figure 3.

SUPERSEDED

William Porfily

From: William Porfily <wporfily@gmail.com>
Sent: Wednesday, March 16, 2016 10:16 AM
To: codi.n.holmes@wrd.state.or.us
Subject: T-12248 (Perm. Transfer Sage Hollow Ranch, LLC to Willow Creek Dairy)
Attachments: permanent_wr_transfer_app_7_1_13 (1)Bosma to teVelde Amended 3-16-16.doc; Sealed Amended maps 3-8-16 (Amended).pdf

Good morning Codi,

Please find attached an amended application which indicates the correct locations of two proposed P.O.A.s The associated correct maps are also attached. We will mail the hard copies to you today.

Thank you very much.

Sincerely,

Joe Ramos

William Porfily
P.O. Box 643
Stanfield, OR 97875
E-mail: wporfily@gmail.com
Cell Phone: 541-561-7259
Home-Off: 541-449-1327
Fax: 541-449-1327

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SALEM, OR

Caseworker Copy

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

T-12248

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

Amended 3-16-16 to Indicate the Correct Locations of the 2 Proposed P.O.A.s

Amended 8-02-16 to add Well Number 3 as a Proposed P.O.A.

☒ Part 1 – Completed Minimum Requirements Checklist.

☒ Part 2 – Completed Transfer Application Map Checklist.

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

☒ Part 4 – Completed Applicant Information and Signature.

☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 4 List them here: Certificates 49726, 55317, 49727, & 55316.** Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

☒ Completed Transfer Application Map.

☒ Completed Evidence of Use Affidavit and supporting documentation.

☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)

☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.

☒ ☐ N/A 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 Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

___ Application fee not enclosed/insufficient ___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete
___ Additional signature(s) required ___ Part ____ is incomplete
Other/Explanation _____
Staff: _____ 503-986-0___ Date: ____/____/____

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Part 2 of 5 – 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 – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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FEE WORKSHEET for PERMANENT TRANSFER			**Part 3 of 5 – Fee Worksheet**
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	*1*	**$1,000**
2	Types of change proposed: ☒ Place of Use ☒ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = 3 (2a) Subtract 1 from the number in line 2a = 2 (2b) *If only one change, this will be 0* Multiply line 2b by $800 and enter » » » » » » » » » » » » » »	*2*	**$1,600**
3	Number of water rights included in transfer 4 (3a) Subtract 1 from the number in 3a above: 3 (3b) *If only one water right this will be 0* Multiply line 3b by $450 and enter » » » » » » » » » » » » » »	*3*	**$1,350**
4	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 » ☒ Yes: enter $350 »	*4*	$350
5	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 » » » » » » » » » » » » » » » » » » ☒ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): **2.38** (5a) Subtract 1.0 from the number in 5a above: **1.38** (5b) If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: **2** (5c) and multiply 5c by $300, then enter on line 5 » » » » » » » » »	*5*	**$600**
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	*6*	$4900
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » »	*7*	**0**
8	Subtract line 7 from line 6 » » » » » » » » » » » » » **Transfer Fee:**	*8*	**$5,250**

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

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

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	*1*	$725.00
2	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) *If only one well this will be 0* Multiply line 2b by $350 and enter » » » » » » » » » » » » »	*2*	
3	Add entries on lines 1 through 2 above » » » » » **Fee for Substitution**:	*3*	

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SALEM, OR

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Sage Hollow Ranch, LLC (Bosma)			(509) 391-1100	(509) 391-1111
ADDRESS				FAX NO.
3620 Independence Rd.				
CITY	STATE	ZIP	E-MAIL	
Sunnyside	WA.	98944		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
William I. Porfily			(541) 449-1327	(541) 561-7259 cell.
ADDRESS				FAX NO.
P.O. Box 643				(541) 449-1327
CITY	STATE	ZIP	E-MAIL	
Stanfield	OR.		wporfily@gmail.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.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
We request the Order approving this transfer application be contingent upon and issued at the same time as the Order approving the affiliated Willow Creek Dairy (te Velde) application. We request 15 years to complete the Agricultural Use of water under this transfer after it is issued.

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

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

Check One Box

☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**

☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**

☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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

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

Applicant signature	Print Name (and Title if applicable)	Date
	Sage Hollow Ranch, LLC by: An Owner	

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

Check the following boxes that apply:

☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.

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

☒ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
WILLOW CREEK DAIRY (TE VELDE)			**(559) 799-9111**	
ADDRESS				FAX NO.
P.O. Box 1210				
CITY	STATE	ZIP	E-MAIL	
Boardman	**OR.**	**97818**	**gjtevelde@aol.com**	

Describe any special ownership circumstances here: _____

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

IRRIGATION DISTRICT NAME	ADDRESS	
Columbia Irrigation District	**P.O. Box 47**	
CITY	STATE	ZIP
Boardman	**OR.**	**97818**

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
Morrow County	**Courthouse**	
CITY	STATE	ZIP
Heppner	**OR.**	**97836**

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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SALEM, OR

Part 5 of 5 – Water Right Information

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

CERTIFICATE # 49726

Description of Water Delivery System

System capacity: **1.12** cubic feet per second (cfs) **OR**

_____ 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. **200 h.p turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	MORR 590	3 N	26 E	4	NW SE	400	1390' N & 2390' W from SE Corner of Sec. 4
1 (North Well)	☐ Authorized ☒ Proposed		3 N	26 E	16	SE NE	500	2390'S & 360'W from the NE Cor. Sec. 16
2 (South Well)	☐ Authorized ☒ Proposed		3 N	26 E	22	NW NW	500	290'S & 10'E from the NW Cor. Sec. 22
3	☐ Authorized ☒ Proposed		3 N	26 E	16	SW SW	500	130'N & 950'E from the SW Cor. Sec. 16

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 49726

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
TOTAL ACRES:									207.3					TOTAL ACRES:													

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: **N/A.**

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 # **N/A**;
Surface water primary Certificate # **N/A.**

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SALEM, OR

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA *Name* or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less han full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 3	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 55317

Description of Water Delivery System

System capacity: 0.07 cubic feet per second (cfs) **OR**

_____ 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. **200 h.p turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	MORR 590	3 N	26 E	4	NW SE		1390' N & 2390' W from SE Corner of Sec. 4
1 (North Well)	☐ Authorized ☒ Proposed		3 N	26 E	16	SE NE	500	2390'S & 360'W from the NE Cor. Sec. 16
2 (South Well)	☐ Authorized ☒ Proposed		3 N	26 E	22	NW NW	500	290'S & 10'E from the NW Cor. Sec. 22
3	☐ Authorized ☒ Proposed		3 N	26 E	16	SW SW	500	130'N & 950'E from the SW Cor. Sec. 16

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 55317

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1, 2 & 3	3-2-1959
TOTAL ACRES:									12.2					TOTAL ACRES:												

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 3	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 49727

Description of Water Delivery System

System capacity: 0.84 cubic feet per second (cfs) **OR**

_____ 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. **150 h.p. turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
2 (North Well)	☒ Authorized ☐ Proposed	MORR 591	3 N	26 E	4	NE NE		840' S & 430' W from the NE Corner of Sec. 4
1 (North Well)	☐ Authorized ☒ Proposed		3 N	26 E	16	SE NE	500	2390'S & 360'W from the NE Cor. Sec. 16
2 (South Well)	☐ Authorized ☒ Proposed		3 N	26 E	22	NW NW	500	290'S & 10'E from the NW Cor. Sec. 22
3	☐ Authorized ☒ Proposed		3 N	26 E	16	SW SW	500	130'N & 950'E from the SW Cor. Sec. 16

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 49727.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
TOTAL ACRES:									198.3					TOTAL ACRES:													

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA *Name or* Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less han full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 3	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 55316

Description of Water Delivery System

System capacity: 0.35 (cfs) **(being 0.19 cfs from Well # 1 & 0.16 cfs from Well # 2) OR**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at sometime 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. **POA # 1: 200 h.p turbine pump and a 50 h.p. turbine booster pump. POA # 2: 150 h.p. turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	MORR 590	3 N	26 E	4	NW SE		1390' N & 2390' W from SE Corner of Sec. 4
2 (North Well)	☒ Authorized ☐ Proposed	MORR 591	3 N	26 E	4	NE NE		840' S & 430' W from the NE Corner of Sec. 4
1 (North Well)	☐ Authorized ☒ Proposed		3 N	26 E	16	SE NE	500	2390'S & 360'W from the NE Cor. Sec. 16
2 (South Well)	☐ Authorized ☒ Proposed		3 N	26 E	22	NW NW	500	290'S & 10'E from the NW Cor. Sec. 22
3	☐ Authorized ☒ Proposed		3 N	26 E	16	SW SW	500	130'N & 950'E from the SW Cor. Sec. 16

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 55316

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
									85.2				POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1, 2 & 3	3-6-1959
GRAND TOTAL ACRES for this Transfer :									503.0					GRAND TOTAL ACRES:												

Certificate # 55316

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

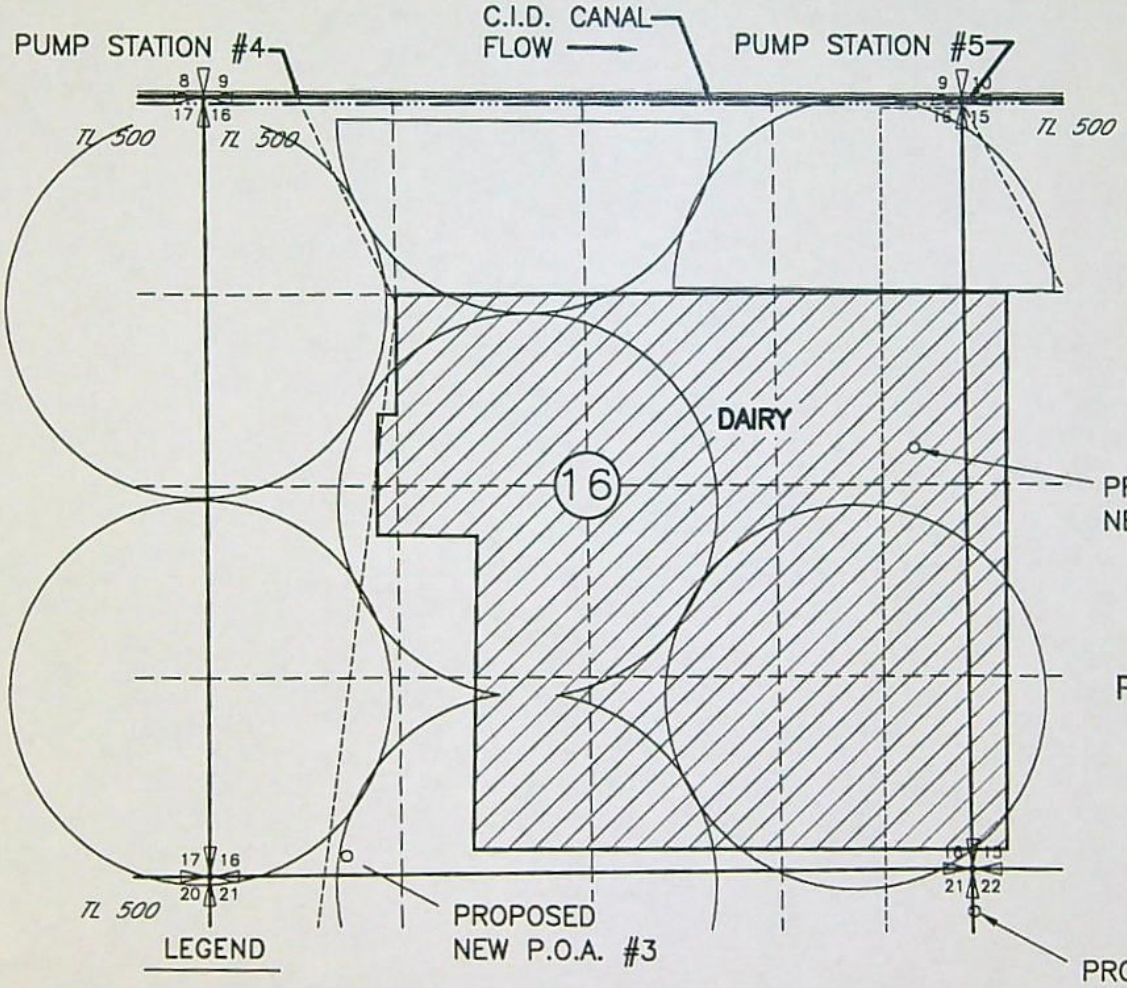
☒ Describe the construction of the authorized and proposed well(s) in Table 3 for any wells that do not have a well log. For *proposed wells not yet constructed or built*, provide "a best estimate" for each requested information element in the table. The Department recommends you consult a licensed well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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 3	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

AMENDED (8/02/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY
T-12248
SHEET 2 OF 8
CERTIFICATE 49726 "TO MAP"



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SALEM, OF

LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- o PROPOSED P.O.A. #1
  WELL LOCATED 2390' S AND 360' W FROM THE NE COR SEC 16
- o PROPOSED P.O.A. #2
  WELL LOCATED 290' S AND 10' E FROM THE NW COR SEC 22
- o PROPOSED P.O.A. #3
  WELL LOCATED 130' N AND 950' E FROM THE SW COR SEC 16

N

0 660 1320

SCALE IN FEET

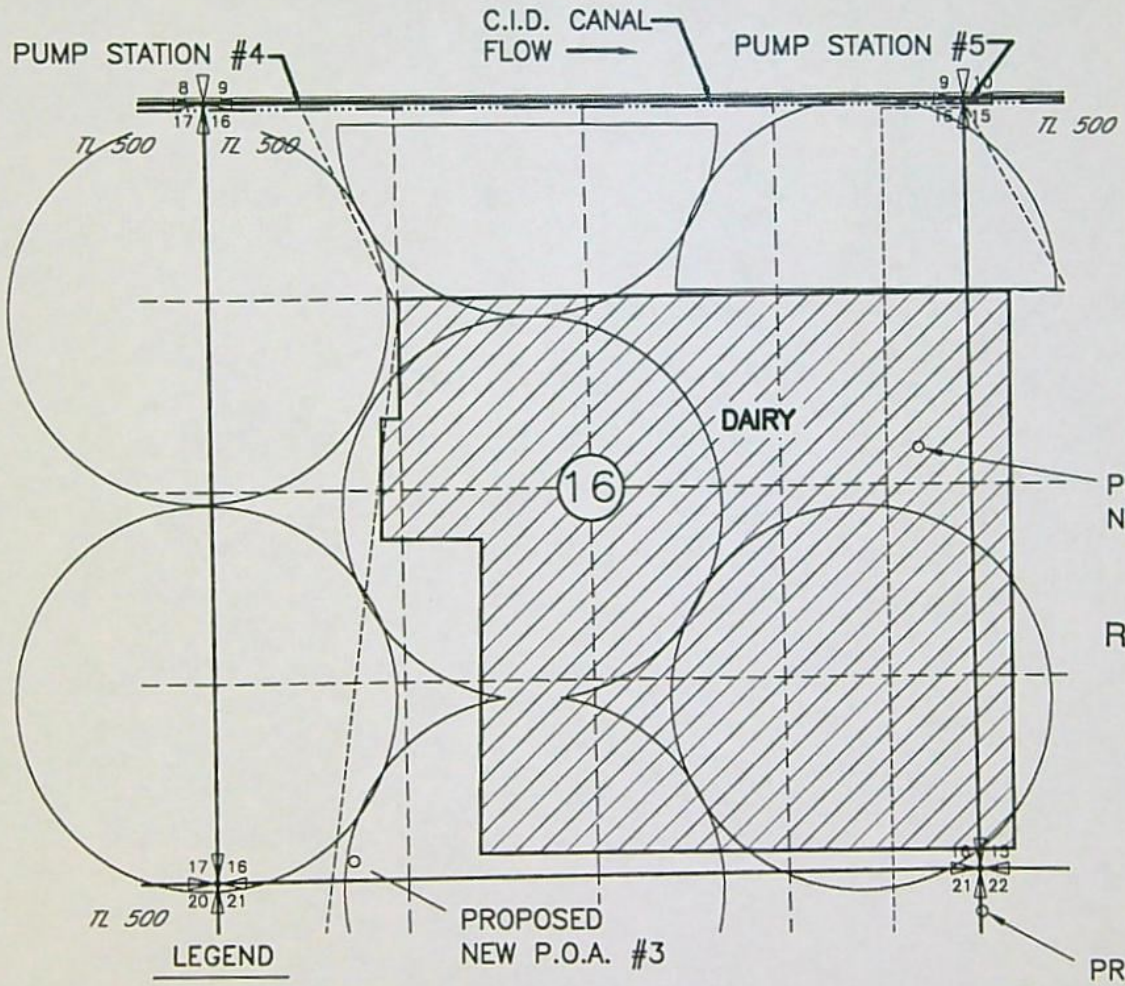
Certified Water Rights Examiner
57194WRE
Paul L. Wattenburger
July 16, 2003
STATE OF OREGON

EXPIRES: 6/30/18

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES. PIPE LOCATIONS AND SIZES WHERE SHOWN WERE PROVIDED BY FARM OPERATIONAL PERSONNEL AND ARE APPROXIMATE LOCATIONS AND SIZES.

DRAWING: \\wsfiles\public\Project\30-08-016 – Perfly Water Rights Consulting\--00 Misc Engineering\Cert\to WILDE\30-08-016 to Voids cert 49726 TR 1 REVS-8-16.dwg
PRINTED BY: rullard on 08/02/16 12:27 PM

AMENDED (8/02/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY
T-12248
SHEET 4 OF 8
CERTIFICATE 49727 "TO MAP"



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AUG 08 2016
SALEM, OR

LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- PROPOSED P.O.A. #1
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- PROPOSED P.O.A. #3
  WELL LOCATED 130' N AND 950' E FROM THE SW COR SEC 16

N

0 660 1320
SCALE IN FEET

Certified Water Rights Examiner
57194WRE
Paul Wattenburger
Paul L. Wattenburger
July 16, 2003
STATE OF OREGON

EXPIRES: 6/30/18

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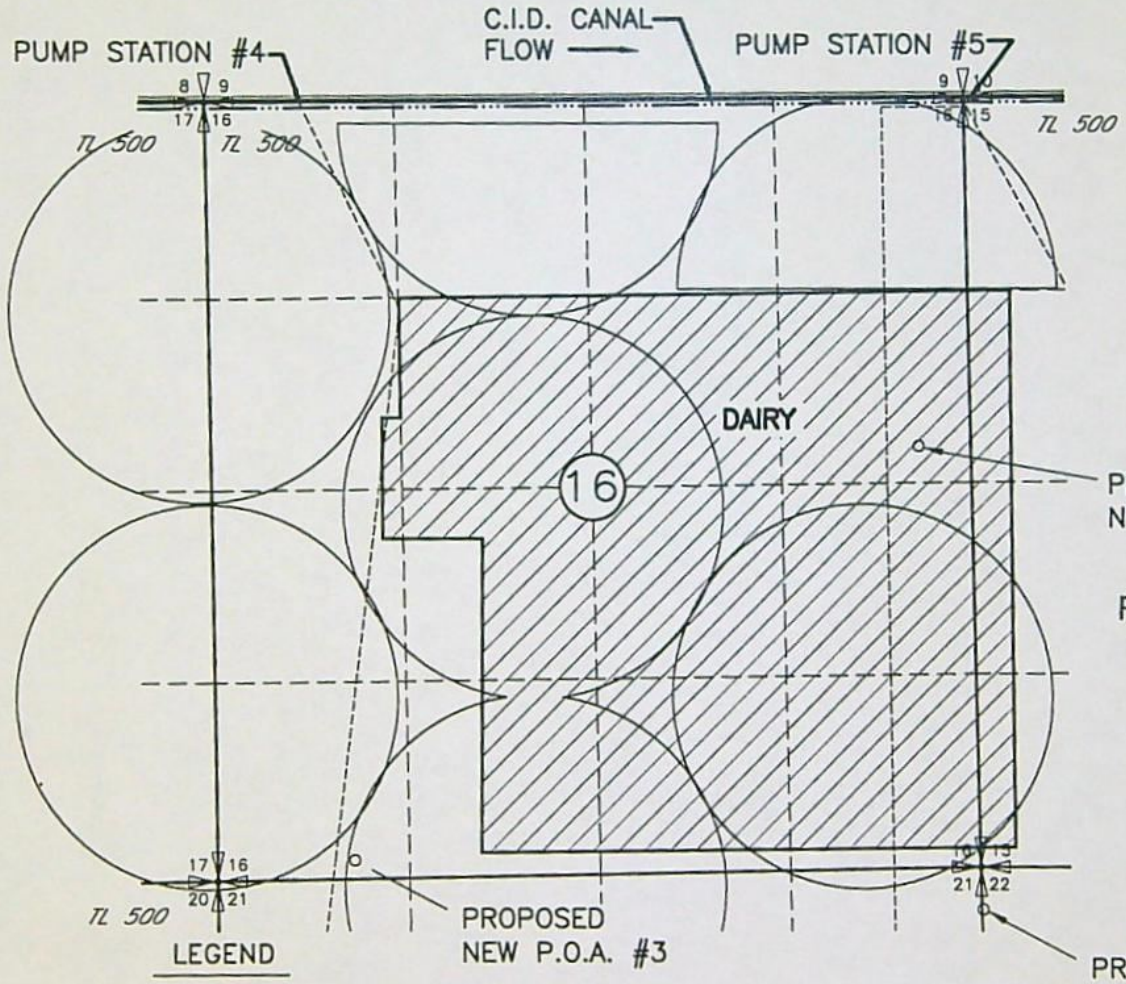
DRAWING: \\wattlaw\public\Project\30-08-016 - Partly Water Rights Consulting\-00 Misc Engineering\Cad\to WELDS\30-08-016 to Voids cert 49727 TR 2 REV 3-8-16.dwg
PRINTED BY: rollard on 08/02/16 12:29 PM

AMENDED (8/02/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY
T-12248
SHEET 6 OF 8
CERTIFICATE 55316 "TO MAP"



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SALEM, OR

LEGEND

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N

0 660 1320

SCALE IN FEET

Certified Water Rights Examiner
57194WRE
Paul L. Wattenburger
July 16, 2003
STATE OF OREGON

EXPIRES: 6/30/18

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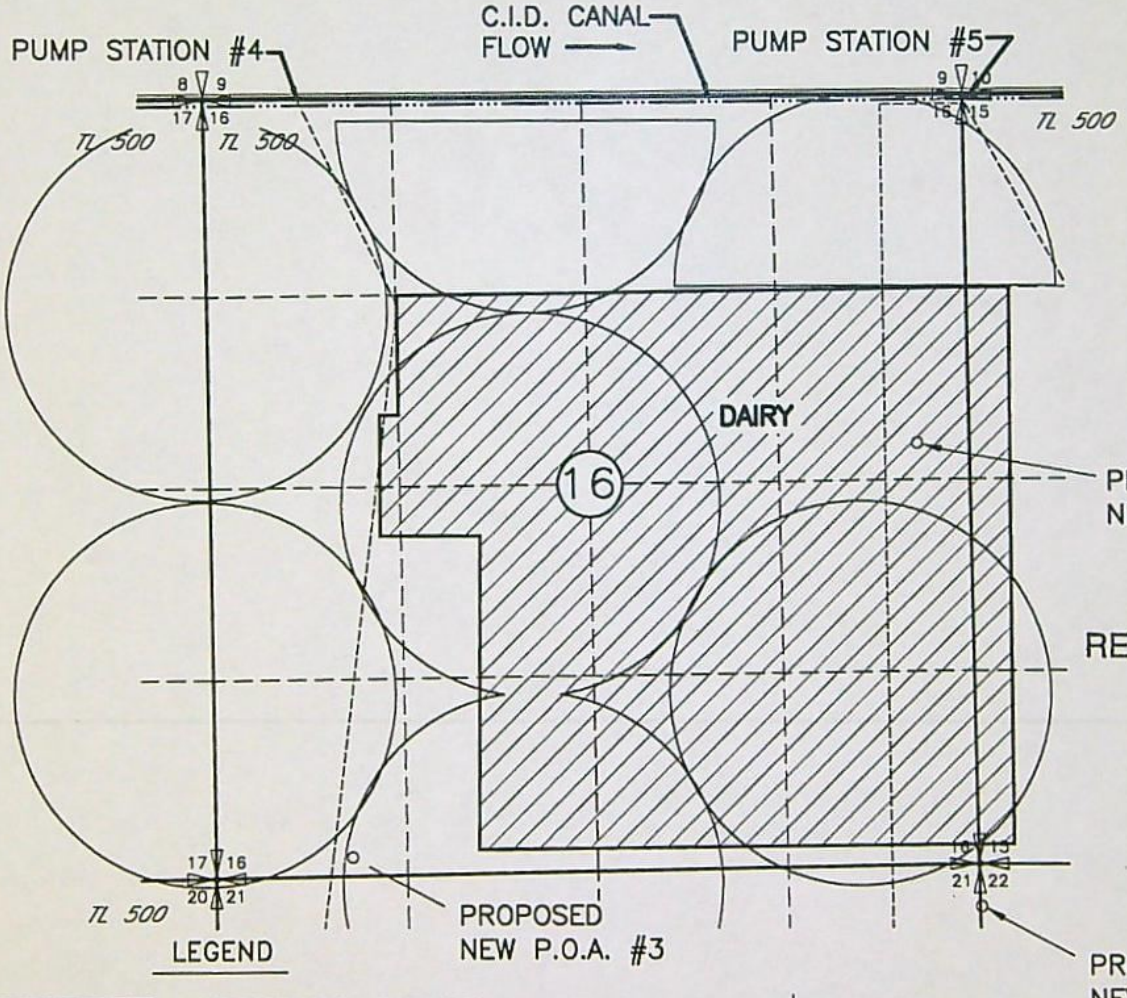
DRAWING: \\wellfiles\public\Project\30-08-016 – Perilly Water Rights Consulting\-00 Misc Engineering\Corl\in VELDE\30-08-016 to Velde cert 55316 TR 3 REV 3-8-16.dwg
PRINTED BY: rollard on 08/02/16 12:39 PM

AMENDED (8/02/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY
T-12248
SHEET 8 OF 8
CERTIFICATE 55317 "TO MAP"



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AUG 08 2016

SALEM, OR

LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

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N

0 660 1320

SCALE IN FEET

Certified Water Rights Examiner
57194WRE
Paul L. Wattenbarger
July 16, 2003
STATE OF OREGON

EXPIRES: 6/30/18

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DRAWING: \\landfiler\public\Project\30-08-016 – Perfly Water Rights Consulting\–00 Misc Engineering\Cad\to WILCO\30-08-016 to Valde cert 55317 TR 4 REV 3-8-16.dwg
PRINTED BY: rolland on 08/02/16 12:32 PM

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

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

Amended 3-16-16 to Indicate the Correct Locations of the 2 Proposed P.O.A.s

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

☒ Part 1 – Completed Minimum Requirements Checklist.

☒ Part 2 – Completed Transfer Application Map Checklist.

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

☒ Part 4 – Completed Applicant Information and Signature.

☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 4 List them here: Certificates 49726, 55317, 49727, & 55316.** Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

☒ Completed Transfer Application Map.

☒ Completed Evidence of Use Affidavit and supporting documentation.

☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)

☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.

☒ ☐ N/A 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 Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)
WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):
___ Application fee not enclosed/insufficient ___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete
___ Additional signature(s) required ___ Part _____ is incomplete
Other/Explanation _____
Staff: _____503-986-0___ Date: ____/____/____

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

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

☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.

☒ ☐ N/A If **more than three** water rights are involved, separate maps are needed for each water right.

☒ Permanent quality printed with dark ink on good quality paper.

☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.

☒ A north arrow, a legend, and scale.

☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.

☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.

☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.

☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.

☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.

☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.

☒ ☐ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.

☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.

☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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FEE WORKSHEET for PERMANENT TRANSFER	**Part 3 of 5 – Fee Worksheet**		
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	*1*	**$1,000**
	Types of change proposed: ☒ Place of Use ☒ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = 3 (2a) Subtract 1 from the number in line 2a = 3 (2b) *If only one change, this will be 0*		
2	Multiply line 2b by $800 and enter » » » » » » » » » » » » » » »	*2*	**$1,600**
	Number of water rights included in transfer **4** (3a) Subtract 1 from the number in 3a above: **3** (3b) *If only one water right this will be 0*		
3	Multiply line 3b by $450 and enter » » » » » » » » » » » » » » »	*3*	**$1,350**
	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 »		
4	☒ Yes: enter $350 »	*4*	**$700**
	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 »		
	☒ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): **2.38** (5a) Subtract 1.0 from the number in 5a above: **1.38** (5b) If 5b is 0 or less, enter 0 on line 5 »		
5	If 5b is greater than 0, round up to the nearest whole number: **2** (5c) and multiply 5c by $300, then enter on line 5 » » » » » » » » » »	*5*	**$600**
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	*6*	**$5,250**
	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » »	*7*	**0**
8	Subtract line 7 from line 6 » » » » » » » » » » » » » **Transfer Fee:**	*8*	**$5,250**

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

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

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	*1*	$725.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) *If only one well this will be 0*		
2	Multiply line 2b by $350 and enter » » » » » » » » » » » » » » »	*2*	
3	Add entries on lines 1 through 2 above » » » » » » **Fee for Substitution**:	*3*	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Sage Hollow Ranch, LLC (Bosma)			**(509) 391-1100**	**(509) 391-1111**
ADDRESS				FAX NO.
3620 Independence Rd.				
CITY	STATE	ZIP	E-MAIL	
Sunnyside	**WA.**	**98944**		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
William I. Porfily			**(541) 449-1327**	**(541) 561-7259 cell.**
ADDRESS				FAX NO.
P.O. Box 643				**(541) 449-1327**
CITY	STATE	ZIP	E-MAIL	
Stanfield	**OR.**		**wporfily@gmail.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.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
We request the Order approving this transfer application be contingent upon and issued at the same time as the Order approving the affiliated Willow Creek Dairy (te Velde) application. We request 15 years to complete the Agricultural Use of water under this transfer after it is issued.

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

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

Check One Box

☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**

☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**

☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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

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

Applicant signature	Print Name (and Title if applicable)	Date
	Sage Hollow Ranch, LLC by: An Owner	
Applicant signature	Print Name (and Title if applicable)	Date

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

Check the following boxes that apply:

☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.

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

☒ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
WILLOW CREEK DAIRY (TE VELDE)			**(559) 799-9111**	
ADDRESS				FAX NO.
P.O. Box 1210				
CITY	STATE	ZIP	E-MAIL	
Boardman	**OR.**	**97818**	**gjtevelde@aol.com**	

Describe any special ownership circumstances here: _____

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

IRRIGATION DISTRICT NAME	ADDRESS	
Columbia Irrigation District	**P.O. Box 47**	
CITY	STATE	ZIP
Boardman	**OR.**	**97818**

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
Morrow County	**Courthouse**	
CITY	STATE	ZIP
Heppner	**OR.**	**97836**

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document;**

OR

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document;**

OR

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

- Unlock the document by clicking the **Review** tab, toggle the **Restrict Editing icon** at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "**Allow only this type of editing** in the document: **Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark-through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page ~~5~~ 6 of ~~9~~ 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

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

CERTIFICATE # 49726

Description of Water Delivery System

System capacity: **1.12** cubic feet per second (cfs) **OR**

_____ 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. **200 h.p turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	MORR 590	3	N	26	E	4	NW	SE	400	1390' N & 2390' W from SE Corner of Sec. 4
1 (North Well)	☐ Authorized ☒ Proposed		3	N	26	E	16	SE	NE	500	2390'S & 360'W from the NE Cor. Sec. 16
2 (South Well)	☐ Authorized ☒ Proposed		3	N	26	E	22	NW	NW	500	290'S & 10'E from the NW Cor. Sec. 22
	☐ Authorized ☐ Proposed										

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 49726

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1 & 2	3-2-1959
TOTAL ACRES:									207.3					TOTAL ACRES:												

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? ((Yes or No)	If an existing well: OWRD Well ID Tag No. L-__	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less han full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

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CERTIFICATE # 55317

Description of Water Delivery System

System capacity: **0.07** cubic feet per second (cfs) **OR**

_____ 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. **200 h.p turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	**MORR 590**	**3**	**N**	**26**	**E**	**4**	**NW**	**SE**		**1390' N & 2390' W from SE Corner of Sec. 4**
1 (North Well)	☐ Authorized ☒ Proposed		**3**	**N**	**26**	**E**	**16**	**SE**	**NE**	**500**	**2390'S & 360'W from the NE Cor. Sec. 16**
2 (South Well)	☐ Authorized ☒ Proposed		**3**	**N**	**26**	**E**	**22**	**NW**	**NW**	**500**	**290'S & 10'E from the NW Cor. Sec. 22**
	☐ Authorized ☐ Proposed										

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 55317

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1 & 2	3-2-1959
TOTAL ACRES:									12.2					TOTAL ACRES:													

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: **N/A.**

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)

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Ground water supplemental Permit or Certificate # **N/A;**
Surface water primary Certificate # **N/A.**

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less han full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 49727

Description of Water Delivery System

System capacity: **0.84** cubic feet per second (cfs) **OR**

_____ 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. **150 h.p. turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
2 (North Well)	☒ Authorized ☐ Proposed	**MORR 591**	**3 N**	**26 E**	**4**	**NE NE**		**840' S & 430' W from the NE Corner of Sec. 4**
1 (North Well)	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**16**	**SE NE**	**500**	**2390'S & 360'W from the NE Cor. Sec. 16**
2 (South Well)	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**22**	**NW NW**	**500**	**290'S & 10'E from the NW Cor. Sec. 22**
	☐ Authorized ☐ Proposed							

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 49727.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1 & 2	3-6-1959
TOTAL ACRES:									198.3					TOTAL ACRES:													

Certificate # 49727

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less han full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 55316

Description of Water Delivery System

System capacity: **0.35** (cfs) **(being 0.19 cfs from Well # 1 & 0.16 cfs from Well # 2) OR**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at sometime 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. **POA # 1: 200 h.p turbine pump and a 50 h.p. turbine booster pump. POA # 2: 150 h.p. turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	**MORR 590**	**3 N**	**26 E**	**4**	**NW SE**		**1390' N & 2390' W from SE Corner of Sec. 4**
2 (North Well)	☒ Authorized ☐ Proposed	**MORR 591**	**3 N**	**26 E**	**4**	**NE NE**		**840' S & 430' W from the NE Corner of Sec. 4**
1 (North Well)	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**16**	**SE NE**	**500**	**2390'S & 360'W from the NE Cor. Sec. 16**
2 (South Well)	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**22**	**NW NW**	**500**	**290'S & 10'E from the NW Cor. Sec. 22**

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 55316

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1 & 2	3-6-1959
									85.2				POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1 & 2	3-6-1959
GRAND TOTAL ACRES:									503.0					GRAND TOTAL ACRES:												

Certificate # 55316

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

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MAR 18 2016
SALEM, OR

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? ((Yes or No)	If an existing well: OWRD Well ID Tag No. L-	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less han full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

AMENDED (3/8/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

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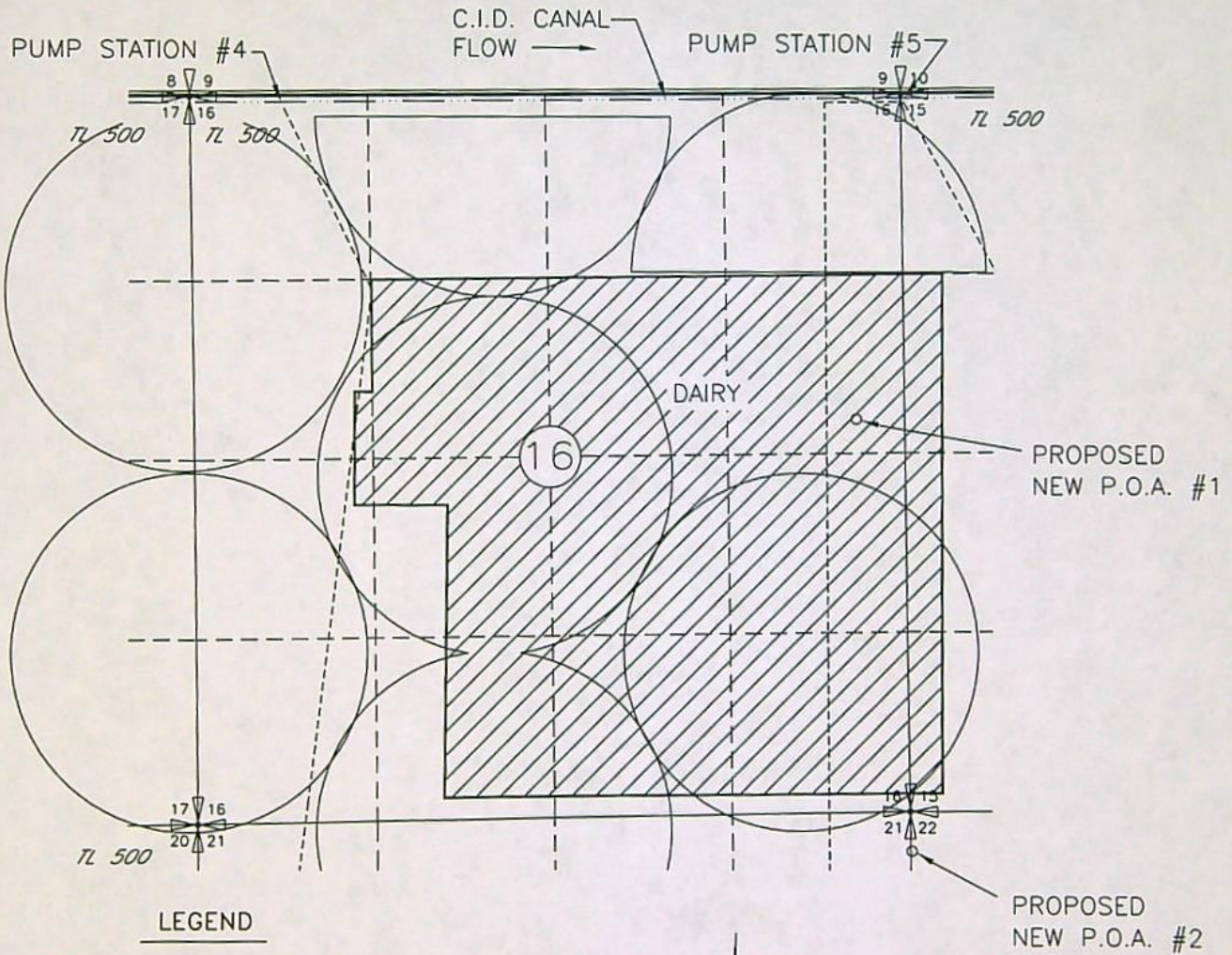
MAR 18 2016
SALEM, OR

SHEET 2 OF 8
CERTIFICATE 49726 "TO MAP"



LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- PROPOSED P.O.A. #1
  WELL LOCATED 2390' S AND 360' W FROM THE NE COR SEC 16
- PROPOSED P.O.A. #2
  WELL LOCATED 290' S AND 10' E FROM THE NW COR SEC 22

N

0 660 1320
SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanScheiack
May 19,1992
3/9/16
STATE OF OREGON

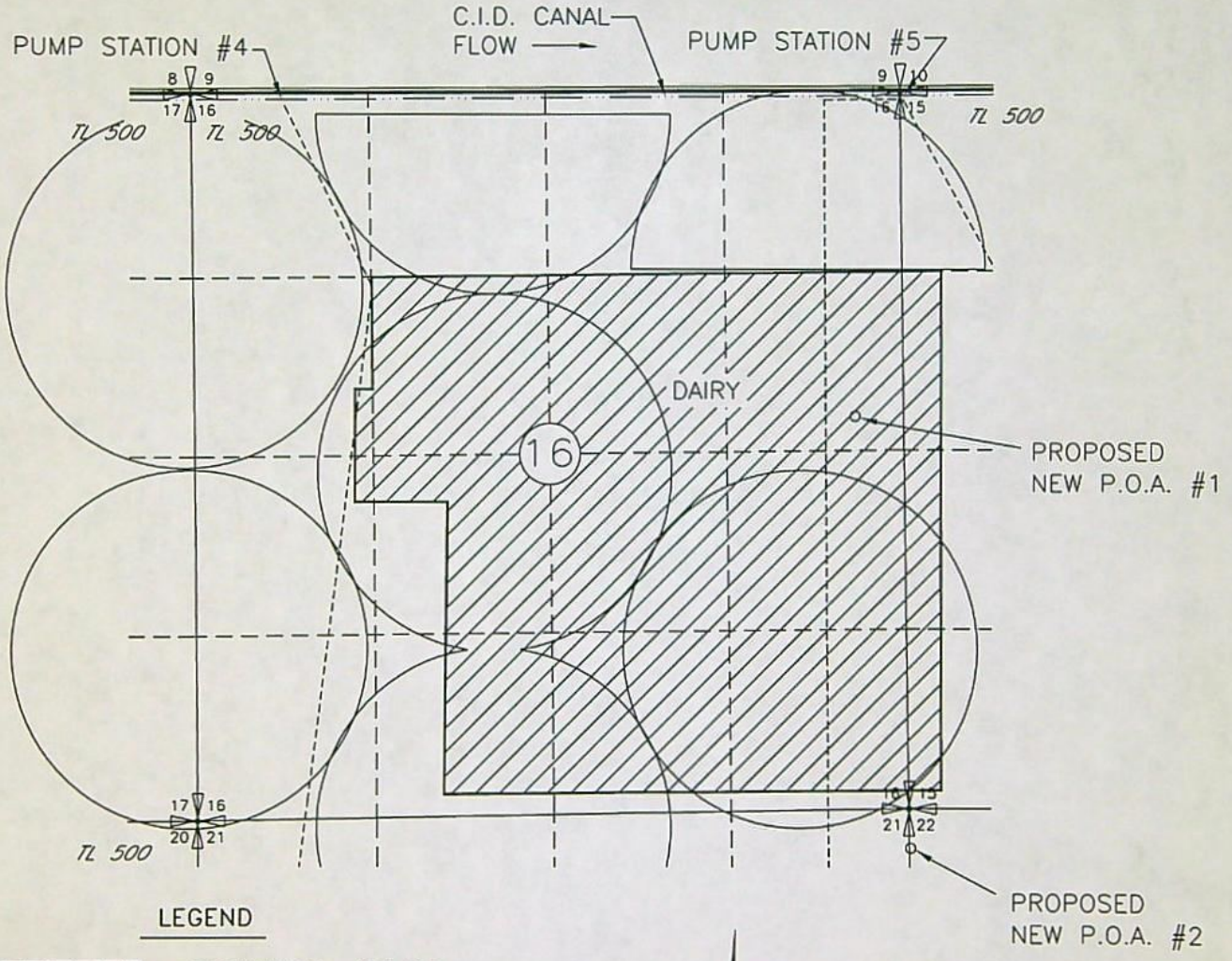
Renews 6/30/16

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES. PIPE LOCATIONS AND SIZES WHERE SHOWN WERE PROVIDED BY FARM OPERATIONAL PERSONNEL AND ARE APPROXIMATE LOCATIONS AND SIZES.

AMENDED (3/8/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

RECEIVED BY OWRD
MAR 18 2016
SALEM, OR

SHEET 4 OF 8
CERTIFICATE 49727 "TO MAP"



LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- PROPOSED P.O.A. #1
  WELL LOCATED 2390' S AND 360' W FROM THE NE COR SEC 16
- PROPOSED P.O.A. #2
  WELL LOCATED 290' S AND 10' E FROM THE NW COR SEC 22

N

0 660 1320
SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanScheiack
May 19,1992
3/8/16
STATE OF OREGON

Renews 6/30/16

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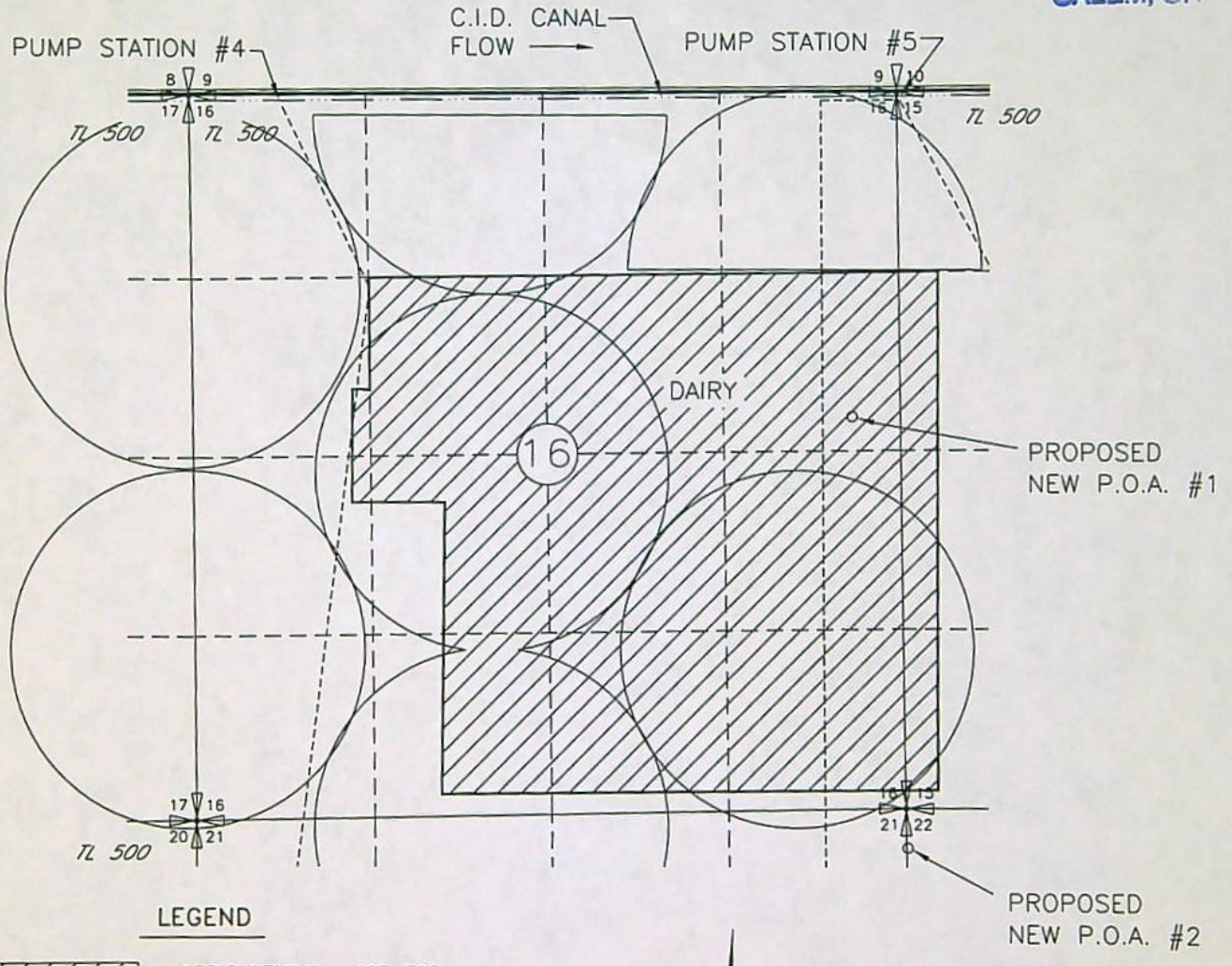
AMENDED (3/8/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

RECEIVED BY OWRD
MAR 18 2016
SALEM, OR

SHEET 6 OF 8
CERTIFICATE 55316 "TO MAP"



LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- PROPOSED P.O.A. #1
  WELL LOCATED 2390' S AND 360' W FROM THE NE COR SEC 16
- PROPOSED P.O.A. #2
  WELL LOCATED 290' S AND 10' E FROM THE NW COR SEC 22

N

0 660 1320
SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanScheenack
May 19,1982
3/6/16
STATE OF OREGON
Ronaus 6/30/16

NOTE:
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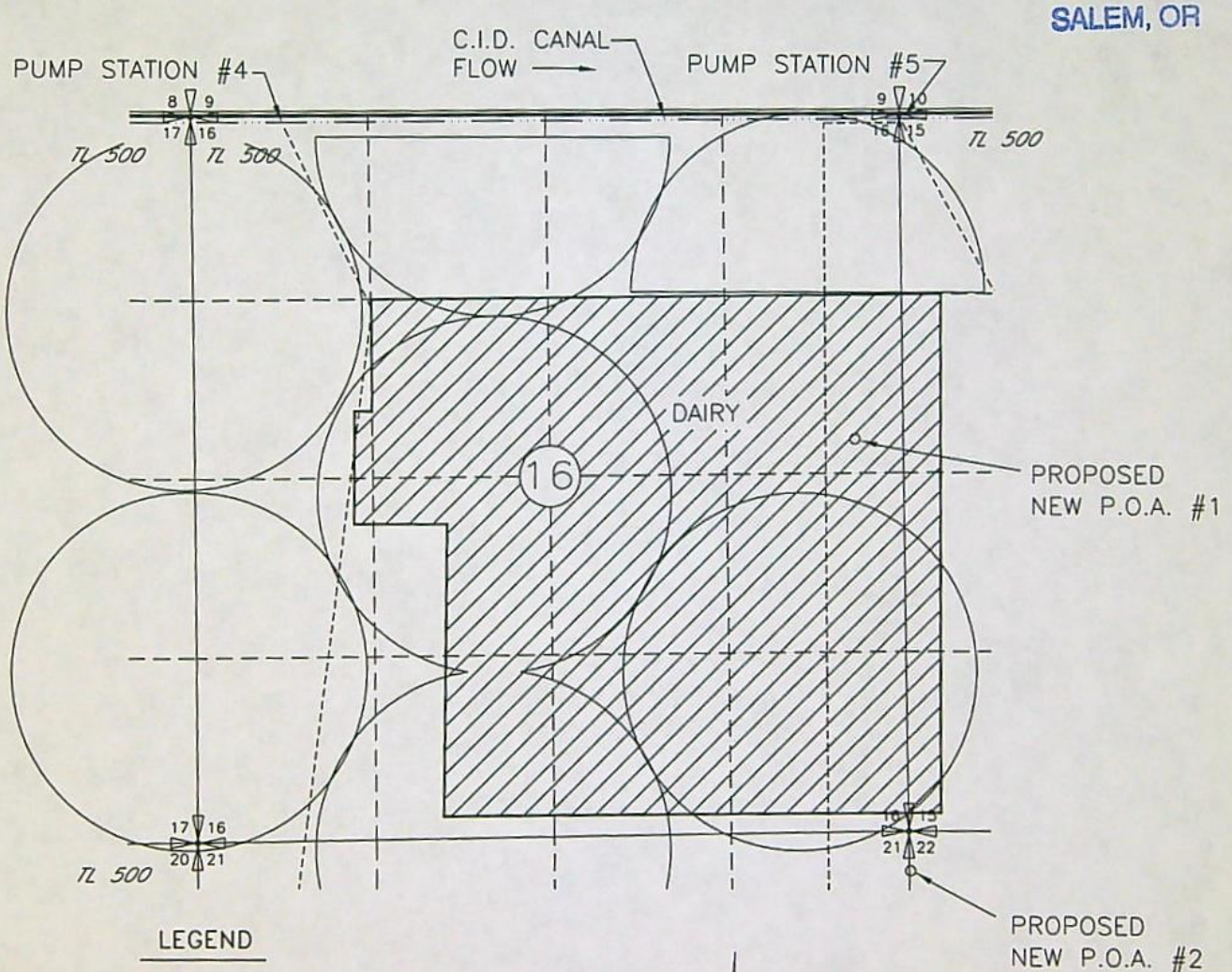
AMENDED (3/8/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

RECEIVED BY OWRD
MAR 18 2016
SALEM, OR

SHEET 8 OF 8
CERTIFICATE 55317 "TO MAP"



LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- PROPOSED P.O.A. #1
  WELL LOCATED 2390' S AND 360' W FROM THE NE COR SEC 16
- PROPOSED P.O.A. #2
  WELL LOCATED 290' S AND 10' E FROM THE NW COR SEC 22

N

0 660 1320
SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanSchoiack
Dale G. VanSchoiack
May 19,1992
3/8/16
STATE OF OREGON

Renews 6/30/16

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES. PIPE LOCATIONS AND SIZES WHERE SHOWN WERE PROVIDED BY FARM OPERATIONAL PERSONNEL AND ARE APPROXIMATE LOCATIONS AND SIZES.

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

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

Amended 3-16-16 to Indicate the Correct Locations of the 2 Proposed P.O.A.s

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

☒ Part 1 – Completed Minimum Requirements Checklist.

☒ Part 2 – Completed Transfer Application Map Checklist.

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

☒ Part 4 – Completed Applicant Information and Signature.

☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 4 List them here: Certificates 49726, 55317, 49727, & 55316.** Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

☒ Completed Transfer Application Map.

☒ Completed Evidence of Use Affidavit and supporting documentation.

☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)

☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.

☒ ☐ N/A 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 Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)

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

___ Application fee not enclosed/insufficient ___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete
___ Additional signature(s) required ___ Part _____ is incomplete
Other/Explanation _____
Staff: _____503-986-0___ Date: _____/_____/_____

Part 2 of 5 – 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 – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

	FEE WORKSHEET for PERMANENT TRANSFER		
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	*1*	**$1,000**
2	Types of change proposed: ☒ Place of Use ☒ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = 3 (2a) Subtract 1 from the number in line 2a = 3 (2b) *If only one change, this will be 0* Multiply line 2b by $800 and enter » » » » » » » » » » » » » »	*2*	**$1,600**
3	Number of water rights included in transfer **4** (3a) Subtract 1 from the number in 3a above: **3** (3b) *If only one water right this will be 0* Multiply line 3b by $450 and enter » » » » » » » » » » » » » »	*3*	**$1,350**
4	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 » ☒ Yes: enter $350 »	*4*	**$700**
5	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 » » » » » » » » » » » » » » » » » » ☒ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): **2.38** (5a) Subtract 1.0 from the number in 5a above: **1.38** (5b) If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: **2** (5c) and multiply 5c by $300, then enter on line 5 » » » » » » » » »	*5*	**$600**
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	*6*	**$5,250**
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7» » » » » » » » » » » » »	*7*	**0**
8	Subtract line 7 from line 6 » » » » » » » » » » » » **Transfer Fee:**	*8*	**$5,250**

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

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

	FEE WORKSHEET for SUBSTITUTION		
1	Base Fee (includes change to one well)	*1*	$725.00
2	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) *If only one well this will be 0* Multiply line 2b by $350 and enter » » » » » » » » » » » » » »	*2*	
3	Add entries on lines 1 through 2 above » » » » » » **Fee for Substitution:**	*3*	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Sage Hollow Ranch, LLC (Bosma)			(509) 391-1100	(509) 391-1111
ADDRESS				FAX NO.
3620 Independence Rd.				
CITY	STATE	ZIP	E-MAIL	
Sunnyside	WA.	98944		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
William I. Porfily			(541) 449-1327	(541) 561-7259 cell.
ADDRESS				FAX NO.
P.O. Box 643				(541) 449-1327
CITY	STATE	ZIP	E-MAIL	
Stanfield	OR.		wporfily@gmail.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.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
We request the Order approving this transfer application be contingent upon and issued at the same time as the Order approving the affiliated Willow Creek Dairy (te Velde) application. We request 15 years to complete the Agricultural Use of water under this transfer after it is issued.

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

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

Check One Box

☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**

☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**

☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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

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

_____	**Sage Hollow Ranch, LLC by:** _____	_____
Applicant signature	Print Name (and Title if applicable) An Owner	Date
_____	_____	_____
Applicant signature	Print Name (and Title if applicable)	Date

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

Check the following boxes that apply:

☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.

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

☒ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
WILLOW CREEK DAIRY (TE VELDE)			**(559) 799-9111**	
ADDRESS				FAX NO.
P.O. Box 1210				
CITY	STATE	ZIP	E-MAIL	
Boardman	**OR.**	**97818**	**gjtevelde@aol.com**	

Describe any special ownership circumstances here: _____

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

IRRIGATION DISTRICT NAME	ADDRESS	
Columbia Irrigation District	**P.O. Box 47**	
CITY	STATE	ZIP
Boardman	**OR.**	**97818**

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
Morrow County	**Courthouse**	
CITY	STATE	ZIP
Heppner	**OR.**	**97836**

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

INSTRUCTIONS for editing the Application Form

To add additional lines to tables within the forms or to copy and paste additional Part 5 pages, please **save the application form to your computer**. Unlock the document by using one of the following instructions for your Microsoft Word software version:

Once the application has been unlocked, you may:

- add additional rows to tables using the Table tools, and
- select and copy the pages of Part 5 and paste as many additional sets of Part 5 pages as needed at the end of the application.

After editing, re-lock the document to enable checkboxes to work.

Microsoft Word 2003

Unlock the document by one of the following:

- Using the **Tools** menu => click **Unprotect Document;**

OR

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

To relock the document to enable the checkboxes to work, you will need to:

- Using the **Tools** menu => click **Protect Document;**

OR

- Using the **Forms** toolbar => click on the **Protect/Unprotect** icon.

Microsoft Word 2007

- Unlock the document by clicking the **Review** tab, then click **Protect Document**, then click **Stop Protect**
- To relock the document, click **Editing Restrictions**, then click **Allow Only This Type of Editing**, select **Filling In Forms** from the drop-down menu, then check **Yes, Start Enforcing Protection**.

Microsoft Word 2010

- Unlock the document by clicking the **Review** tab, toggle the **Restrict Editing icon** at the upper right, then click **Stop Protect** at the bottom right. Then uncheck the "**Allow only this type of editing** in the document: **Filling in forms**" in the "Editing restrictions" section on the right-hand list of options.
- To relock the document, check the **Editing Restrictions/Allow Only This Type of Editing/Filling In Forms** box from the drop-down menu, then check **Yes, Start Enforcing Protection**. You do not need to assign a password for the editing restrictions.

Other Alternatives:

- Photocopy pages or tables in Part 5, ~~mark through~~ any non-applicable information, insert/attach photocopied pages to document in the appropriate location, and manually amend page numbers as necessary (e.g. Page ~~5~~ 6 of ~~9~~ 10).
- You may refer to additional attachments that you may include, such as separately produced tables or spreadsheets to convey large numbers of rows of place of use listings, owner/property parcels, etc. You may contact the Department at 503-986-0900 and ask for Transfer Staff if you have questions.

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

CERTIFICATE # 49726

Description of Water Delivery System

System capacity: **1.12** cubic feet per second (cfs) **OR**

_____ 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. **200 h.p turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	MORR 590	3	N	26	E	4	NW	SE	400	1390' N & 2390' W from SE Corner of Sec. 4
1 (North Well)	☐ Authorized ☒ Proposed		3	N	26	E	16	SE	NE	500	2390'S & 360'W from the NE Cor. Sec. 16
2 (South Well)	☐ Authorized ☒ Proposed		3	N	26	E	22	NW	NW	500	290'S & 10'E from the NW Cor. Sec. 22
	☐ Authorized ☐ Proposed										

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 49726

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1 & 2	3-2-1959
TOTAL ACRES:									207.3					TOTAL ACRES:													

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 55317

Description of Water Delivery System

System capacity: **0.07** cubic feet per second (cfs) **OR**

_____ 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. **200 h.p turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	**MORR 590**	**3**	**N**	**26**	**E**	**4**	**NW**	**SE**		**1390' N & 2390' W from SE Corner of Sec. 4**
1 (North Well)	☐ Authorized ☒ Proposed		**3**	**N**	**26**	**E**	**16**	**SE**	**NE**	**500**	**2390'S & 360'W from the NE Cor. Sec. 16**
2 (South Well)	☐ Authorized ☒ Proposed		**3**	**N**	**26**	**E**	**22**	**NW**	**NW**	**500**	**290'S & 10'E from the NW Cor. Sec. 22**
	☐ Authorized ☐ Proposed										

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 55317

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.														Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date			Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA		3	N	26	E	15	SW	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA		3	N	26	E	15	NW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA		3	N	26	E	15	SW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA		3	N	26	E	16	SW	NE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA		3	N	26	E	16	SE	NE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA		3	N	26	E	16	SW	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA		3	N	26	E	16	SE	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA		3	N	26	E	16	NE	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA		3	N	26	E	16	NW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA		3	N	26	E	16	SE	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA		3	N	26	E	16	NE	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA		3	N	26	E	16	NW	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA		3	N	26	E	16	SW	SE	500			Agric.	Proposed 1 & 2	3-2-1959
TOTAL ACRES:									12.2						TOTAL ACRES:													

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less han full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 49727

Description of Water Delivery System

System capacity: **0.84** cubic feet per second (cfs) **OR**

_____ 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. **150 h.p. turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
2 (North Well)	☒ Authorized ☐ Proposed	**MORR 591**	**3**	**N**	**26**	**E**	**4**	**NE**	**NE**		**840' S & 430' W from the NE Corner of Sec. 4**
1 (North Well)	☐ Authorized ☒ Proposed		**3**	**N**	**26**	**E**	**16**	**SE**	**NE**	**500**	**2390'S & 360'W from the NE Cor. Sec. 16**
2 (South Well)	☐ Authorized ☒ Proposed		**3**	**N**	**26**	**E**	**22**	**NW**	**NW**	**500**	**290'S & 10'E from the NW Cor. Sec. 22**
	☐ Authorized ☐ Proposed										

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 49727.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.														Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date			Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA		3	N	26	E	15	SW	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA		3	N	26	E	15	NW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA		3	N	26	E	15	SW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA		3	N	26	E	16	SW	NE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA		3	N	26	E	16	SE	NE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA		3	N	26	E	16	SW	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA		3	N	26	E	16	SE	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA		3	N	26	E	16	NE	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA		3	N	26	E	16	NW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA		3	N	26	E	16	SE	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA		3	N	26	E	16	NE	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA		3	N	26	E	16	NW	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA		3	N	26	E	16	SW	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA		3	N	26	E	16	SE	SE	500			Agric.	Proposed 1 & 2	3-6-1959
TOTAL ACRES:									198.3						TOTAL ACRES:													

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? ((Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less han full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

CERTIFICATE # 55316

Description of Water Delivery System

System capacity: **0.35** (cfs) **(being 0.19 cfs from Well # 1 & 0.16 cfs from Well # 2) OR**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at sometime 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. **POA # 1: 200 h.p turbine pump and a 50 h.p. turbine booster pump. POA # 2: 150 h.p. turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	**MORR 590**	**3**	**N**	**26**	**E**	**4**	**NW**	**SE**		**1390' N & 2390' W from SE Corner of Sec. 4**
2 (North Well)	☒ Authorized ☐ Proposed	**MORR 591**	**3**	**N**	**26**	**E**	**4**	**NE**	**NE**		**840' S & 430' W from the NE Corner of Sec. 4**
1 (North Well)	☐ Authorized ☒ Proposed		**3**	**N**	**26**	**E**	**16**	**SE**	**NE**	**500**	**2390'S & 360'W from the NE Cor. Sec. 16**
2 (South Well)	☐ Authorized ☒ Proposed		**3**	**N**	**26**	**E**	**22**	**NW**	**NW**	**500**	**290'S & 10'E from the NW Cor. Sec. 22**

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

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

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

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

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

Table 2. Description of Changes to Water Right Certificate # 55316

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1 & 2	3-6-1959
									85.2				POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1 & 2	3-6-1959
GRAND TOTAL ACRES:									503.0					GRAND TOTAL ACRES:												

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

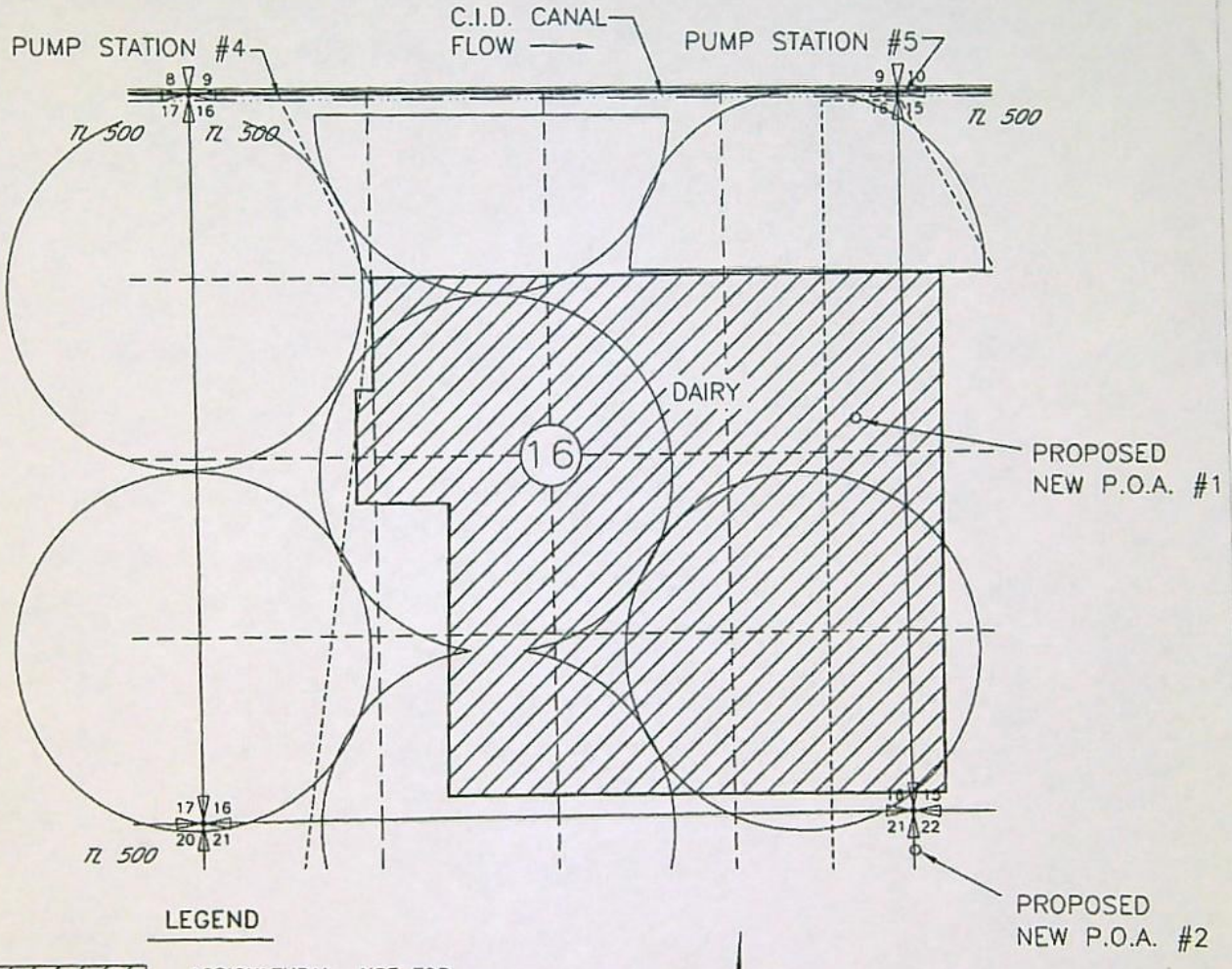
Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less han full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

AMENDED (3/8/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

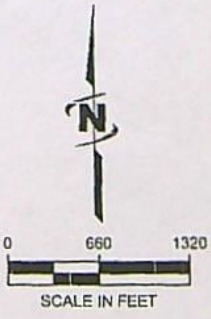
SHEET 2 OF 8
CERTIFICATE 49726 "TO MAP"



LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- PROPOSED P.O.A. #1
  WELL LOCATED 2390' S AND 360' W FROM THE NE COR SEC 16
- PROPOSED P.O.A. #2
  WELL LOCATED 290' S AND 10' E FROM THE NW COR SEC 22



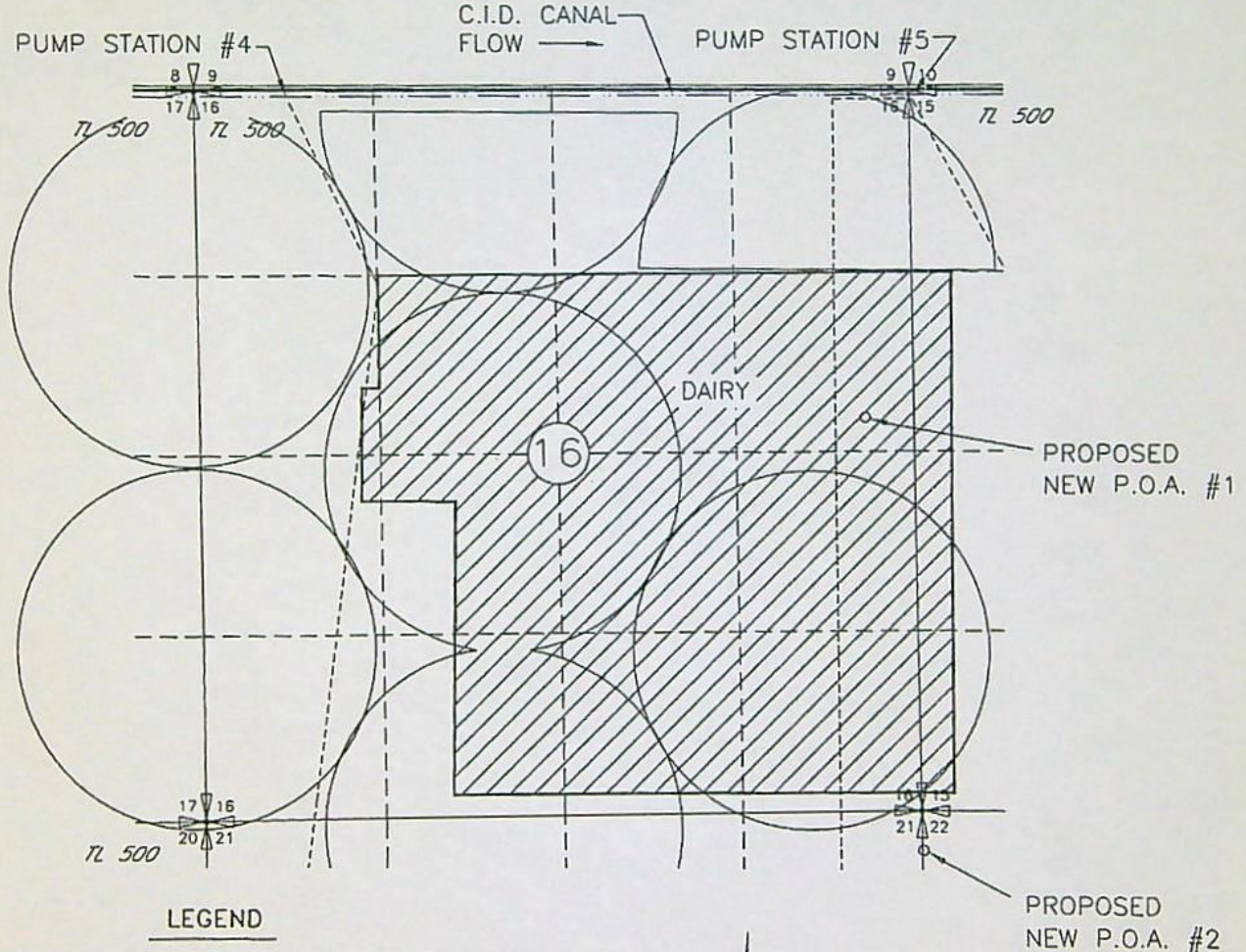
Certified Water Right Examiner
#333 WRE
Dale G. VanSchoiack
May 19,1992
3/8/16
STATE OF OREGON

Ramona 6/30/16

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES. PIPE LOCATIONS AND SIZES WHERE SHOWN WERE PROVIDED BY FARM OPERATIONAL PERSONNEL AND ARE APPROXIMATE LOCATIONS AND SIZES.

AMENDED (3/8/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 4 OF 8
CERTIFICATE 49727 "TO MAP"



LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- PROPOSED P.O.A. #1
  WELL LOCATED 2390' S AND 360' W FROM THE NE COR SEC 16
- PROPOSED P.O.A. #2
  WELL LOCATED 290' S AND 10' E FROM THE NW COR SEC 22

N

0 660 1320

SCALE IN FEET

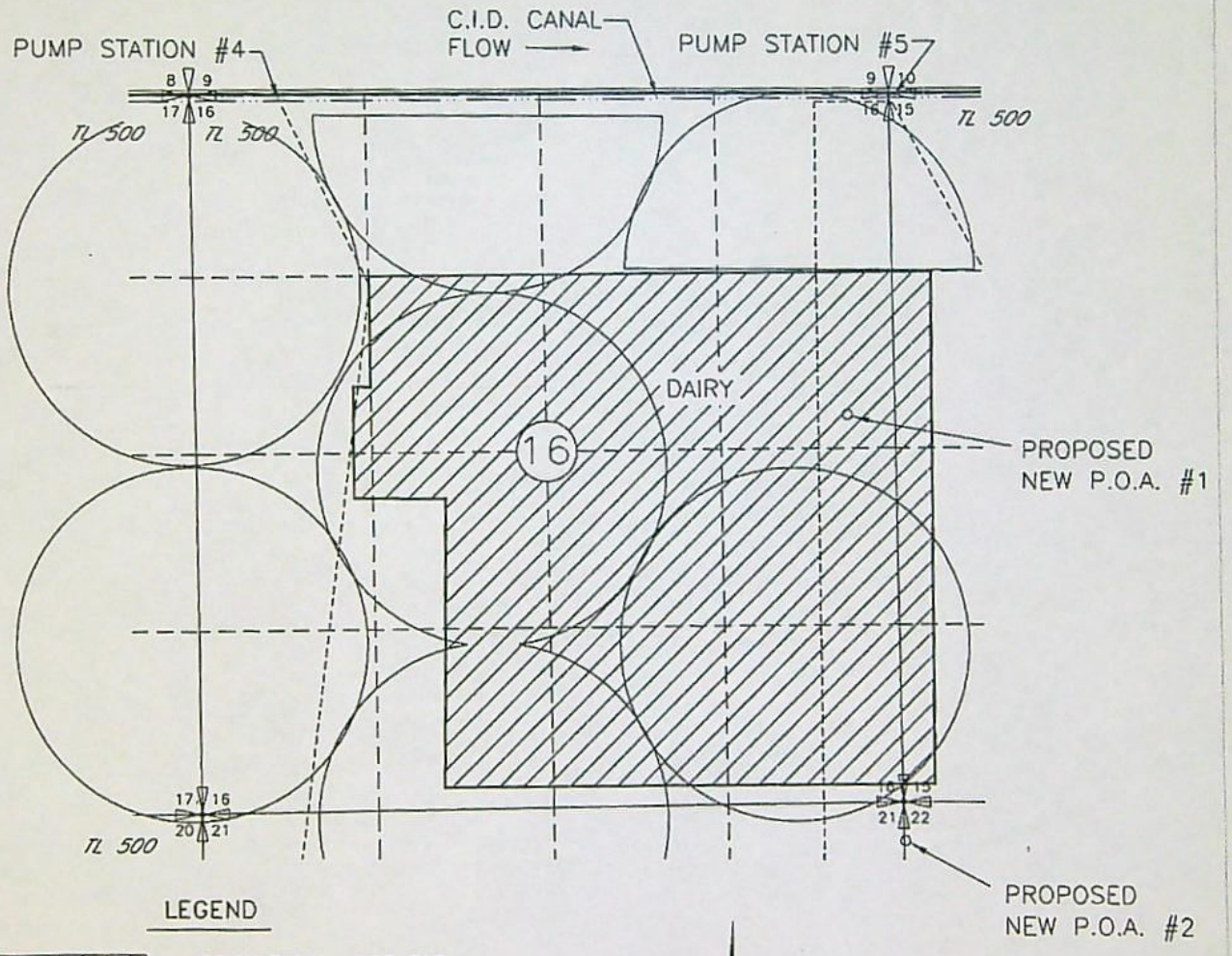
Certified Water Right Examiner
#333 WRE
Dale G. VanScheltack
May 19, 1982
3/8/16
STATE OF OREGON

Ramos 6/30/16

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES. PIPE LOCATIONS AND SIZES WHERE SHOWN WERE PROVIDED BY FARM OPERATIONAL PERSONNEL AND ARE APPROXIMATE LOCATIONS AND SIZES.

AMENDED (3/8/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

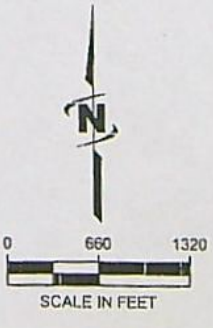
SHEET 6 OF 8
CERTIFICATE 55316 "TO MAP"



LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- o PROPOSED P.O.A. #1
  WELL LOCATED 2390' S AND 360' W FROM THE NE COR SEC 16
- o PROPOSED P.O.A. #2
  WELL LOCATED 290' S AND 10' E FROM THE NW COR SEC 22



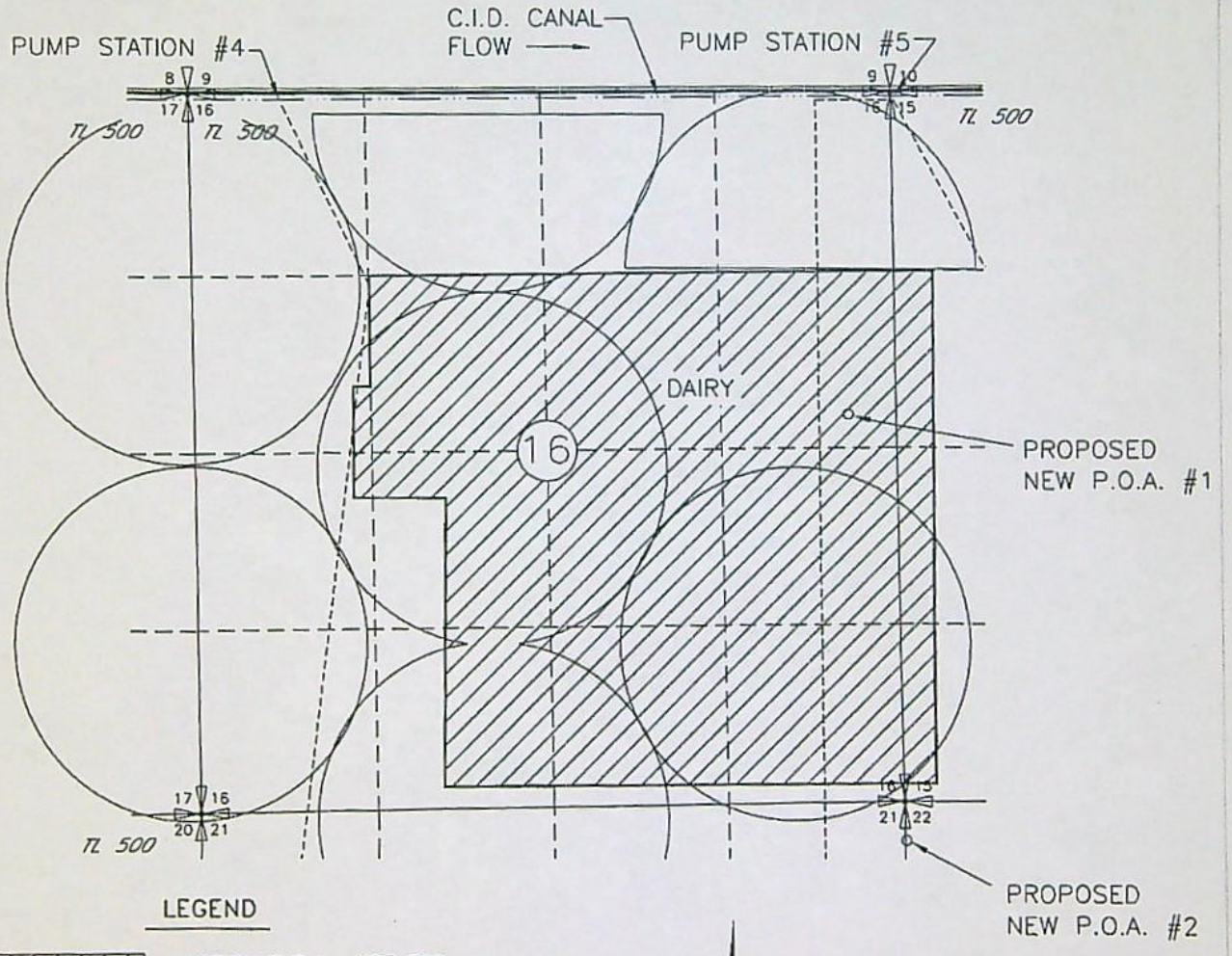
Certified Water Right Examiner
#383 WRE
Dale G. VanSchoenack
May 19,1992
3/8/16
STATE OF OREGON

Remarks 6/30/16

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES. PIPE LOCATIONS AND SIZES WHERE SHOWN WERE PROVIDED BY FARM OPERATIONAL PERSONNEL AND ARE APPROXIMATE LOCATIONS AND SIZES.

AMENDED (3/8/16) TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 8 OF 8
CERTIFICATE 55317 "TO MAP"



LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- PROPOSED P.O.A. #1
  WELL LOCATED 2390' S AND 360' W FROM THE NE COR SEC 16
- PROPOSED P.O.A. #2
  WELL LOCATED 290' S AND 10' E FROM THE NW COR SEC 22

N

0 660 1320

SCALE IN FEET

Certified Water Right Examiner
#330 WRE
Dale G. VanSchoiack
May 19, 1992
3/8/16
STATE OF OREGON

Renews 6/30/16

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES. PIPE LOCATIONS AND SIZES WHERE SHOWN WERE PROVIDED BY FARM OPERATIONAL PERSONNEL AND ARE APPROXIMATE LOCATIONS AND SIZES.

HOLMES Codi N

From: Filippi, David <david.filippi@stoel.com>
Sent: Thursday, February 25, 2016 9:12 AM
To: HOLMES Codi N
Cc: Pete@pioneerfeed.com; Tressa Meenderinck
Subject: Comments on Transfer Applications T-12247 and T-12248

Dear Ms. Holmes,

We represent Pete and Tressa Meenderinck and Meenderinck Land Co. LLC. These comments are being submitted on their behalf with respect to the above-referenced transfer applications, T-12247 and T-12248. We understand these applications are intended to support a new proposed dairy operation, whereby groundwater rights would be transferred to Te velde for the proposed dairy (from Bosma to Te velde), and in return, surface water rights would be provided back to Bosma in exchange (from Te velde to Bosma). Meenderinck Land Co. LLC holds groundwater rights (T-8867) on land that is adjacent to the proposed dairy site. Given the location of the proposed points of appropriation for the proposed dairy in relation to the Meenderincks' existing well, the amount of water being requested, and the overall state of the groundwater resource, the Meenderincks are very concerned that the use of groundwater for the proposed dairy will result in injury to the Meenderincks' existing water rights. The Meenderincks believe the requested water right transfers should either be denied or at least substantially conditioned in order to avoid injury to their existing rights. The Meenderincks have attempted to contact Mr. Te velde without success. They would welcome a conversation with him to discuss their concerns.

Please let me know if you have any questions or would like additional information. Thank you,

David.

David E. Filippi
Stoel Rives LLP | 900 SW Fifth Ave., Suite 2600 | Portland, OR 97204
Direct: (503) 294-9529 | Fax: (503) 220-2480 | defilippi@stoel.com | www.stoel.com

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: **Sage Hollow Ranch, LLC**
Address: **3630 Independence Rd.**
City: **Sunnyside** State: **WA.** Zip: **98944** Day Phone: **(509) 391-1100**

- 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 I.D.	Plan Designated (e.g. Rural Residential/RR-5)	Water to be: (Check all that apply)	Proposed Land Use
500	EFU	☐ Diverted ☒ Conveyed ☒ Used	**Agricultural**
~~**400**~~	EFU	☐ Diverted ☒ Conveyed ☒ Used	**Irrigation**
~~**401**~~	EFU	☐ Diverted ☒ Conveyed ☒ Used	**Irrigation**
		☐ Diverted ☐ Conveyed ☐ Used	
		☐ Diverted ☐ Conveyed ☐ Used	
		☐ Diverted ☐ Conveyed ☐ Used	

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

- 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.

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☐ Commercial ☐ Industrial ☐ Instream ☒ Irrigation
☐ Municipal ☐ Quasi-municipal ☐ Domestic (indicate number of households
☒ Other **Agricultural**
Briefly describe: **We are trading ground water for Columbia River water.**

Indicate the source of the water to be used.

☐ Reservoir/Pond ☒ Ground Water ☒ Surface Water **Columbia River**
(Source)

Indicate the estimated quantity of water the use will require: **12.58** ☒ CFS ☐ GPM ☐ Acre-Feet

Last Revised: 04/06/04

T 12248

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): MZO Article 3 Section 3.010. 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.

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.

Type of Land Use Approval Needed (3.g. plan amendments, rezones, conditional use permits, etc.)	City Most Significant, Applicable Plan Policies & Ordinance Section References	Check the item that applies: Land Use Approval	
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursed
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursed
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursed
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursed
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursed
		☐ Obtained ☐ Denied	☐ Being pursued ☐ Not being pursed

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: Carla McLane Date: 12/3/2015

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Title: Planning Director Phone: 541 922 4624

Signature: Carla McLane

JAN 15 2016

SALEM, OR

- 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.

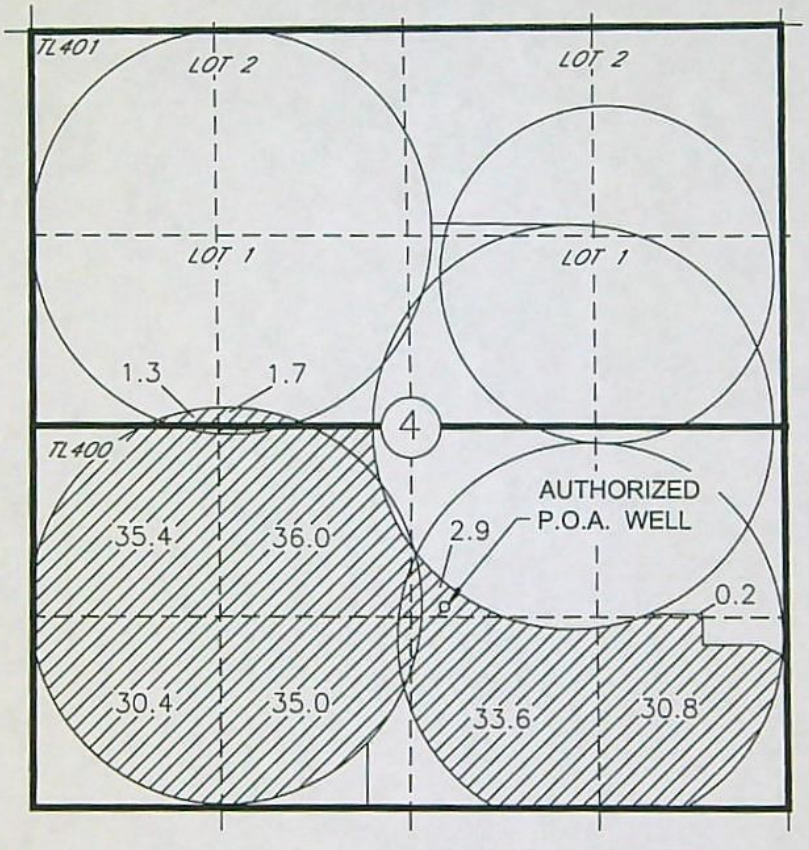
Morrow County has concerns that this transfer is being done in an area with water limitations for both quantity and quality. Necessary conditions to protect both quantity and quality are requested.

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.*

T 12248

TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 1 OF 8
CERTIFICATE 49726 "FROM MAP"



LEGEND

207.3 AC

o AUTHORIZED P.O.A. WELL
LOCATED 1390' N AND 2390' W
FROM THE SE COR SEC 4

N

0 660 1320
SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanSchoiack
Dale G. VanSchoiack
May 19,1992
12/7/15
STATE OF OREGON

Renews 6/30/16

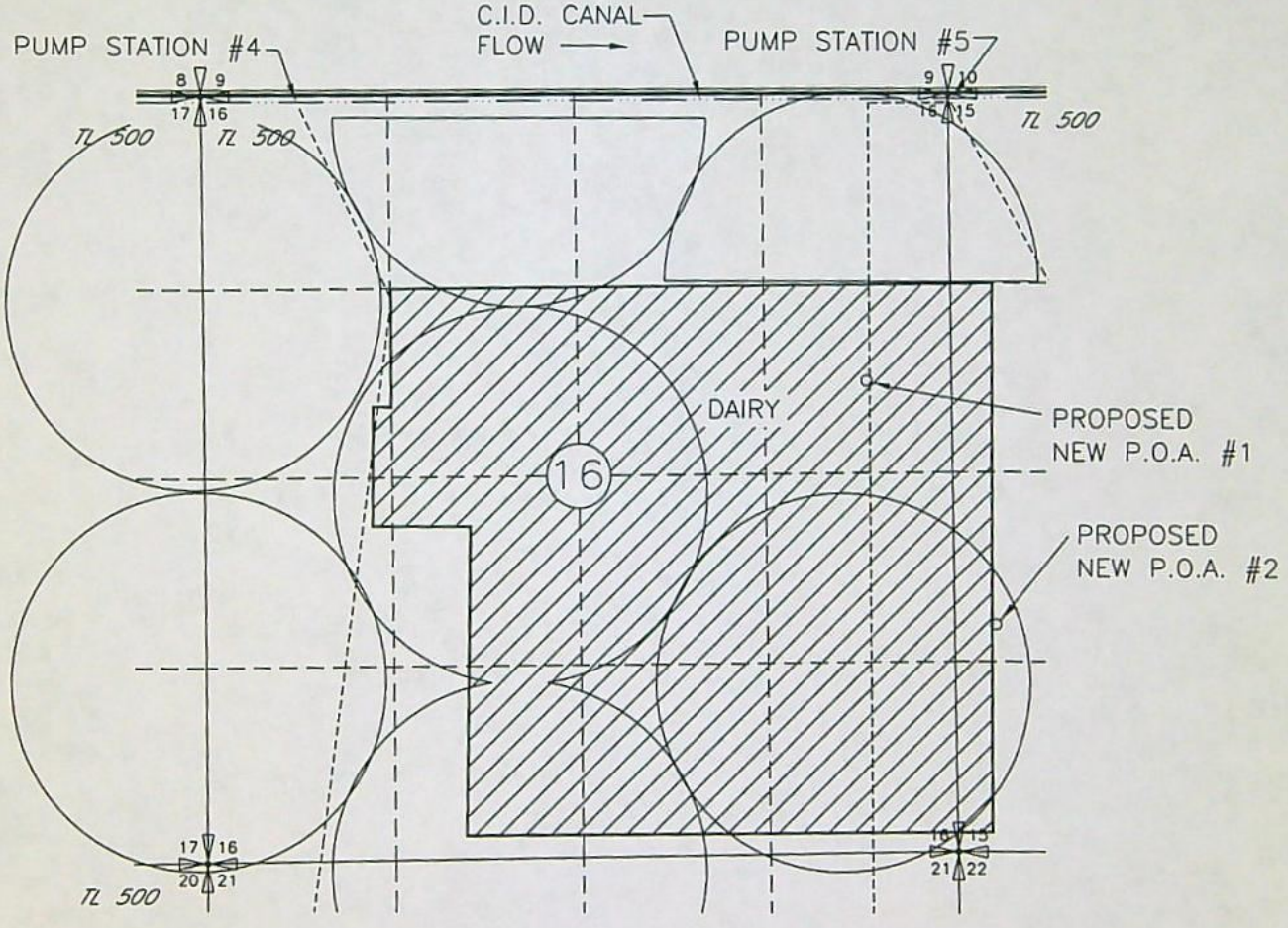
RECEIVED BY OWRD
JAN 15 2016
SALEM, OR

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES. PIPE LOCATIONS AND SIZES WHERE SHOWN WERE PROVIDED BY FARM OPERATIONAL PERSONNEL AND ARE APPROXIMATE LOCATIONS AND SIZES.

T 12248

TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 2 OF 8
CERTIFICATE 49726 "TO MAP"



LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- o PROPOZED P.O.A. #1
  WELL LOCATED 1970' S AND 600' W FROM THE NE COR SEC 16
- o PROPOZED P.O.A. #2
  WELL LOCATED 1580' N AND 290' E FROM THE SE COR SEC 16

N

0 660 1320

SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanScheltack
May 19,1992
12/7/15
STATE OF OREGON
Renews 6/30/16

RECEIVED BY OWRD

JAN 15 2016

SALEM, OR

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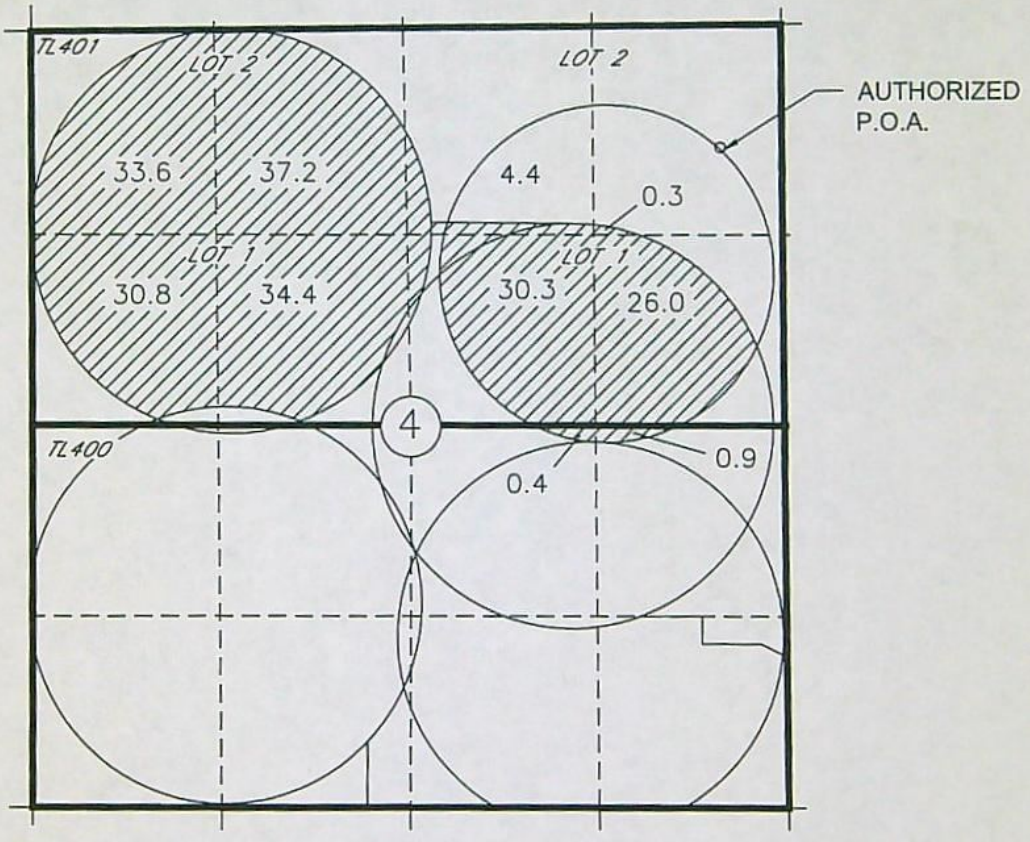
T 12248

TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 3 OF 8
CERTIFICATE 49727 "FROM MAP"



LEGEND

198.3 AC

o AUTHORIZED P.O.A.
WELL LOCATED 840' S AND 430' W
FROM THE NE COR SEC 4

N

0 660 1320
SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanScheack
May 19,1992
12/7/15
STATE OF OREGON

Renews 6/30/16

RECEIVED BY OWRD
JAN 15 2016
SALEM, OR

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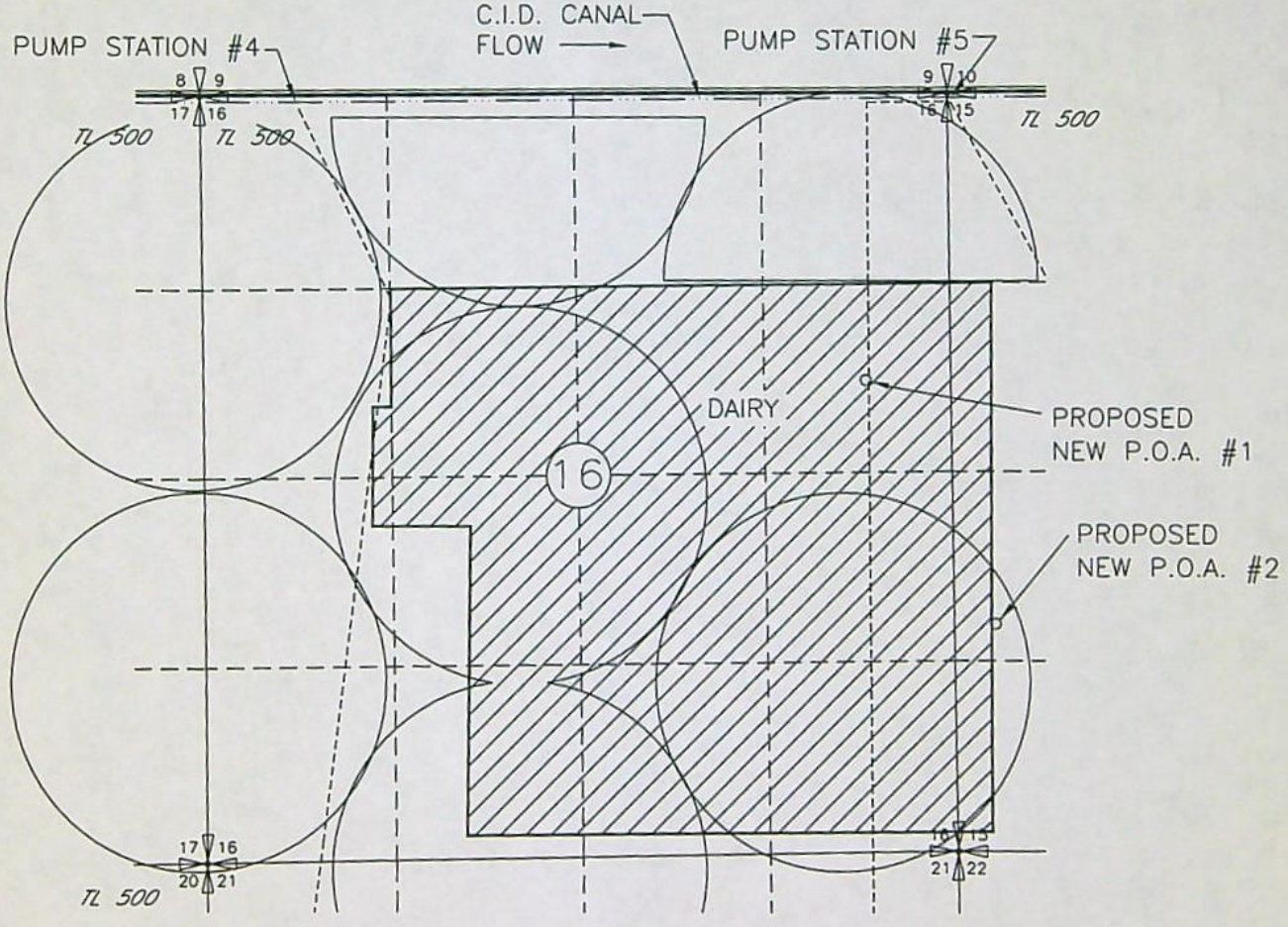
T 12248

TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

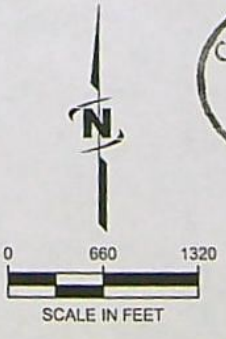
SHEET 4 OF 8
CERTIFICATE 49727 "TO MAP"



LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- o PROPOZED P.O.A. #1
  WELL LOCATED 1970' S AND 600' W FROM THE NE COR SEC 16
- o PROPOZED P.O.A. #2
  WELL LOCATED 1580' N AND 290' E FROM THE SE COR SEC 16



Certified Water Right Examiner
#333 WRE
Dale G. VanScheack
Dale G. VanScheack
May 19, 1992
12/7/15
STATE OF OREGON

Renews 6/30/16

NOTE:
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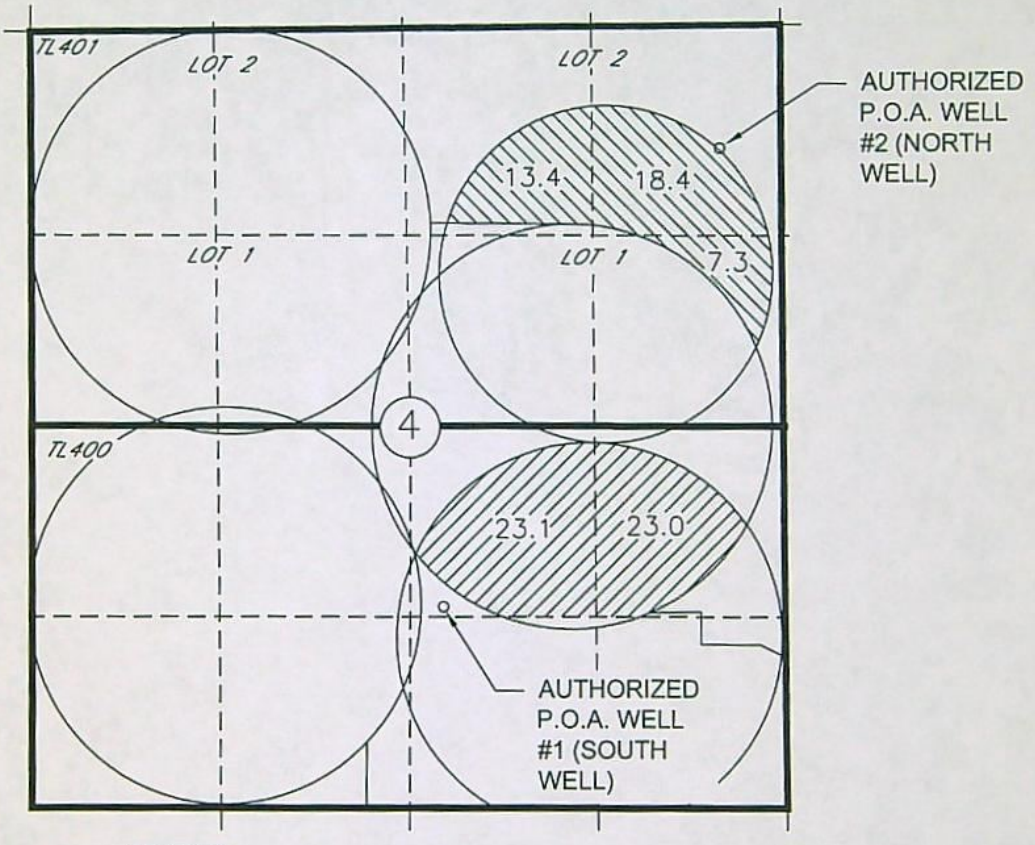
RECEIVED BY OWRD
JAN 15 2016
SALEM, OR

T 12248

TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 5 OF 8
CERTIFICATE 55316 "FROM MAP"



LEGEND

46.1 AC WELL #1 (SOUTH WELL)

39.1 AC WELL #2 (NORTH WELL)

N

0 660 1320

SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanScheack
May 19, 1992
12/7/15
STATE OF OREGON

Renews 6/30/16

- AUTHORIZED P.O.A. WELL #1 (SOUTH WELL) 1390' N AND 2390' W FROM THE SE COR OF SEC 4
- AUTHORIZED P.O.A. WELL #2 (NORTH WELL) 840' S AND 430' W FROM THE NE COR OF SEC 4

NOTE:
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RECEIVED BY OWRD

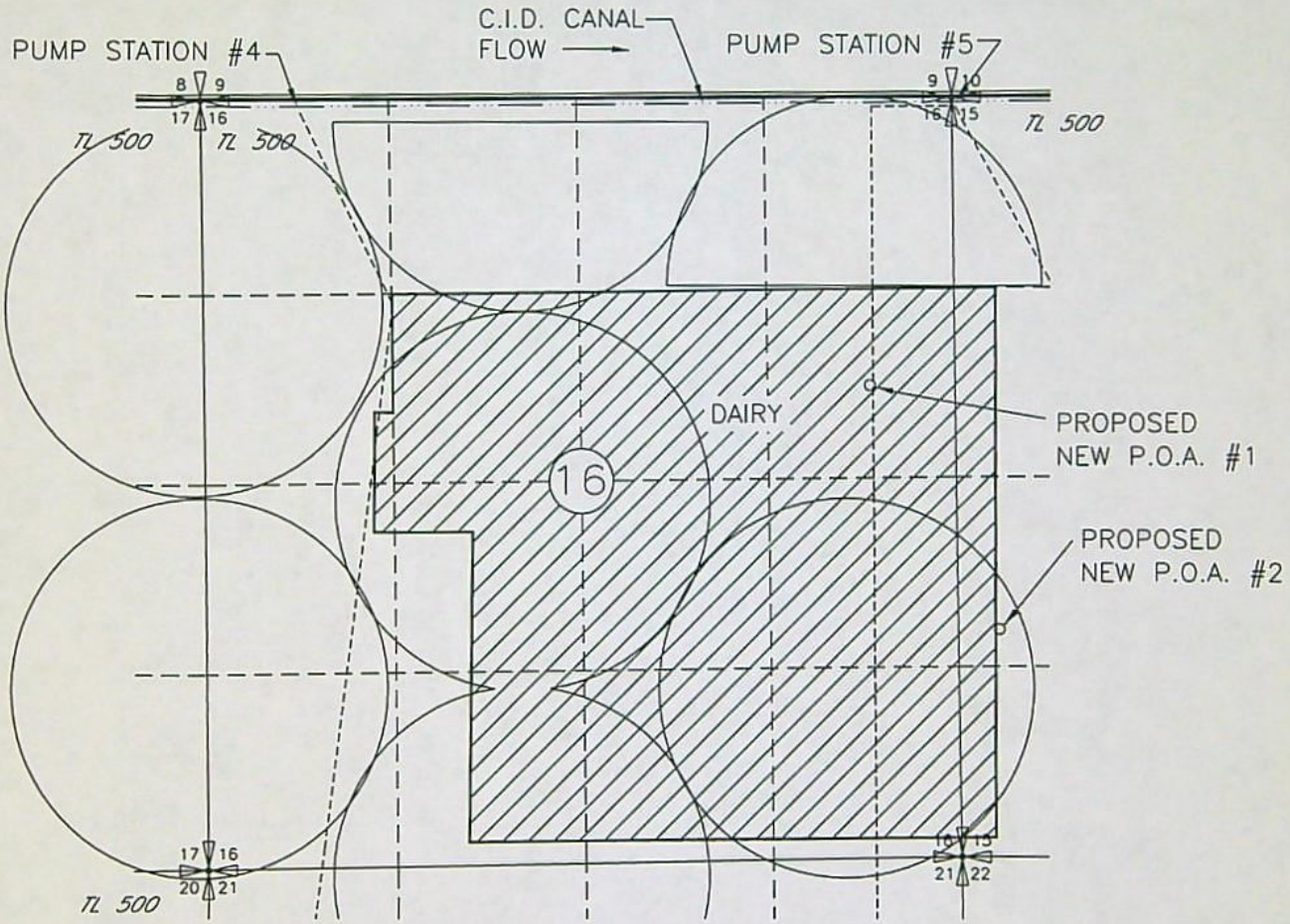
JAN 15 2016

T 12248

SALEM, OR

TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 6 OF 8
CERTIFICATE 55316 "TO MAP"



LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

- PROPOZED P.O.A. #1
  WELL LOCATED 1970' S AND 600' W FROM THE NE COR SEC 16
- PROPOZED P.O.A. #2
  WELL LOCATED 1580' N AND 290' E FROM THE SE COR SEC 16

N

0 660 1320

SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanSchoraack
May 19,1992
12/7/15
STATE OF OREGON
Renews 6/30/16

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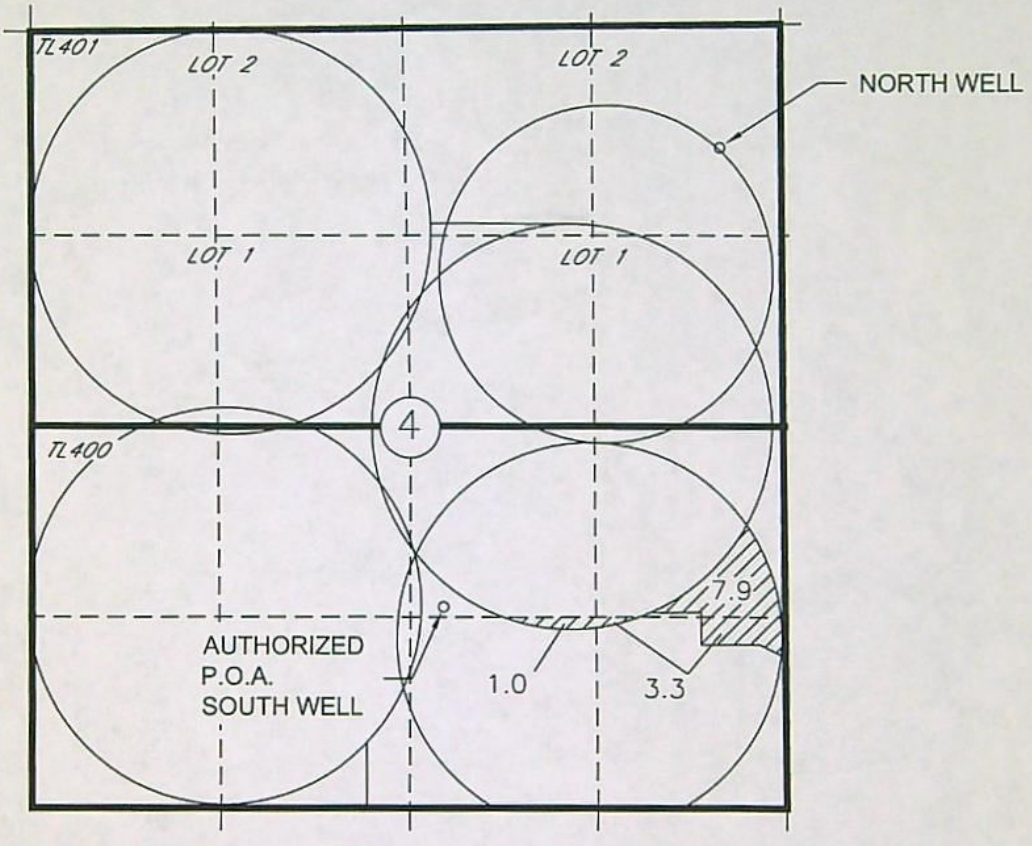
SALEM, OR

T 12248

TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 7 OF 8
CERTIFICATE 55317 "FROM MAP"



LEGEND

12.2 AC

o AUTHORIZED P.O.A. WELL
1390' N AND 2390' W FROM THE
SE COR OF SEC 4

N

0 660 1320

SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanScheack
May 19,1992
12/7/15
STATE OF OREGON

Renews 6/30/16

RECEIVED BY OWRD

JAN 15 2016

SALEM, OR

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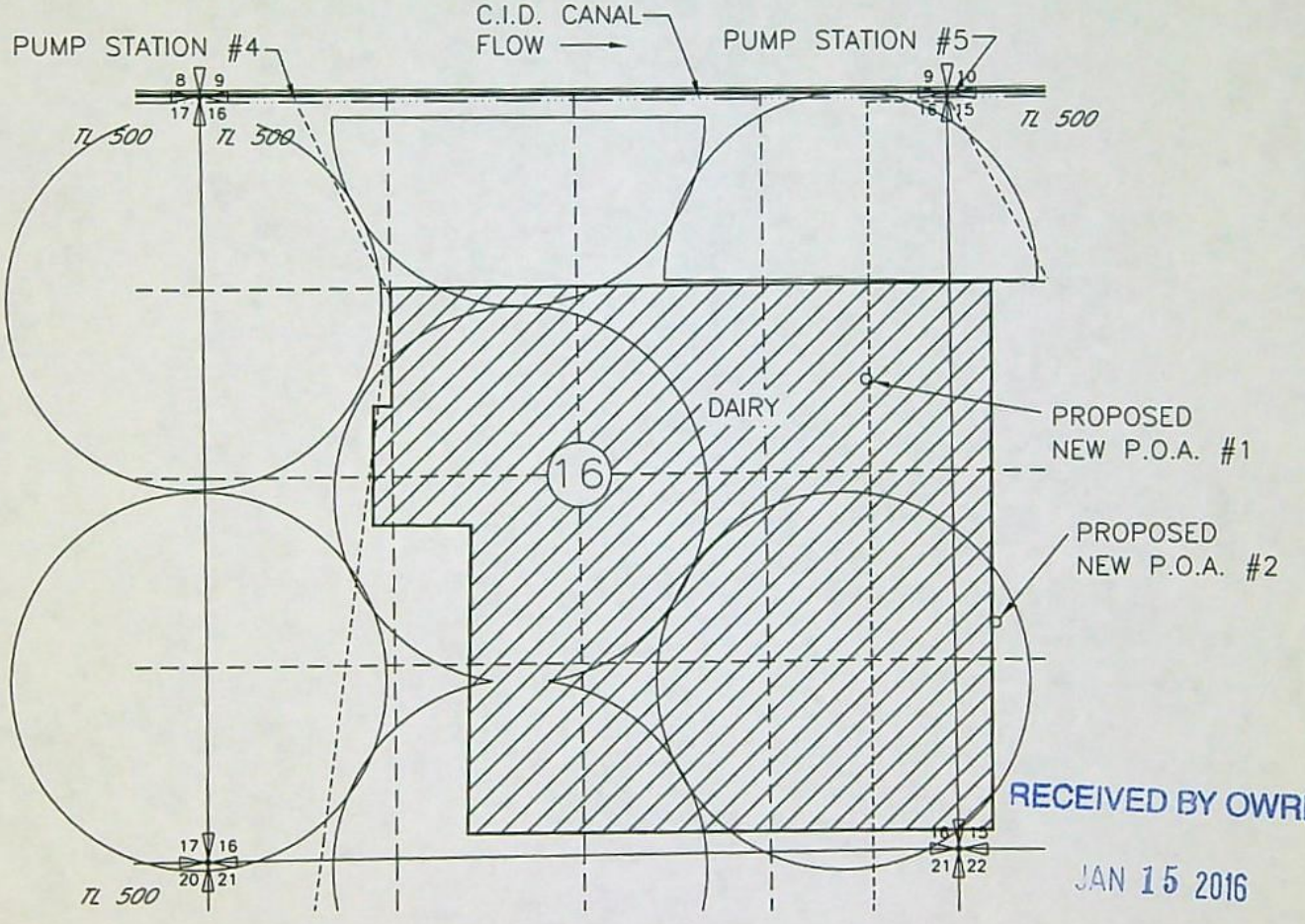
T 12248

TRANSFER APPLICATION MAP
SAGE HOLLOW RANCH, LLC TO WILLOW CREEK DAIRY
CERTIFICATES 49726, 49727, 55316, 55317
T3N, R26E, W.M., MORROW COUNTY

SHEET 8 OF 8
CERTIFICATE 55317 "TO MAP"



RECEIVED BY OWRD

JAN 15 2016

SALEM, OR

LEGEND

AGRICULTURAL USE FOR THE CONSTRUCTION AND OPERATION OF A DAIRY

o PROPOZED P.O.A. #1
WELL LOCATED 1970' S AND 600' W FROM THE NE COR SEC 16

o PROPOZED P.O.A. #2
WELL LOCATED 1580' N AND 290' E FROM THE SE COR SEC 16

N

0 660 1320

SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanScheack
May 19, 1992
12/7/15
STATE OF OREGON

Renews 6/30/16

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T 12248

William Porfily

From: William Porfily <wporfily@gmail.com>
Sent: Thursday, January 14, 2016 9:57 AM
To: HENDERSON Sarah A (sarah.a.henderson@state.or.us)
Cc: gjtevelde@aol.com; 'Brian Bosma' (1brianbosma@gmail.com); maplegrove@bentonrea.com; mike@pendletonlaw.net; 'Langford, Shonee D.'; Gibb Evans (Gibb.Evans@irz.com); LADD Mike F (michael.f.ladd@state.or.us); SILBERNAGEL Greg M (greg.m.silbernagel@state.or.us)
Subject: Two Transfer: 1. Bosma to te Velde 2. teVelde to Bosma

Mornin Sarah

We are putting in the mail today to OWRD two transfer application, application maps and documents required to file these applications (Land Use, Affidavits of Use, and Well Logs) all in the same envelope. The first application transfers 503 acres irrigation ground water rights from Bosma to te Velde for Agricultural Use for the construction and operation of a dairy; the second is transferring 503 acres of Columbia River Water Irrigation Rights from te Velde back to Bosma replacing the ground water rights. Also in the envelope is one check for $9850.00. This check is intended to cover the filing fees for both transfer application and the $125 fee for acquiring a quote from OWRD to expedite the processing of the two transfer. The signed Transfer Reimbursement Authority Estimate Application are attached to each application.

We are requesting the Final Order for approving these applications be issued at the same time but not be issued sooner than the end of the irrigation season, 2016.

Please contact me if you have any questions regarding these Application.

Thank

William Porfily
P.O. Box 643
Stanfield, OR 97875
Cel: (541)561-7259
Off-Home (541)449-1327
E-mail: wporfily@gmail.com

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JAN 15 2016
SALEM, OR

T 12248

Water Right Transfer Cover Sheet

Transfer T-12248 Transfer Specialist: _____

Transfer Type: Regular

Applicant Name/Address:	Agent Name/Address:	Rec Landowner Name/Address:
SAGE HOLLOW RANCH LLC 3620 INDEPENDENCE RD SUNNYSIDE, WA 98944	WILLIAM I. PORFILY PO BOX 643 STANFIELD, OR 97875	WILLOW CREEK DAIRY
CWRE Name/Number:	Irr. District Name/Address: COLUMBIA IMPROVEMENT DISTRICT	Affected Gov'ts Name/Address: Morrow County Planning Department
Commentors: Name/Address:		Current Landowner Name/Address:

Water Rights Affected

Records Marked	Records Copied	App File No. or Decree Name	Permit No.	Certificate No.	RR/CR Needed	RR/CR Nos.
☐	☐	G-1411	G-1284	55316	☐ Yes ☐ No	
☐	☐	G-1411	G-1284	49727	☐ Yes ☐ No	
☐	☐	G-1402		55317	☐ Yes ☐ No	
☐	☐	G-1402		49726	☐ Yes ☐ No	

Key Dates & Initial Actions

Rec'd: January 15, 2016	Proposed Action(s): point of appropriation; place of use; use	
Fees Pd: 5250.00	WM District: 5	ODFW District:
Initial Notice: 1/26/2016	WM Review sent: 1/22/2016	ODFW Review sent:
Acknowledgement Letter Sent ☒		GW Review sent: 1/22/2016

Processing Dates & Actions

Deficiency Contacts: _____

DPD Mailed: _____
☐ ODFW contact sheet sent with DPD, or ☐ N/A
☐ WM measurement contact sheet sent, or ☐ N/A

PD Signed: _____

PD Weekly Notice: _____

Newspaper quote requested: _____
☐ not required

Request for news $ sent: _____

News $ received: _____

Request to publish sent to newspaper: _____

Affidavit of publication received: _____

DPD Review (Optional)	PD Review (Salem)	Final Order Review (Salem)
Reviewer: _____	Reviewer: _____	Reviewer: _____
Date: _____	Date: _____	Date: _____
Coordinator: _____	Coordinator: _____	Coordinator: _____
Date: _____	Date: _____	Date: _____
Comments/Special Issues:		

Special Order Volume: Vol _____ Pages _____ Final Order Signature Date: _____

Notice of FO email'd to processors _____

Oregon
Kate Brown, 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

January 22, 2016

SAGE HOLLOW RANCH LLC .
3620 INDEPENDENCE RD
SUNNYSIDE, WA 98944

Reference: Application T- 12248

On January 15, 2016, we received your water right Transfer application. The application was accompanied by $5250.00. Our receipt number is 118628.

By copy of this letter, we are asking the Watermaster for a report regarding the potential for injury to existing water rights which may be caused by the requested change. A review form will also be sent to our groundwater staff to determine whether the proposed well accesses the same source of water as the original well.
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 for the new use, in the new place of use or from the new point of appropriation until a final order approving the transfer application has been issued by the Department.

In order to avoid any possible forfeiture of the water right, you should continue to use the water as described by your existing water right.

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

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

If you have any questions, please contact the Transfer Section at (503) 986-0807.

Cc: Watermaster Dist. #5 *(via email)*
William I. Porfily, Agent
Willow Creek Dairy
Columbia River Improvement District
Morrow County Planning Department

Enclosure

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

OAR 690 Division 380

Application Received
(required information included)

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

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

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

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

Applicant Review of Draft Preliminary Determination
(Opportunity for applicant to submit a report of land ownership and modify or withdraw proposed transfer—at least 30 days allowed)

Preliminary Determination Issued

Notice of Preliminary Determination
in WRD Weekly Notice and, if statutorily required, in newspaper once a week for 2 or 3 consecutive weeks.
Protest Period ends 30 days after WRD notice, or 30 days after last date of newspaper publication, whichever is later.

Protests Received

Applicant seeks Consent to Injury

No Protests Received

Contested Case Hearing

ISWR Agency recommendation

Final Order approving or denying application.

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

Deadline for completion of the changes. The applicant must make full beneficial use under terms and conditions of the order by the deadline or request an extension of time, or inform the department that he does not intend to complete the change.

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

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

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

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

Permanent Water Right Transfer Application Checklist

Checked by Jeffrey **Date** 15-Jan-16

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

Certs & acres involved: 49726, 55317; 49727, 55316

Changes: POU, USE, POA

cfs involved: 2.38

Source: Well

☑ 1. Page 1 of application: Are all attachments that have been checked actually included?
If not, what is missing? _____

☑ 2. Are fees included and correct? Fee paid: _____

If not, the correct fee would be: _____, so the amount missing is: _____

► 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) =	3	x $450.00 =	1350
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	350
1 or 2 additional TYPEs of change* (see Page 5 of application) =	2	x $800.00 =	1600
If *Place of Use* or *Character of Use* change and transfer involves more than 1 cfs (based on primary acres *x* rate), # cfs or fraction above the first cfs =	_____	x $300.00 =	600
HINT: Total cfs on WR (÷) total # acres on WR (x) # acres involved in transfer = # cfs involved in transfer			
		Sub-total =	4550
If a letter from ODFW endorsing this as a "fish-friendly" transfer is included, multiply sub-total by 0.50 =			
Total = sub-total minus 50% "fish-friendly" reduction, if applicable =			

*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.

Last revised 7/12/13

Applied additional $700 in fees to this app Request Refund

Superseded

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

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

Amended 06-08-2016

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

☒ Part 1 – Completed Minimum Requirements Checklist.

☒ Part 2 – Completed Transfer Application Map Checklist.

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

☒ Part 4 – Completed Applicant Information and Signature.

☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 3 List them here: Certificates 80062, 86993, & 86992.** Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

☒ Completed Transfer Application Map.

☒ Completed Evidence of Use Affidavit and supporting documentation.

☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)

☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.

☐ ☒ N/A 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 Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)
WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):
___ Application fee not enclosed/insufficient ___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete
___ Additional signature(s) required ___ Part _____ is incomplete
Other/Explanation _____
Staff: _____503-986-0___ Date: ____/____/____

T-12248

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

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

☒ ☐ N/A Certified Water Right Examiner (CWRE) Stamp and Original Signature. For a list of CWREs, see http://apps.wrd.state.or.us/apps/wr/cwre_license_view/. CWRE stamp and signature are not required for substitutions.

☐ ☒ N/A If **more than three** water rights are involved, separate maps are needed for each water right.

☒ Permanent quality printed with dark ink on good quality paper.

☒ The size of the map can be 8½ x 11 inches, 8½ x 14 inches, 11 x 17 inches, or up to 30 x 30 inches. For 30 x 30 inch maps, one extra copy is required.

☒ A north arrow, a legend, and scale.

☒ The scale of the map must be: 1 inch = 400 feet, 1 inch = 1,320 feet, the scale of the Final Proof/Claim of Beneficial Use Map (the map used when the permit was certificated), the scale of the county assessor map if the scale is not smaller than 1 inch = 1,320 feet, or a scale that has been pre-approved by the Department.

☒ Township, Range, Section, ¼ ¼, DLC, Government Lot, and other recognized public land survey lines.

☒ Tax lot boundaries (property lines) are required. Tax lot numbers are recommended.

☒ Major physical features including rivers and creeks showing direction of flow, lakes and reservoirs, roads, and railroads.

☒ Major water delivery system features from the point(s) of diversion/appropriation such as main pipelines, canals, and ditches.

☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.

☒ ☐ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.

☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.

☐ ☒ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

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FEE WORKSHEET for PERMANENT TRANSFER		**Part 3 of 5 – Fee Worksheet**	
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	*1*	**$1,000**
	Types of change proposed: ☒ Place of Use ☐ Character of Use ☐ Point of Diversion/Appropriation Number of above boxes checked = **1** (2a) Subtract 1 from the number in line 2a = **0** (2b) *If only one change, this will be 0*		
2	Multiply line 2b by $800 and enter » » » » » » » » » » » » » » »	*2*	**0**
	Number of water rights included in transfer **3** (3a) Subtract 1 from the number in 3a above: **2** (3b) *If only one water right this will be 0*		
3	Multiply line 3b by $450 and enter » » » » » » » » » » » » » » »	*3*	**$900**
	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 »		
4	☒ Yes: enter $350 »	*4*	**$350**
	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 » ☒ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): **7.93** (5a) Subtract 1.0 from the number in 5a above: **6.93** (5b) If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: **0** (5c) and		
5	multiply 5c by $300, then enter on line 5 » » » » » » » » »	*5*	**$2,100**
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	*6*	**$**
	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 »		
7	If no box is applicable, enter 0 on line 7» » » » » » » » » » » » » »	*7*	**0**
8	Subtract line 7 from line 6 » » » » » » » » » » » » **Transfer Fee:**	*8*	**$4,350**

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

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

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	*1*	$725.00
	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) *If only one well this will be 0*		
2	Multiply line 2b by $350 and enter » » » » » » » » » » » » » » »	*2*	
3	Add entries on lines 1 through 2 above » » » » » **Fee for Substitution**:	*3*	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Willow Creek Dairy			**(559) 799-9111**	
ADDRESS				FAX NO.
P.O. Box 1210				
CITY	STATE	ZIP	E-MAIL	
Boardman	**CA.**	**97818**	**gjtevelde@aol.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.				

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

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
William I. Porfily			**(541) 449-1327**	**(541) 561-7259 cell.**
ADDRESS				FAX NO.
P.O. Box 643				**(541) 449-1327**
CITY	STATE	ZIP	E-MAIL	
Stanfield	**OR.**		**wporfily@gmail.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.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
We request the Order approving this transfer application be contingent upon and issued at the same time as the Order approving the affiliated Sage Hollow Ranch, LLC (Bosma) application. We request 3 years to complete the irrigation use of water under this transfer after it is approved.

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

Check One Box

☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**

☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**

☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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

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

Applicant signature	Print Name (and Title if applicable)	Date
	Willow Creek Dairy by: Greg te Velde (Owner)	
Applicant signature	Print Name (and Title if applicable)	Date

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

T-12248

Check the following boxes that apply:

☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.

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

☒ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
SAGE HOLLOW RANCH, LLC (BOSMA)			**(509) 391-1111**	**(509) 391-1100**
ADDRESS				FAX NO.
3630 Independence Rd.				
CITY	STATE	ZIP	E-MAIL	
Sunnyside	**WA.**	**98944**		

Describe any special ownership circumstances here: _____

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

IRRIGATION DISTRICT NAME	ADDRESS	
Columbia Irrigation District	**P.O. Box 47**	
CITY	STATE	ZIP
Boardman	**OR.**	**97818**

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
Morrow County	**Courthouse**	
CITY	STATE	ZIP
Heppner	**OR.**	**97836**

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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T-12248

CERTIFICATE # 80062

Description of Water Delivery System

System capacity: **68.97** cubic feet per second (cfs) **OR**

_____ 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. **See attached exhibit A titled Greenwood-Sandlake Pumps and the attached map titled te Velde and Bosma Delivery System from the Columbia River.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1	☒ Authorized ☐ Proposed		4 N	25 E	2	NE NW	7	150' S & 2990' W from the NE Corner, Section 2
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

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

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

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

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

Exhibit A

Greenwood-Sandlake Pumps

CANAL PUMP STATION #4

- 1 - 300 HP 4246 GPM @ 235' TDH
- 1 - 300 HP 4246 GPM @ 235' TDH
- 1 - 200 HP 2901 GPM @ 235' TDH
- ➢ 800 HP TOTAL
- ➢ 11,393 GPM @ 235' TDH (102PSI)

CANAL PUMP STATION #5

- 1 - 400 HP 4700 GPM @ 270' TDH
- 1 - 300 HP 3694 GPM @ 270' TDH
- 1 - 300 HP 3694 GPM @ 270' TDH
- 1 - 200 HP 2450 GPM @ 270' TDH
- ➢ 1200 HP TOTAL
- ➢ 14,538 GPM @ 270' TDH (117PSI)

CANAL PUMP STATION #6A

- 6 - 400 HP 2753 GPM @ 460' TDH
- 1 - 500 HP 3615 GPM @ 460' TDH
- @ 6B CONNECTED TO 6A PIPELINE & VFD ADDED)
- ➢ 2900 HP TOTAL
- ➢ 20,134 GPM @ 460' TDH (195PSI)

CANAL PUMP STATION #6B

- 4 - 450 HP 3600 GPM @ 423' TDH
- 1 - 450 HP 3600 GPM @ 423' TDH
- 1 - 500 HP 3930 GPM @ 423' TDH
- ➢ 2750 HP TOTAL
- ➢ 21,930 GPM @ 423' TDH (179PSI)

BOOSTER STATION #403

- 1 - 15 HP 1476 GPM @ 34' TDH

BOOSTER STATIONS @CL-4D

- #404 - 75 HP 1925 GPM @ 128' TDH
- #405 - 40 HP 1097 GPM @ 120' TDH
- #406 - 100 HP 1723 GPM @ 192' TDH
- ➢ 215 HP TOTAL
- ➢ 4745 GPM TOTAL

BOOSTER STATION CL-5C

- 75 HP 3500 GPM @ 69' TDH

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JUN 20 2016

SALEM, OR

T-12248

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JUN 20 2016

SALEM, OR

Table 2. Description of Changes to Water Right Certificate # 80062 (te Velde to Bosma)

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
3	N	26	E	15	SW	NW	500		7.5	Irrigation	1	7-25-1973	POU	3	N	26	E	4	NE	NE	401	2	18.4	Irrigation	1	7-25-1973
3	N	26	E	15	NW	SW	500		7.2	Irrigation	1	7-25-1973	POU	3	N	26	E	4	NW	NE	401	2	17.7	Irrigation	1	7-25-1973
3	N	26	E	15	SW	SW	500		9.0	Irrigation	1	7-25-1973	POU	3	N	26	E	4	SW	NE	401	1	30.0	Irrigation	1	7-25-1973
3	N	26	E	16	SW	NE	500		31.0	Irrigation	1	7-25-1973	POU	3	N	26	E	4	SE	NE	401	1	32.7	Irrigation	1	7-25-1973
3	N	26	E	16	SE	NE	500		36.8	Irrigation	1	7-25-1973	POU	3	N	26	E	4	NE	NW	401	2	37.2	Irrigation	1	7-25-1973
3	N	26	E	16	SW	NW	500		5.0	Irrigation	1	7-25-1973	POU	3	N	26	E	4	NW	NW	401	2	33.6	Irrigation	1	7-25-1973
3	N	26	E	16	SE	NW	500		34.6	Irrigation	1	7-25-1973	POU	3	N	26	E	4	SW	NW	401	1	35.6	Irrigation	1	7-25-1973
3	N	26	E	16	NE	SW	500		36.7	Irrigation	1	7-25-1973	POU	3	N	26	E	4	SE	NW	401	1	36.8	Irrigation	1	7-25-1973
3	N	26	E	16	NW	SW	500		7.2	Irrigation	1	7-25-1973	POU	3	N	26	E	4	NE	SW	400		36.0	Irrigation	1	7-25-1973
3	N	26	E	16	SW	SW	500		6.2	Irrigation	1	7-25-1973	POU	3	N	26	E	4	NW	SW	400		35.4	Irrigation	1	7-25-1973
3	N	26	E	16	SE	SW	500		33.8	Irrigation	1	7-25-1973	POU	3	N	26	E	4	SW	SW	400		28.3	Irrigation	1	7-25-1993
3	N	26	E	16	NE	SE	500		33.8	Irrigation	1	7-25-1973	POU	3	N	26	E	4	NE	SE	400		0.9	Irrigation	1	7-25-1993
3	N	26	E	16	NW	SE	500		31.3	Irrigation	1	7-25-1973	POU	3	N	26	E	4	NW	SE	400		0.4	Irrigation	1	7-25-1993
3	N	26	E	16	SW	SE	500		32.1	Irrigation	1	7-25-1973	POU	3	N	26	E	4	SW	SE	400		7.2	Irrigation	1	7-25-1993
3	N	26	E	16	SE	SE	500		38.0	Irrigation	1	7-25-1973														
TOTAL ACRES:									350.2					TOTAL ACRES:									350.2			

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T-12248

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: _____. **N/A**

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) **N/A**

Ground water supplemental Permit or Certificate # _____; **N/A**
Surface water primary Certificate # _____. **N/A**

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SALEM, OR

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____ **N/A**

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

☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? ((Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less han full rate of water right
N/A										

CERTIFICATE # 86993

Description of Water Delivery System

System capacity: **10.25** cubic feet per second (cfs) **OR**

_____ 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. **See attached exhibit A titled Greenwood-Sandlake Pumps and the attached map titled te Velde and Bosma Delivery System from the Columbia River.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1	☒ Authorized ☐ Proposed		**4 N**	**25 E**	**2**	**NE NW**	**7**	**150' S & 2990' W from the NE Corner, Section 2**
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

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

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

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

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

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T-12248

Exhibit A

Greenwood-Sandlake Pumps

CANAL PUMP STATION #4

- 1 - 300 HP 4246 GPM @ 235' TDH
- 1 - 300 HP 4246 GPM @ 235' TDH
- 1 - 200 HP 2901 GPM @ 235' TDH
- ➢ 800 HP TOTAL
- ➢ 11,393 GPM @ 235' TDH (102PSI)

CANAL PUMP STATION #5

- 1 - 400 HP 4700 GPM @ 270' TDH
- 1 - 300 HP 3694 GPM @ 270' TDH
- 1 - 300 HP 3694 GPM @ 270' TDH
- 1 - 200 HP 2450 GPM @ 270' TDH
- ➢ 1200 HP TOTAL
- ➢ 14,538 GPM @ 270' TDH (117PSI)

CANAL PUMP STATION #6A

- 6 - 400 HP 2753 GPM @ 460' TDH
- 1 - 500 HP 3615 GPM @ 460' TDH
- @ 6B CONNECTED TO 6A PIPELINE & VFD ADDED)
- ➢ 2900 HP TOTAL
- ➢ 20,134 GPM @ 460' TDH (195PSI)

CANAL PUMP STATION #6B

- 4 - 450 HP 3600 GPM @ 423' TDH
- 1 - 450 HP 3600 GPM @ 423' TDH
- 1 - 500 HP 3930 GPM @ 423' TDH
- ➢ 2750 HP TOTAL
- ➢ 21,930 GPM @ 423' TDH (179PSI)

BOOSTER STATION #403

- 1 - 15 HP 1476 GPM @ 34' TDH

BOOSTER STATIONS @CL-4D

- #404 - 75 HP 1925 GPM @ 128' TDH
- #405 - 40 HP 1097 GPM @ 120' TDH
- #406 - 100 HP 1723 GPM @ 192' TDH
- ➢ 215 HP TOTAL
- ➢ 4745 GPM TOTAL

BOOSTER STATION CL-5C

- 75 HP 3500 GPM @ 69' TDH

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SALEM, OR

Table 2. Description of Changes to Water Right Certificate # 86993 (te Velde to Bosma)

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
3	N	26	E	15	NE	NW	500		1.1	Irrigation	1	2-7-1974	POU	3	N	26	E	4	SW	SW	400		7.0	Irrigation	1	2-7-1974
3	N	26	E	15	SW	NW	500		6.6	Irrigation	1	2-7-1974	POU	3	N	26	E	4	SE	SW	400		36.8	Irrigation	1	2-7-1974
3	N	26	E	15	SE	NW	500		4.1	Irrigation	1	2-7-1974	POU	3	N	26	E	4	NE	SE	400		19.5	Irrigation	1	2-7-1974
3	N	26	E	15	NE	SW	500		2.4	Irrigation	1	2-7-1974	POU										63.3			
3	N	26	E	15	NW	SW	500		6.7	Irrigation	1	2-7-1974	POU													
3	N	26	E	15	SW	SW	500		7.3	Irrigation	1	2-7-1974	POU													
3	N	26	E	15	SE	SW	500		6.0	Irrigation	1	2-7-1974	POU													
3	N	26	E	15	SW	SE	500		2.7	Irrigation	1	2-7-1974	POU													
3	N	26	E	22	NW	NE	500		2.9	Irrigation	1	2-7-1974	POU													
3	N	26	E	22	SW	NE	500		3.0	Irrigation	1	2-7-1974	POU													
3	N	26	E	22	NE	NW	500		3.2	Irrigation	1	2-7-1974	POU													
3	N	26	E	22	NW	NW	500		4.8	Irrigation	1	2-7-1974	POU													
3	N	26	E	22	SW	NW	500		7.0	Irrigation	1	2-7-1974	POU													
3	N	26	E	22	SE	NW	500		5.0	Irrigation	1	2-7-1974	POU													
3	N	26	E	22	NW	SE	500		0.5	Irrigation	1	2-7-1974	POU													
TOTAL ACRES:									63.3					TOTAL ACRES:									63.3			

T-12248

Certificate # 86993

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: _____. **N/A**

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) **N/A**

Ground water supplemental Permit or Certificate # _____; **N/A**
Surface water primary Certificate # _____. **N/A**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____ **N/A**

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

☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less than full rate of water right
N/A										

CERTIFICATE # 86992

Description of Water Delivery System

System capacity: **68.97** cubic feet per second (cfs) **OR**

_____ 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. **See attached exhibit A titled Greenwood-Sandlake Pumps and the attached map titled te Velde and Bosma Delivery System from the Columbia River.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1	☒ Authorized ☐ Proposed		4 N	25 E	2	NE NW	7	150' S & 2990' W from the NE Corner, Section 2
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							
	☐ Authorized ☐ Proposed							

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

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

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

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

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

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Exhibit A

Greenwood-Sandlake Pumps

CANAL PUMP STATION #4

- 1 - 300 HP 4246 GPM @ 235' TDH
- 1 - 300 HP 4246 GPM @ 235' TDH
- 1 - 200 HP 2901 GPM @ 235' TDH
- ➢ 800 HP TOTAL
- ➢ 11,393 GPM @ 235' TDH (102PSI)

CANAL PUMP STATION #5

- 1 - 400 HP 4700 GPM @ 270' TDH
- 1 - 300 HP 3694 GPM @ 270' TDH
- 1 - 300 HP 3694 GPM @ 270' TDH
- 1 - 200 HP 2450 GPM @ 270' TDH
- ➢ 1200 HP TOTAL
- ➢ 14,538 GPM @ 270' TDH (117PSI)

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- 6 - 400 HP 2753 GPM @ 460' TDH
- 1 - 500 HP 3615 GPM @ 460' TDH
- @ 6B CONNECTED TO 6A PIPELINE & VFD ADDED)
- ➢ 2900 HP TOTAL
- ➢ 20,134 GPM @ 460' TDH (195PSI)

CANAL PUMP STATION #6B

- 4 - 450 HP 3600 GPM @ 423' TDH
- 1 - 450 HP 3600 GPM @ 423' TDH
- 1 - 500 HP 3930 GPM @ 423' TDH
- ➢ 2750 HP TOTAL
- ➢ 21,930 GPM @ 423' TDH (179PSI)

BOOSTER STATION #403

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BOOSTER STATIONS @CL-4D

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- #406 - 100 HP 1723 GPM @ 192' TDH
- ➢ 215 HP TOTAL
- ➢ 4745 GPM TOTAL

BOOSTER STATION CL-5C

- 75 HP 3500 GPM @ 69' TDH

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Table 2. Description of Changes to Water Right Certificate # 86992

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
3	N	26	E	15	NW	NW	500		2.4	Irrigation	1	7-25-1973	POU	3	N	26	E	4	NE	SE	400		1.3	Irrigation	1	7-25-1973
3	N	26	E	16	NE	NE	500		0.6	Irrigation	1	7-25-1973	POU	3	N	26	E	4	NW	SE	400		23.6	Irrigation	1	7-25-1973
3	N	26	E	16	NW	NE	500		1.8	Irrigation	1	7-25-1973	POU	3	N	26	E	4	SW	SE	400		27.4	Irrigation	1	7-25-1973
3	N	26	E	16	SW	NE	500		5.4	Irrigation	1	7-25-1973	POU	3	N	26	E	4	SE	SE	400		34.1	Irrigation	1	7-25-1973
3	N	26	E	16	SE	NE	500		2.0	Irrigation	1	7-25-1973	POU													
3	N	26	E	16	NE	NW	500		0.8	Irrigation	1	7-25-1973	POU													
3	N	26	E	16	NW	NW	500		2.3	Irrigation	1	7-25-1973	POU													
3	N	26	E	16	SW	NW	500		6.0	Irrigation	1	7-25-1973	POU													
3	N	26	E	16	SE	NW	500		5.2	Irrigation	1	7-25-1973	POU													
3	N	26	E	16	NE	SW	500		3.0	Irrigation	1	7-25-1973	POU													
3	N	26	E	16	SW	SW	500		4.7	Irrigation	1	7-25-1973	POU													
3	N	26	E	16	SE	SW	500		4.2	Irrigation	1	7-25-1973	POU													
3	N	26	E	16	NE	SE	500		5.2	Irrigation	1	7-25-1973	POU													
3	N	26	E	16	NW	SE	500		7.4	Irrigation	1	7-25-1973	POU													
3	N	26	E	16	SW	SE	500		6.5	Irrigation	1	7-25-1973	POU													
3	N	26	E	16	SE	SE	500		1.2	Irrigation	1	7-25-1973	POU													
TOTAL ACRES:									58.7					TOTAL ACRES:									86.4			

T-12248

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Table 2. Description of Changes to Water Right Certificate # 86992 (Continued)

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.											
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
3	N	26	E	17	NE	NE	500		1.5	Irrigation	1	7-25-1973	POU														
3	N	26	E	17	NW	NE	500		1.0	Irrigation	1	7-25-1973	POU														
3	N	26	E	17	SW	NE	500		2.0	Irrigation	1	7-25-1973	POU														
3	N	26	E	17	SE	NE	500		2.4	Irrigation	1	7-25-1973	POU														
3	N	26	E	21	NE	NE	500		4.4	Irrigation	1	7-25-1973	POU														
3	N	26	E	21	NW	NE	500		6.4	Irrigation	1	7-25-1973	POU														
3	N	26	E	21	SW	NE	500		6.2	Irrigation	1	7-25-1973	POU														
3	N	26	E	21	SE	NE	500		0.5	Irrigation	1	7-25-1973	POU														
3	N	26	E	21	NE	NW	500		1.2	Irrigation	1	7-25-1973	POU														
3	N	26	E	21	SE	NW	500		5.2	Irrigation	1	7-25-1973	POU														
									30.8																		
TOTAL ACRES:									86.4					TOTAL ACRES:													

T-12248

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: _____. **N/A**

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) **N/A**

Ground water supplemental Permit or Certificate # _____; **N/A**
Surface water primary Certificate # _____. **N/A**

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For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # _____ **N/A**

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

☐ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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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
N/A										

STATE OF OREGON
WATER RESOURCES DEPARTMENT

RECEIPT # 118628

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

INVOICE # T-12248

RECEIVED FROM: Willow Creek Dairy
BY:

APPLICATION	T-12247
PERMIT	
TRANSFER	

CASH: ☐ CHECK:# ☒ 22935 ☐ OTHER: (IDENTIFY)

TOTAL REC'D $9,850.00

1083 TREASURY 4170 WRD MISC CASH ACCT

0407	COPIES	47124	$
0408	OTHER:	(IDENTIFY) Reimbursement Authority	$ 250.00

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

4270 WRD OPERATING ACCT

MISCELLANEOUS

46110

0407	COPY & TAPE FEES	R11129-17 @ 125.00	$
0410	RESEARCH FEES	R11130-17 @ 125.00	$
0408	MISC REVENUE: (IDENTIFY)		$
TC162	DEPOSIT LIAB. (IDENTIFY)		$
0240	EXTENSION OF TIME		$

WATER RIGHTS:

		EXAM FEE		RECORD FEE
0201	SURFACE WATER	$	0202	$
0203	GROUND WATER	$	0204	$
0205	TRANSFER	$ 9,600.00		

WELL CONSTRUCTION

		EXAM FEE		LICENSE FEE
0218	WELL DRILL CONSTRUCTOR	$	0219	$
	LANDOWNER'S PERMIT		0220	$

____ OTHER (IDENTIFY) ____

0536 TREASURY 0437 WELL CONST. START FEE

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

____ OTHER (IDENTIFY) ____

0607 TREASURY 0467 HYDRO ACTIVITY LIC NUMBER

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

____ TREASURY OTHER / RDX

FUND ____ TITLE ____
OBJ. CODE ____ VENDOR # ____
DESCRIPTION ____ $

RECEIPT: 118628 DATED: 1/15/16 BY: [signature]

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

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

Superseded Bosma to te Velde

Application for Permanent Water Right Transfer

Part 1 of 5 – Minimum Requirements Checklist

This transfer application will be returned if Parts 1 through 5 and all required attachments are not completed and included.
For questions, please call (503) 986-0900, and ask for Transfer Section.

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

☒ Part 1 – Completed Minimum Requirements Checklist.

☒ Part 2 – Completed Transfer Application Map Checklist.

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

☒ Part 4 – Completed Applicant Information and Signature.

☒ Part 5 – Information about Water Rights to be Transferred: **How many water rights are to be transferred? 4 List them here: Certificates 49726, 55317, 49727, & 55316.** Please include a separate Part 5 for each water right. (See instructions on page 6)

Attachments:

☒ Completed Transfer Application Map.

☒ Completed Evidence of Use Affidavit and supporting documentation.

☐ ☒ N/A Affidavit(s) of Consent from Landowner(s) (if the applicant does not own the land the water right is on.)

☒ ☐ N/A Supplemental Form D – For water rights served by or issued in the name of an irrigation district. Complete when the transfer applicant is not the irrigation district.

☒ ☐ N/A 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 Water Well Report/Well Log for changes in point(s) of appropriation (well(s)) or additional point(s) of appropriation.

☐ ☒ N/A Geologist Report for a change from a surface water point of diversion to a ground water point of appropriation (well), if the proposed well is more than 500' from the surface water source and more than 1000' upstream or downstream from the point of diversion. See OAR 690-380-2130 for requirements and applicability.

(For Staff Use Only)
WE ARE RETURNING YOUR APPLICATION FOR THE FOLLOWING REASON(S):
___ Application fee not enclosed/insufficient ___ Map not included or incomplete
___ Land Use Form not enclosed or incomplete
___ Additional signature(s) required ___ Part ____ is incomplete
Other/Explanation _____
Staff: _____ 503-986-0___ Date: RECEIVED BY OWRD
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SALEM, OR

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.

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JAN 15 2016
SALEM, OR

☒ Existing place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions. If less than the entirety of the water right is being changed, a separate hachuring is needed for lands left unchanged.

☒ ☐ N/A Proposed place of use that includes separate hachuring for each water right, priority date, and use including number of acres in each quarter-quarter section, government lot, or in each quarter-quarter section as projected within government lots, donation land claims, or other recognized public land survey subdivisions.

☒ Existing point(s) of diversion or well(s) with distance and bearing or coordinates from a recognized survey corner. This information can be found in your water right certificate or permit.

☒ ☐ N/A If you are proposing a change in point(s) of diversion or well(s), show the proposed location and label it clearly with distance and bearing or coordinates. If GPS coordinates are used, latitude-longitude coordinates may be expressed as either degrees-minutes-seconds with at least one digit after the decimal (example – 42°32'15.5") or degrees-decimal with five or more digits after the decimal (example – 42.53764°).

FEE WORKSHEET for PERMANENT TRANSFER	**Part 3 of 5 – Fee Worksheet**		
1	Base Fee (includes one type of change to one water right for up to 1 cfs)	*1*	**$1,000**
2	Types of change proposed: ☒ Place of Use ☒ Character of Use ☒ Point of Diversion/Appropriation Number of above boxes checked = 3 (2a) Subtract 1 from the number in line 2a = 3 (2b) *If only one change, this will be 0* Multiply line 2b by $800 and enter » » » » » » » » » » » » » »	*2*	**$1,600**
3	Number of water rights included in transfer **4** (3a) Subtract 1 from the number in 3a above: **3** (3b) *If only one water right this will be 0* Multiply line 3b by $450 and enter » » » » » » » » » » » » » »	*3*	**$1,350**
4	Do you propose to add or change a well, or change from a surface water POD to a well? ☐ No: enter 0 » ☒ Yes: enter $350 »	*4*	**$700**
5	Do you propose to change the place of use or character of use? ☐ No: enter 0 on line 5 » » » » » » » » » » » » » » » » » » ☒ Yes: enter the cfs for the portions of the rights to be transferred (see example below*): **2.38** (5a) Subtract 1.0 from the number in 5a above: **1.38** (5b) If 5b is 0 or less, enter 0 on line 5 » » » » » » » » » » » » » » If 5b is greater than 0, round up to the nearest whole number: **2** (5c) and multiply 5c by $300, then enter on line 5 » » » » » » » »	*5*	**$600**
6	Add entries on lines 1 through 5 above » » » » » » » » » » Subtotal:	*6*	**$5,250**
7	Is this transfer: ☐ necessary to complete a project funded by the Oregon Watershed Enhancement Board (OWEB) under ORS 541.932? ☐ endorsed in writing by ODFW as a change that will result in a net benefit to fish and wildlife habitat? If one or more boxes is checked, multiply line 6 by 0.5 and enter on line 7 » If no box is applicable, enter 0 on line 7» » » » » » » » » » » »	*7*	**0**
8	Subtract line 7 from line 6 » » » » » » » » » » » » **Transfer Fee:**	*8*	**$5,250**

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SALEM, OR

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

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

FEE WORKSHEET for SUBSTITUTION			
1	Base Fee (includes change to one well)	*1*	$725.00
2	Number of wells included in substitution _____ (2a) Subtract 1 from the number in 3a above: _____ (2b) *If only one well this will be 0* Multiply line 2b by $350 and enter » » » » » » » » » » » » » »	*2*	
3	Add entries on lines 1 through 2 above » » » » » » **Fee for Substitution:**	*3*	

Part 4 of 5 – Applicant Information and Signature

Applicant Information

APPLICANT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
Sage Hollow Ranch, LLC (Bosma)			(509) 391-1100	(509) 391-1111
ADDRESS				FAX NO.
3620 Independence Rd.				
CITY	STATE	ZIP	E-MAIL	
Sunnyside	WA.	98944		
BY PROVIDING AN E-MAIL ADDRESS, CONSENT IS GIVEN TO RECEIVE ALL CORRESPONDENCE FROM THE DEPARTMENT ELECTRONICALLY. COPIES OF THE FINAL ORDER DOCUMENTS WILL ALSO BE MAILED.				

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

AGENT/BUSINESS NAME			PHONE NO.	ADDITIONAL CONTACT NO.
William I. Porfily			(541) 449-1327	(541) 561-7259 cell.
ADDRESS				FAX NO.
P.O. Box 643				(541) 449-1327
CITY	STATE	ZIP	E-MAIL	
Stanfield	OR.		wporfily@gmail.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.				

Explain in your own words what you propose to accomplish with this transfer application, and why:
We request the Order approving this transfer application be contingent upon and issued at the same time as the Order approving the affiliated Willow Creek Dairy (te Velde) application. We request 15 years to complete the Agricultural Use of water under this transfer after it is issued.

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

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

Check One Box

☒ By signing this application, I understand that, upon receipt of the draft preliminary determination and prior to Department approval of the transfer, I will be required to provide landownership information and evidence that I am authorized to pursue the transfer as identified in OAR 690-380-4010(5); **OR**

☐ I affirm the applicant is a municipality as defined in ORS 540.510(3)(b) and that the right is in the name of the municipality or a predecessor; **OR**

☐ I affirm the applicant is an entity with the authority to condemn property and is acquiring by condemnation the property to which the water right proposed for transfer is appurtenant and have supporting documentation.

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

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

Applicant signature	Print Name (and Title if applicable)	Date
[signature]	Sage Hollow Ranch, LLC by: Jeff Bosma, An Owner	JAN 7, 2016

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

Check the following boxes that apply:

☒ The applicant is responsible for completion of change(s). Notices and correspondence should continue to be sent to the applicant.

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

☒ Both the receiving landowner and applicant will be responsible for completion of change(s). Copies of notices and correspondence should be sent to this landowner and the applicant.

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

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

If a property sells, the certificated water right(s) located on the land belong to the new owner, unless a sale agreement or other document states otherwise. For more information see: http://www.oregon.gov/owrd/docs/transfer-propertytransactions.pdf

RECEIVING LANDOWNER NAME			PHONE NO.	ADDITIONAL CONTACT NO.
WILLOW CREEK DAIRY (TE VELDE)			**(559) 799-9111**	
ADDRESS				FAX NO.
P.O. Box 1210				
CITY	STATE	ZIP	E-MAIL	
Boardman	**OR.**	**97818**	**gjtevelde@aol.com**	

Describe any special ownership circumstances here: _____

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

IRRIGATION DISTRICT NAME	ADDRESS	
Columbia Irrigation District	**P.O. Box 47**	
CITY	STATE	ZIP
Boardman	**OR.**	**97818**

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

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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

ENTITY NAME	ADDRESS	
Morrow County	**Courthouse**	
CITY	STATE	ZIP
Heppner	**OR.**	**97836**

ENTITY NAME	ADDRESS	
CITY	STATE	ZIP

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JAN 15 2016

SALEM, OR

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

CERTIFICATE # 49726

Description of Water Delivery System

System capacity: **1.12** cubic feet per second (cfs) **OR**

_____ 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. **200 h.p turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp		Rng		Sec	¼	¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	**MORR 590**	**3**	**N**	**26**	**E**	**4**	**NW**	**SE**	**400**	**1390' N & 2390' W from SE Corner of Sec. 4**
1 (North Well)	☐ Authorized ☒ Proposed		**3**	**N**	**26**	**E**	**16**	**SE**	**NE**	**500**	**1970'S &600'W from the NE Cor. Sec. 16**
2 (South Well)	☐ Authorized ☒ Proposed		**3**	**N**	**26**	**E**	**15**	**NW**	**SW**	**500**	**1580'N & 290'E from the SE Cor. of Sec. 16**
	☐ Authorized ☐ Proposed										

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

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

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

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

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

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JAN 15 2016

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SALEM, OR

Table 2. Description of Changes to Water Right Certificate # 49726

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1 & 2	3-2-1959
TOTAL ACRES:									207.3					TOTAL ACRES:													

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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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less han full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

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CERTIFICATE # 55317

Description of Water Delivery System

System capacity: **0.07** cubic feet per second (cfs) **OR**

_____ 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. **200 h.p turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	**MORR 590**	**3 N**	**26 E**	**4**	**NW SE**		**1390' N & 2390' W from SE Corner of Sec. 4**
1 (North Well)	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**16**	**SE NE**	**500**	**1970'S &600'W from the NE Cor. Sec. 16**
2 (South Well)	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**15**	**NW SW**	**500**	**1580'N & 290'E from the SE Cor. of Sec. 16**
	☐ Authorized ☐ Proposed							

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

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

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

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

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

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Table 2. Description of Changes to Water Right Certificate # 55317

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.													
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1 & 2	3-2-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1 & 2	3-2-1959
TOTAL ACRES:									12.2					TOTAL ACRES:													

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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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less han full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

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CERTIFICATE # 49727

Description of Water Delivery System

System capacity: **0.84** cubic feet per second (cfs) **OR**

_____ 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. **150 h.p. turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
2 (North Well)	☒ Authorized ☐ Proposed	**MORR 591**	**3 N**	**26 E**	**4**	**NE NE**		**840' S & 430' W from the NE Corner of Sec. 4**
1 (North Well)	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**16**	**SE NE**	**500**	**1970'S &600'W from the NE Cor. Sec. 16**
2 (South Well)	☐ Authorized ☒ Proposed		**3 N**	**26 E**	**15**	**NW SW**	**500**	**1580'N & 290'E from the SE Cor. of Sec. 16**
	☐ Authorized ☐ Proposed							

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

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

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

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

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

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T 12248

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JAN 15 2016

SALEM, OR

Table 2. Description of Changes to Water Right Certificate # 49727.

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.													Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1 & 2	3-6-1959
TOTAL ACRES:									198.3					TOTAL ACRES:													

T 12248

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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

Proposed or Authorized POA Name or Number	Is well already built? (Yes or No)	If an existing well: OWRD Well ID Tag No. L-___	Total well depth	Casing Diameter	Casing Intervals (feet)	Seal depth(s) (intervals)	Perforated or screened intervals (in feet)	Static water level of completed well (in feet)	Source aquifer (sand, gravel, basalt, etc.)	Well -specific rate (cfs or gpm). If less han full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

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JAN 15 2016
SALEM, OR

CERTIFICATE # 55316

Description of Water Delivery System

System capacity: **0.35** (cfs) **(being 0.19 cfs from Well # 1 & 0.16 cfs from Well # 2) OR**

_____ gallons per minute (gpm)

Describe the current water delivery system or the system that was in place at sometime 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. **POA # 1: 200 h.p turbine pump and a 50 h.p. turbine booster pump. POA # 2: 150 h.p. turbine pump and a 50 h.p. turbine booster pump.**

Table 1. Location of Authorized and Proposed Point(s) of Diversion (POD) or Appropriation (POA)
(Note: If the POD/POA name is not specified on the certificate, assign it a name or number here.)

POD/POA Name or Number	Is this POD/POA Authorized on the Certificate or is it Proposed?	If POA, OWRD Well Log ID# (or Well ID Tag # L-___)	Twp	Rng	Sec	¼ ¼	Tax Lot, DLC or Gov't Lot	Measured Distances (from a recognized survey corner)
1 (South Well)	☒ Authorized ☐ Proposed	MORR 590	3 N	26 E	4	NW SE		1390' N & 2390' W from SE Corner of Sec. 4
2 (North Well)	☒ Authorized ☐ Proposed	MORR 591	3 N	26 E	4	NE NE		840' S & 430' W from the NE Corner of Sec. 4
1 (North Well)	☐ Authorized ☒ Proposed		3 N	26 E	16	SE NE	500	1970'S &600'W from the NE Cor. Sec. 16
2 (South Well)	☐ Authorized ☒ Proposed		3 N	26 E	15	NW SW	500	1580'N & 290'E from the SE Cor. of Sec. 16

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

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

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

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

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

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SALEM, OR

Table 2. Description of Changes to Water Right Certificate # 55316

AUTHORIZED (the "from" or "off" lands) The listing that appears on the certificate BEFORE PROPOSED CHANGES. List only that part or portion of the water right that will be changed.												Proposed Changes (see "CODES" from previous page)	PROPOSED (the "to" or "on" lands) The listing as it would appear AFTER PROPOSED CHANGES are made.												
Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	Type of USE listed on Certificate	POD(s) or POA(s) (name or number from Table 1)	Priority Date		Twp		Rng		Sec	¼	¼	Tax Lot	Gvt Lot or DLC	Acres	New Type of USE	POD(s)/ POA(s) to be used (from Table 1)	Priority Date
													POU/USE/ POA	3	N	26	E	15	SW	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	15	NW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	15	SW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SE	NW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NE	SW	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SW	500			Agric.	Proposed 1 & 2	3-6-1959
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													POU/USE/ POA	3	N	26	E	16	NE	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	NW	SE	500			Agric.	Proposed 1 & 2	3-6-1959
													POU/USE/ POA	3	N	26	E	16	SW	SE	500			Agric.	Proposed 1 & 2	3-6-1959
									85.2				POU/USE/ POA	3	N	26	E	16	SE	SE	500			Agric.	Proposed 1 & 2	3-6-1959
GRAND TOTAL ACRES:									503.0					GRAND TOTAL ACRES:												

T 12248

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: **N/A.**

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 # **N/A;**
Surface water primary Certificate # **N/A.**

For a change from Supplemental Irrigation Use to Primary Irrigation Use

Identify the primary certificate to be cancelled. Certificate # **N/A**

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

☒ Well log(s) are attached for each authorized and proposed well(s) that are clearly labeled and associated with the corresponding well(s) in Table 1 above and on the accompanying application map.
Tip: You may search for well logs on the Department's web page at:
http://apps.wrd.state.or.us/apps/gw/well_log/Default.aspx

AND/OR

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

Table 3. Construction of Point(s) of Appropriation

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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 han full rate of water right
Proposed # 1	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150-'**	**N/A**	**300'**	**Basalt**	**500 gpm**
Proposed # 2	**No**	**N/A**	**750' to 1000'**	**16 in.**	**0 to 150'**	**Basalt-150'**	**N/A**	**300'**	**Basalt**	**500 gpm**

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JAN 15 2016

WATER WELL REPORT
STATE OF OREGON

MORR 590

RECEIVED
APR 28 1982
WATER RESOURCES DEPT
SALEM, OREGON

State Well No. 3N/26E-4D6

State Permit No. South Well

(1) OWNER:
Name BULow FARM
Address BOX G
City IRRIGON State ORE

(2) TYPE OF WORK (check):
New Well ☐ Deepening ☑ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary Air ☑ Driven ☐
Rotary Mud ☐ Dug ☐
Cable ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☑ Test Well ☐ Other ☐
Thermal: ☐ Withdrawal ☐ Reinjection ☐

(5) CASING INSTALLED:
Steel ☐ Plastic ☐
Threaded ☐ Welded ☐
NA Diam. from ..... ft. to ..... ft. Gauge .....
..... " Diam. from ..... ft. to ..... ft. Gauge .....

LINER INSTALLED:
..... " Diam. from ..... ft. to ..... ft. Gauge .....

(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 ..... Set from ..... ft. to ..... ft.
Diam. ..... Slot Size ..... Set from ..... ft. to ..... ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☑ No If yes, by whom?
..... gal./min. with ..... ft. drawdown after ..... hrs.
" " " "
Air test gal./min. with drill stem at ft. hrs.
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water Depth artesian flow encountered ..... ft.

(9) CONSTRUCTION:
Special standards: Yes ☐ No ☐
Well seal—Material used NA
Well sealed from land surface to ..... ft.
Diameter of well bore to bottom of seal ..... in.
Diameter of well bore below seal ..... in.
Number of sacks of cement used in well seal ..... sacks
How was cement grout placed? .....
Was pump installed? ..... Type ..... HP ..... Depth ..... ft.
Was a drive shoe used? ☐ Yes ☑ No Plugs ..... Size: location ..... ft.
Did any strata contain unusable water? ☐ Yes ☑ No
Type of Water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☑ No Size of gravel: .....
Gravel placed from ..... ft. to ..... ft.

(10) LOCATION OF WELL:
County MORROW Driller's well number
NW ¼ SE ¼ Section 4 T. 3N R. 26E W.M.
Tax Lot # Lot Blk Subdivision
Address at well location:

(11) WATER LEVEL: Completed well.
Depth at which water was first found 712 ft.
Static level 283 ft. below land surface. Date 2-25-82
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 12
Depth drilled 212 ft. Depth of completed well 835 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
REAMED 8" TO 12" FROM APPROX 460' TO ~~465'~~ ~~600'~~ 623			
DRILLED NEW HOLE FROM ~~623~~ 623 TO 835			
BASALT GRAY	623	712	
" BLACK	712	718	
GRAY	718	733	
BLACK	733	763	
GRAY	763	805	
BLACK	805	820	
GRAY	820	828	
BLACK	828	835	

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SALEM, OR

Work started 2-5 1982 Completed 2-25 1982
Date well drilling machine moved off of well 19

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] ..... (Drilling Machine Operator) Date 2-25, 1982
Drilling Machine Operator's License No. 1386

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 LARRY BUAD WELL DRILLING INC (Person, firm or corporation) (Type or print)
Address 5543 SW DOUGLAS PENDLETON ORE
[Signed] Larry Buad (Water Well Contractor)
Contractor's License No. 544 Date 2-25, 1982

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.

SP*12653-690

T 12248

MORR 51276

51276 South Well

ORIGINAL
File Original, and Duplicate with the STATE ENGINEER, SALEM, OREGON

RECEIVED
SEP 11 1956
STATE ENGINEER

WATER WELL DRILLERS REPORT
STATE OF OREGON

Do Not Fill In — State Well No. 3N/26-4L1
State Permit No.

(1) OWNER:
Name Luther W. Cramer
Address 910 SE 37th Ave
Portland, Ore

(2) LOCATION OF WELL:
County Morrow — Owner's number, if any — Permit # 4557 Well #2
R. F. D. or Street No.
Bearing and distance from section or subdivision corner 1310' [illegible] of 1310 North of S.W. Corner of Sec 4, Range 26, Township 3 N.

(3) TYPE OF WORK (check):
New well [X] Deepening [ ] Reconditioning [ ] Abandon [ ]
If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):
Domestic [ ] Industrial [ ] Municipal [ ]
Irrigation [X] Test Well [ ] Other [ ]

(5) EQUIPMENT:
Rotary [ ]
Cable [X]
Dug Well [ ]

(6) CASING INSTALLED:
Threaded [ ] Welded [X]

FROM	ft. to	ft.	Diam.	Gage or Wall
0	96		12"	3/16"

Type and size of shoe or well ring Long Patton — Size of gravel:
Describe joint 3 Pass Butt Weld, 3 2"x3/8" straps

If gravel packed

Diameter of Bore	from ft.	to ft.

(7) PERFORATIONS:
Type of perforator used

SIZE of perforations	in., length, by	in.
FROM ft. to ft.	perf per foot	No. of rows

SCREENS:
Give Manufacturer's Name, Model No. and Size
#

(8) CONSTRUCTION:
Was a surface sanitary seal provided? [ ] Yes [X] No To what depth ft.
Were any strata sealed against pollution? [ ] Yes [X] No
If yes, note depth of strata

FROM	ft. to	ft.

METHOD OF SEALING

(9) WATER LEVELS:
Depth at which water was first found 313 ft.
Standing level before perforating 166 ft.
Standing level after perforating ft.

Log Accepted by:
[Signed] Luther W. Cramer (Owner) Dated Sept 7, 19 56

(10) WELL TESTS:
Was a pump test made? [X] Yes [ ] No If yes, by whom? Driller

Yield:	gal./min. with	ft. draw down after
100	74	4½ hrs.
170	91	4¼ "
350	98	4 "

Artesian flow g.p.m.
Shut-in pressure lbs. per square inch.
Bailer test g.p.m. with ft. drawdown
Temperature of water 66 Was a chemical analysis made? [ ] Yes [X] No
Was electric log made of well? [ ] Yes [X] No

(11) WELL LOG:
Diameter of well 12" inches.
Total depth 350 ft. Depth of completed well 343 ft.

Formation: *Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.*

0 ft. to 92 ft.		Sand and Silt
92 " 119½ "		Tan Clay
119½ " 134½ "		Grey Basalt Rock
134½ " 174½ "		Tan Clay
174½ " 241 "		Grey Basalt Rock
241 " 243 "		Gravel, Clay & Sand
" "		Small Quantity of Water
243 " 313 "		Blue Clay
313 " 343 "		Medium Course
" "		Yellow Sand
" "		Water Bearing
345 " 350 "		Clay & Gravel
350 " 358 "		Cemented Gravel

Comment

This Well Pumps Sand. A strainer will be installed when "Well Drill" is available this winter and a new test made. Ingredients of water bearing materia are right for natural gravel pack.

Ground elevation at well site 650 feet above mean sea level.
Work started Feb 18 19 55 Completed Nov 6 19 55

Well Driller's Statement:
This well was drilled under my jurisdiction and this report is true to the best of my knowledge and belief.

NAME Luther W. Cramer
(Person, firm, or corporation) (Typed or printed)
Address 910 SE 37th Ave Portland, Ore
Driller's well number
[Signed] Luther W. Cramer (Well Driller)
License No. Dated Nov 6, 19 55

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T 12248

JAN 15 2016

SALEM, OR

File Original and First Copy with the STATE ENGINEER, SALEM, OREGON

Morrow 595

OBSERVATION WELL

WATER WELL REPORT

STATE OF OREGON

See deeper one South Well

State Well No. 3N/26-4 FL

State Permit No. G1319

(1) OWNER:

GEORGE BOLOW

Name Luther W. Cramer

Address 406 West 4th

Hermiston, Ore

(2) LOCATION OF WELL:

County Morrow Owner's number, if any—

NW ¼ SE ¼ Section 4 T. 3N R. 26E W.M.

Bearing and distance from section or subdivision corner

S 66°-6' E 3142.0 ft from The West ¼ Sect Monument

(3) TYPE OF WORK (check):

New Well [X] Deepening [ ] Reconditioning [ ] Abandon [ ]

If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

Domestic [ ] Industrial [ ] Municipal [ ]

Irrigation [X] Test Well [ ] Other [ ]

(5) TYPE OF WELL:

Rotary [ ] Driven [ ]

Cable [X] Jetted [ ]

Dug [ ] Bored [ ]

(6) CASING INSTALLED:

Threaded [ ] Welded [X]

12" Diam. from Ground ft. to 92 ft. Gage 4"

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(7) PERFORATIONS:

Perforated? [ ] Yes [X] 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.

perforations from ft. to ft.

perforations from ft. to ft.

(8) SCREENS:

Well screen installed [ ] Yes [X] No

Manufacturer's Name

Type Model No.

Slot size Set from ft. to ft.

Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Was well gravel packed? [ ] Yes [X] No Size of gravel:

Gravel placed from ft. to ft.

Was a surface seal provided? [ ] Yes [ ] No To what depth? ft.

Material used in seal— Casing Driven Tight into ~~Rock~~ Clay

Did any strata contain unusable water? [ ] Yes [X] No

Type of water? Depth of strata

Method of sealing strata off

(10) WATER LEVELS:

Static level 158½ ft. below land surface Date

Artesian pressure lbs. per square inch Date

Log Accepted by:

[Signed] Luther W. Cramer Date Sept 26, 60

(Owner)

(11) WELL TESTS:

Drawdown is amount water level is lowered below static level

Was a pump test made? [X] Yes [ ] No If yes, by whom? Luther W. Cramer

Yield: 500 gal./min. with 5 ft. drawdown after 3 hrs.

" 400 " 4 " 3-40 min

" 300 " 3 " 3-40 "

Baller test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? [ ] Yes [X] No

(12) WELL LOG:

0-487½ 12" 487½-623-8"

Diameter of well inches.

Depth drilled 623 ft. Depth of completed well 623 ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Sand & Silt	0	76'
Tan Clay	76	120'
Soft Basalt Rock	120	135'
Yellow & Blue Cube Clay	135	180'
Drilling Water	177½'	
Conglamorate Rock	180	190
Black Basalt	190	246
Yellow & Blue Cube Clay	246	356
Basalt	356	623
5" Cavity with Water Struck at	607'	

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SALEM, OR

Work started June 26 19 59 Completed Mar 26 19 60

(13) PUMP:

Manufacturer's Name Western Pump Co

Type: 7 stage 12N Turbine Pump H.P. Max 200

Well Driller's Statement:

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

NAME Luther W. Cramer

(Person, firm, or corporation) (Type or print)

Address 406 West 4th, Hermiston

Driller's well number

[Signed] Luther W. Cramer

(Well Driller)

License No. Date Sept 26, 60

(USE ADDITIONAL SHEETS IF NECESSARY)

T 12248

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.

RECEIVED
JUN 25 1981
WATER RESOURCES DEPT
SALEM, OREGON

WATER WELL REPORT
STATE OF OREGON
(Please type or print)
(Do not write above this line)

MORR 591

State Well No. 3N/26E-4aa
State Permit No. North Well

(1) OWNER:
Name BULOW FARM
Address BOX G
IRRIGON ORE

(2) TYPE OF WORK (check):
New Well ☑ Deepening ☐ Reconditioning ☐ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary ☑ Driven ☐
Cable ☐ Jetted ☐
Dug ☐ Bored ☐

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☑ Test Well ☐ Other ☐

CASING INSTALLED:
Threaded ☐ Welded ☑
12 " Diam. from +2 ft. to 353 ft. Gage .250
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

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 Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a ~~pump~~ AIR test made? ☑ Yes ☐ No If yes, by whom? DRILLER
Yield: 1000+ gal./min. with 200 ft. drawdown after 1 hrs.
" " "
" " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow g.p.m.
Temperature of water 76° Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Well seal—Material used PORTLAND CEMENT
Well sealed from land surface to 18 ft.
Diameter of well bore to bottom of seal 16 in.
Diameter of well bore below seal 12 in.
Number of sacks of cement used in well seal 18 sacks
How was cement grout placed? TREMIE

Was a drive shoe used? ☐ Yes ☑ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☑ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☑ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL:
County MORROW Driller's well number
NE ¼NE ¼ Section 4 T. 3N R. 26E W.M.
Bearing and distance from section or subdivision corner

(11) WATER LEVEL: Completed well.
Depth at which water was first found 435 ft.
Static level 237 ft. below land surface. Date 4-24-81
Artesian pressure lbs. per square inch. Date

(12) WELL LOG:
Diameter of well below casing 12¼
Depth drilled 790 ft. Depth of completed well 790 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
SAND + CLAY		0	190	
SAND + CLAY		190	352	
BASALT	Black	352	435	
"	"	435	450	50 GPM
"	"	450	475	
"	"	575	589	600 GPM
"	BROWN	589	611	
"	GREY	611	716	
"	Black	716	722	
"	"	722	742	
"	"	742	753	1500 GPM
"	"	753	790	
Black Basalt		475	575	

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JAN 15 2016
SALEM, OR

RECEIVED
MAY 28 1981
WATER RESOURCES DEPT
SALEM, OREGON

Work started 2-24 19 81 Completed 4-24 19 81
Date well drilling machine moved off of well 4-24 19 81

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] (Drilling Machine Operator) Date 4/24, 19 81
Drilling Machine Operator's License No. 1386

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 Larry Bund Well Drilling Inc. (Person, firm or corporation) (Type or print)
Address 5543 SW Douglas Pendleton
[Signed] Larry Bund (Water Well Contractor)
Contractor's License No. 544 Date 4-24, 19 81

(USE ADDITIONAL SHEETS IF NECESSARY)
SP*45656-119

T 12248

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)

MORR 592

State Well No. 3N/26-4AA(1)

State Permit No. G1284

This well originally drilled By Luther W. Cramer 1960

(1) OWNER:
Name George & Terry Bulow
Address P.O. Box G, Irrigon, Oregon 97844

(2) TYPE OF WORK (check):
New Well ☐ Deepening ☐ Reconditioning ☒ Abandon ☐
If abandonment, describe material and procedure in Item 12.

(3) TYPE OF WELL:
Rotary ☐ Driven ☐
Cable ☒ Jetted ☐
Dug ☐ Bored ☐
Other

(4) PROPOSED USE (check):
Domestic ☐ Industrial ☐ Municipal ☐
Irrigation ☒ Test Well ☐ Other ☐

(5) CASING INSTALLED:
Threaded ☐ Welded ☒
10 3/4" Diam. from 0.0 ft. to 361.5 ft. Gage .188
" Diam. from ft. to ft. Gage
" Diam. from ft. to ft. Gage

(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 Set from ft. to ft.
Diam. Slot size Set from ft. to ft.

(8) WELL TESTS:
Drawdown is amount water level is lowered below static level
Was a pump test made? ☐ Yes ☒ No If yes, by whom?
gal./min. with ft. drawdown after hrs.
" " " "
" " " "
Bailer test gal./min. with ft. drawdown after hrs.
Artesian flow NONE g.p.m.
Temperature of water Depth artesian flow encountered ft.

(9) CONSTRUCTION:
Well seal—Material used
Well sealed from land surface to ft.
Diameter of well bore to bottom of seal in.
Diameter of well bore below seal in.
Number of sacks of cement used in well seal sacks
How was cement grout placed?

Was a drive shoe used? ☐ Yes ☐ No Plugs Size: location ft.
Did any strata contain unusable water? ☐ Yes ☒ No
Type of water? depth of strata
Method of sealing strata off
Was well gravel packed? ☐ Yes ☒ No Size of gravel:
Gravel placed from ft. to ft.

(10) LOCATION OF WELL: North Well
County Morrow Driller's well number 153
NE ¼ NE ¼ Section 4 T. 3N R. 26 E. W.M.
Bearing and distance from section or subdivision corner
965' S.W. of the N.E. section corner.

(11) WATER LEVEL: Completed well.
Depth at which water was first found ft.
Static level 250.0 ft. below land surface. Date Mar. 8/80
Artesian pressure NONE lbs. per square inch. Date Mar. 8/80

(12) WELL LOG:
Diameter of well below casing 12" to 441.0 8" to 680.0
Depth drilled 0.0 ft. Depth of completed well 680.0 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
Suspended 361.5 ft. 10 3/4 O.D. x .188 wall Liner from 0.0 to 361.5			
Drilled & Bailed Cave from Hole to 680.0 ft			
Bailed Hole clean after drilling was completed to Bottom of well.			

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MAR 25 1980
WATER RESOURCES DEPT
SALEM, OREGON

Work started Mar. 1 1980 Completed Mar. 8 1980
Date well drilling machine moved off of well Mar. 8 1980

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] E. Brown (Drilling Machine Operator) Date Mar 10, 1980
Drilling Machine Operator's License No. 1153

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 Brown & Brown Drilling Co. (Person, firm or corporation) (Type or print)
Address P.O. Box 124, Hermiston, Oregon 97838
[Signed] John L. Brown (Water Well Contractor)
Contractor's License No. 516 Date Mar 10, 1980

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JAN 15 2016
SALEM, OR

(USE ADDITIONAL SHEETS IF NECESSARY)

SP*45056-110

T 12240

MORR 596

OBSERVATION WELL: North Well

WATER WELL REPORT

File Original and First Copy with the STATE ENGINEER, SALEM, OREGON

STATE OF OREGON G1411

State Well No. 3N/26-4A(1)

State Permit No. G1284

(1) OWNER: GEORGE BULOW

Name Mildred F. Cramer

Address 406 West 4th Hermiston Ore

(2) LOCATION OF WELL:

County Morrow Owner's number, if any—

NE ¼ NE ¼ Section 4 T. 3N R. 26E W.M.

Bearing and distance from section or subdivision corner

S 26° 22' W, 965.0 ft From The N.E. Section Corner

(3) TYPE OF WORK (check):

New Well [X] Deepening [ ] Reconditioning [ ] Abandon [ ]

If abandonment, describe material and procedure in Item 11.

(4) PROPOSED USE (check):

Domestic [ ] Industrial [ ] Municipal [ ]

Irrigation [X] Test Well [ ] Other [ ]

(5) TYPE OF WELL:

Rotary [ ] Driven [ ]

Cable [X] Jetted [ ]

Dug [ ] Bored [ ]

(6) CASING INSTALLED: Threaded [ ] Welded [X]

12" Diam. from 0 ft. to 123 ft. Gage ¼"

" Diam. from ft. to ft. Gage

" Diam. from ft. to ft. Gage

(7) PERFORATIONS: Perforated? [ ] Yes [X] 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.

perforations from ft. to ft.

perforations from ft. to ft.

(8) SCREENS: Well screen installed [ ] Yes [X] No

Manufacturer's Name

Type Model No.

Slot size Set from ft. to ft.

Slot size Set from ft. to ft.

(9) CONSTRUCTION:

Was well gravel packed? [ ] Yes [X] No Size of gravel:

Gravel placed from ft. to ft.

Was a surface seal provided? [ ] Yes [X] No To what depth? ft.

Material used in seal—Casing Driven Tight into Clay Rock

Did any strata contain unusable water? [ ] Yes [X] No

Type of water? Depth of strata

Method of sealing strata off

(10) WATER LEVELS:

Static level 155½ ft. below land surface Date June 11, 1960

Artesian pressure lbs. per square inch Date

Log Accepted by:

[Signed] Mildred F. Cramer Date Sept. 26, 1960

(Owner)

(11) WELL TESTS: Drawdown is amount water level is lowered below static level

Was a pump test made? [X] Yes [ ] No If yes, by whom? Luther W. Cramer

Yield: 500 gal./min. with 12 ft. drawdown after 3 hrs.

" 466 " 9½ " 3 " 10 Min.

" 300 " 7¼ " 3 " 20 Min.

Bailer test gal./min. with ft. drawdown after hrs.

Artesian flow g.p.m. Date

Temperature of water Was a chemical analysis made? [ ] Yes [X] No

(12) WELL LOG: 12" 0 to 439' 8" 439 to 680

Diameter of well inches.

Depth drilled 690 ft. Depth of completed well 680' ft.

Formation: Describe by color, character, size of material and structure, and show thickness of aquifers and the kind and nature of the material in each stratum penetrated, with at least one entry for each change of formation.

MATERIAL	FROM	TO
Sand & Silt	0	121
Rock & Tan Bentonite Clay	121	136
Basalt Rock	136	149
Brown Bentonite	149	184
Drilling Water	164	
Yellow "Cube Clay"	184	191
Basalt Rock	191	262
Grey Shale	262	265
Blue "Cube Clay"	265	360
Soft Black Rock	360	438
Basalt Rock	438	680
Water Source	670'	

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SALEM, OR

Work started June 1 1959 Completed June 8 1960

(13) PUMP:

Manufacturer's Name Western Pump Co

Type: 8 Stage 12N Turbine Pump H.P. 150

Well Driller's Statement:

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

NAME Luther W. Cramer (Person, firm, or corporation) (Type or print)

Address 406 W. 4th, Hermiston, Ore

Driller's well number

[Signed] Luther W Cramer (Well Driller)

License No. Date Sept 26, 1960

T 12248

(USE ADDITIONAL SHEETS IF NECESSARY)

Water Right Transfer
EVIDENCE OF USE AFFIDAVIT

State of Oregon)
) ss
County of Umatilla)

I, Bosma, in my capacity as an Owner of Sage Hollow Ranch, LLC,

mailing address 3630 Independence Rd., Sunnyside, WA. 98944

telephone number (509) 391-1100 or (509) 391-1111, 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 Certificates **# 49726, 55317, 49727, and 55316.**

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 Section	Gov't Lot or DLC	Acres (if applicable)

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 that portion not leased instream.); **OR**

☐ 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)

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

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.

Sage Hollow Ranch, LLC by: Jeff Bosma — JAN 7, 2016
Signature of Affiant — Date

Signed and sworn to (or affirmed) before me this 7 day of JAN, 2016.

OFFICIAL SEAL
WILLIAM I PORFILY
NOTARY PUBLIC-OREGON
COMMISSION NO. 464880
MY COMMISSION EXPIRES JANUARY 26, 2016

William I. Porfily
Notary Public for Oregon

My Commission Expires: JAN 26, 2016

Supporting Documents	Examples
Copy of a water right certificate that has been issued within the last five years. (not a remaining right certificate)	Copy of confirming water right certificate that shows issue date
Copies of receipts from sales of irrigated crops or for expenditures related to use of water:	• Power usage records for pumps associated with irrigation use • Fertilizer or seed bills related to irrigated crops • Farmers Co-op sales receipt
Records such as FSA crop reports, irrigation district records, NRCS farm management plan, or records of other water suppliers	• District assessment records for water delivered • Crop reports submitted under a federal loan agreement • Beneficial use reports from district • IRS Farm Usage Deduction Report • Agriculture Stabilization Plan • CREP Report
Aerial photos containing sufficient detail to establish location and date of photograph **2015 Google Earth Aerial Photos**	Multiple photos can be submitted to resolve different areas of a water right. If the photograph does not print with a "date stamp" or without the source being identified, the date of the photograph and source should be added. Sources for aerial photos: OSU – www.oregonexplorer.info/imagery OWRD – www.wrd.state.or.us Google Earth – earth.google.com TerraServer – www.terraserver.com
Approved Lease establishing beneficial use within the last 5 years	Copy of instream lease or lease number

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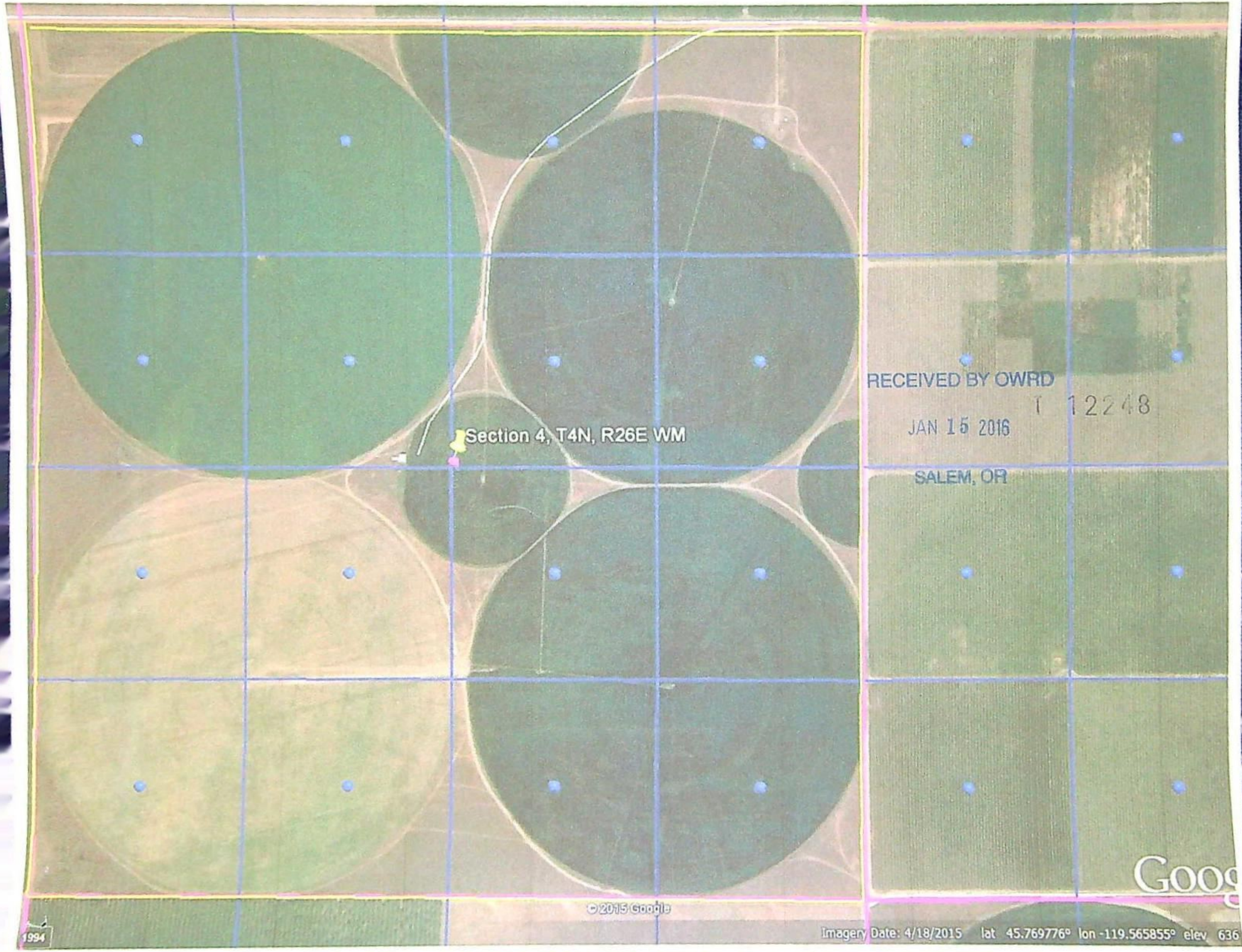
SALEM, OR

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


Section 4, T4N, R26E WM
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JAN 15 2016
SALEM, OR
© 2015 Google
Imagery Date: 4/18/2015 lat 45.769776° lon -119.565855° elev 636

Water Right Transfer Supplemental Form D

WATER RIGHTS ISSUED IN THE NAME OF AN IRRIGATION 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 an irrigation district or involving the transfer of water rights located within the boundaries of an irrigation district.

This form must be included with your transfer application if the transfer involves rights issued in the name of an irrigation district.

1. APPLICANT INFORMATION

Name: **Sage Hollow Ranch, LLC**

Address: **3620 Independence Rd.**

City: **Sunnyside,** State: **WA.** Zip: **98944**

Home Phone: Work Phone: **(509)-391-1100** Other Phone: **(509)-391-1111**

Fax: E-Mail address:

2. DISTRICT INFORMATION

District Name: **Columbia Improvement District**

Address: **P.O. Box 47**

City: **Boardman** State: **OR** Zip: **97818**

Home Phone: _____ Work Phone: **(541) 481-9454** Other Phone: _____

Fax:_____ E-Mail address: _____

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SALEM, OR

3. WATER RIGHT(S) ISSUED IN THE NAME OF AN IRRIGATION DISTRICT(S)

Water right(s) issued in the name of a district proposed for transfer:

	Application / Decree	Permit / Previous Transfer	Certificate
1.			49726
2.		-	55317
3.		-	49727
4.		-	55316
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.

Robert G Mueller
~~District Manager~~ Signature

Robert G Mueller
Name (print)

Date 12/1/15

CHAIRMAN

RECEIVED BY OWRD
JAN 15 2016
SALEM, OR

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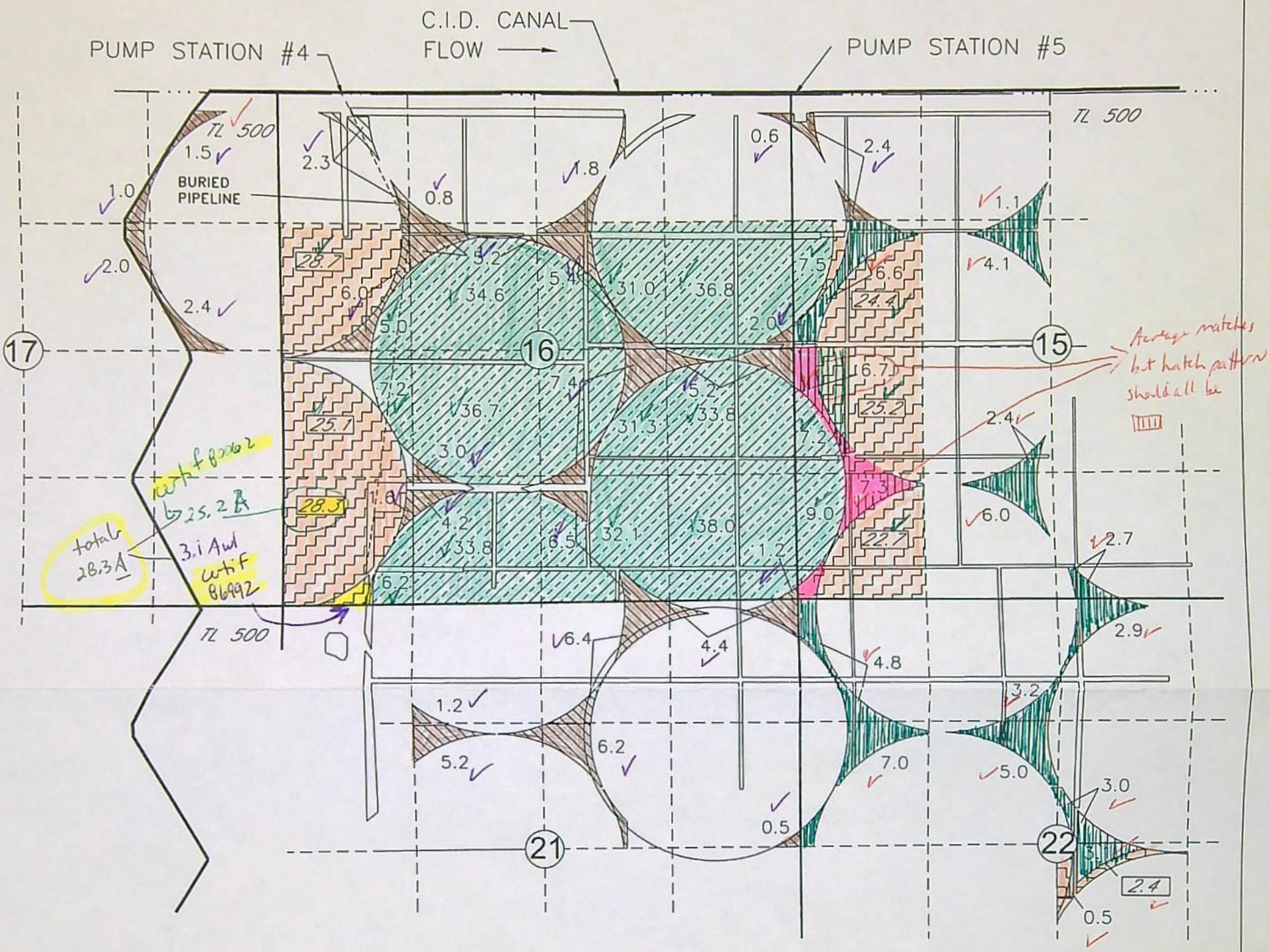
APR 07 2016
SALEM, OR

TRANSFER APPLICATION MAP
WILLOW CREEK DAIRY TO SAGE HOLLOW RANCH, LLC
FOR PORTIONS OF CERTIFICATES 86992, 86993, AND 80062

T3N, R26E, W.M., MORROW COUNTY

SHEET 1 OF 2 " FROM MAP "



LEGEND

- 86.4 AC OF CERT 86992
- 66.4 AC OF CERT 86993
- 350.2 AC OF CERT 80062
- AC OF CERT 80062 in QTR QTR NOT ASSOCIATED WITH THIS TRANSFER
- AC OF CERT 86993 in QTR QTR NOT ASSOCIATED WITH THIS TRANSFER

Discrepancy in SW SW S16

Discrepancy in NW of SW2 SW of SW, S15

N

0 660 1320
SCALE IN FEET

Certified Water Right Examiner
#333 WRE
Dale G. VanSchenck
May 19, 1992
12/23/15
STATE OF OREGON
Renews 6/30/16

NOTE:
THE PURPOSE OF THIS MAP IS TO IDENTIFY THE APPROXIMATE LOCATION OF THE WATER RIGHT. IT IS NOT INTENDED TO PROVIDE INFORMATION RELATIVE TO THE LOCATION OF PROPERTY OWNERSHIP BOUNDARY LINES. PIPE LOCATIONS AND SIZES WHERE SHOWN WERE PROVIDED BY FARM OPERATIONAL PERSONNEL AND ARE APPROXIMATE LOCATIONS AND SIZES.

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JAN 15 2016
SALEM, OR

T 12247

SAGE HOLLOW RANCH, LLC

13007

Invoice #	Date	Description	Account	Balance Due	Amount Paid
		Transfer application fee (B8,south edge of Bulow)	Taxes & Licenses	0.00	1,000.00

Date: 12/14/2015 Paid To: Oregon Water Resources Dpt. Check #: 13007 $1,000.00

Paid By: Sage Hollow Ranch

RECEIVED BY OWRD

DEC 23 2015

SALEM, OR